

# **Choosing Europe? Why Voter Preferences (sometimes) are not Reflected in National Positions in EU Constitutional Negotiations**

## **Abstract**

Why have governments systematically taken positions that are out of synch with what voters want in negotiations on transferring national sovereignty to the EU? Despite the centrality of this question there is little research that has focused explicitly on explaining why governments take positions that are out of synch with their voters. Most existing studies of voter preferences towards European integration have focused either upon the sources of voter preferences or upon party views towards integration. In comparison, there have been almost no studies that have investigated the ‘electoral connection’; in other words the process whereby voter preferences are translated into actual national positions in EU constitutional negotiations. Using data drawn from the 1996-97 negotiation of the Treaty of Amsterdam, this paper attempts to explain why voter preferences are often not reflected in national positions. It is found that the level of ‘disproportionality’ of the electoral system has an impact upon the level of divergence between national positions and voter views.

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## 1. Introduction

The failed ratification of the Constitutional Treaty in referendums in 2005 clearly showed that governments are out of synch with what voters want in negotiations on transferring national sovereignty to the EU. Why do we see such a lack of correspondence in what is termed the ‘electoral connection’ between voter preferences towards European integration and the positions that governments take in negotiations on further integrative steps? In a perfect representative democracy, there is a democratic chain of delegation that links voters with their elected representatives and then onwards to the executive branch and finally to civil servants in the bureaucracy (Strøm 2000). In this ‘perfect world’ scenario we would expect voter views to map perfectly onto the actual positions taken by governments. But is this an accurate picture?

The last three decades have seen the European Union (EU) transformed from a dormant free trade zone into a quasi-federal conglomerate focused on market integration through a series of EU constitutional negotiations (Intergovernmental Conferences). Governments have transferred national sovereignty to the EU-level in an increasingly wide range of areas of public policy; with the most far-reaching transfer being the creation of a common currency, the euro. While integration theorists long held that integration was an elite-driven process, and that disinterested voters accepted it due to a ‘permissive consensus’ (Lindberg and Scheingold 1970), this argument became increasingly untenable after the repeated public rejection of integrative steps forward in referendum in the 1990s and 2000s. Further, given the high political stakes involved in questions relating to the transferral of national sovereignty to the EU level, we should expect that voters are vigilant and hold their representatives accountable, and that politicians would therefore respond to public demands for more/less integration.

This paper investigates the degree to which governments are out of touch with voter preferences by measuring the level of correspondence between voter views and national positions, and then develops a set of hypotheses that can explain cross-national differences. National positions and not just ‘preferences’ are measured in this paper, as I am interested in measuring what governments actually say and do in Brussels, and not just what they say in public justifications prior to negotiations. The paper finds that there are large cross-national differences in how responsive governmental positions are to voter preferences.

Unfortunately, despite the large number of studies that have looked at the European integration process, the state-of-the-art at present is that we are more-or-less in the dark as to why there are large cross-national differences in how responsive governments are to voter views. There are several studies of voter preferences towards European integration, but these have focused either upon the sources of

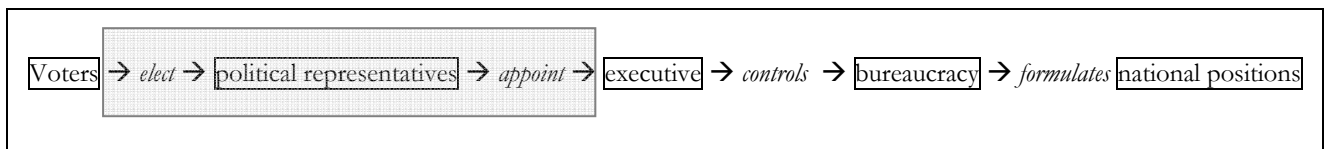
voter preferences (e.g. Hix 2007; Wilson 2000) or upon party views towards integration (Marks and Wilson 2000; Marks, Wilson and Ray 2002; Taggart 1998). In comparison, there have been almost no studies that have investigated the electoral connection and how it impacts upon the representation (or lack thereof) of voter views in EU constitutional negotiations. However, to my knowledge there have been no studies that focus upon cross-national differences in level of government responsiveness to voter views on European integration.

This paper is therefore an exploratory study of potential explanatory factors drawn from theoretical debates on electoral systems and EU politics. In the theoretical section, four different competing theoretical hypotheses are developed that can potentially explain cross-national variation in the level of divergence. The four hypotheses relate to contentions that distortions can arise due to either factors related to the electoral system, patterns of party competition (elite consensus) or whether governments are more responsive when they face the prospect of a referendum. The hypotheses are tested upon data drawn from the negotiation in the 1996-97 of the Treaty of Amsterdam.

The paper finds that only the hypothesis about the distortive effects of electoral rules matters significantly. There is evidence that suggests that we see larger differences between voter views and national positions in systems such as France and the UK, where there is a large disproportion between the number of votes cast for a party and seats allocated. In contrast, there are lower levels of divergence between voter views and national positions in more proportional systems such as Austria, Belgium, the Netherlands, and Portugal. These findings are tentative, and more research is needed in order to develop better theoretical hypotheses that can be tested on a broader selection of cases than just the 1996-97 negotiations.

## 2. Theory – the electoral connection in EU constitutional negotiations

In the ideal-typical model of representative democracy the process whereby voter preferences are translated into national positions is seen as a neutral transmission belt. Given that voters are competent and well-informed,<sup>1</sup> in this ideal model we should expect to see that national positions reflect voter preferences in highly salient issues such as the transferral of national sovereignty to the EU. As seen in figure 1, the chain of parliamentary delegation starts with voters who elect representatives. Representatives then appoint a parliamentary government (prime minister) that controls the execution of policy by the bureaucracy (Strøm 2000). There are no agency costs in a *perfect* representative system, meaning that voter preferences are translated perfectly into national positions.



**Figure 1** – The chain of delegation in representative parliamentary democracies.

Reality is of course slightly different, and there are many potential distorting factors in the chain of accountability linking voters with policy outputs (national positions). The best illustration of the fact that national positions do not always represent voter preferences was seen in the rejection of the Constitutional Treaty in 2005 by Dutch and French voters. During the negotiation of the Constitutional Treaty, both governments supported relatively pro-integration positions; positions that were then rejected by their voters when they were asked to endorse the Constitutional Treaty in national referenda.<sup>2</sup>

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<sup>1</sup> - Voter competences as regards foreign policy issues have been hotly debated since Almond denigrating analyses of voter competences in the 1950s (Almond 1950). The scholarly consensus today is that while voters are perhaps as 'ignorant' and unconcerned about most foreign policy issues, in major questions such as war, or in this article the permanent transferral of national sovereignty to the EU, voters are generally viewed as competent (Aldrich et al 2006; Sobel 2001). There is some debate on whether voters preferences influence elite views or vice versa (see e.g. Steenbergen, Edwards and de Vries 2007). In other words, elites cue voters, meaning that the causal arrows are reversed in figure 1. As regards this study, the large differences *across countries* in the degree of divergence between voter views and national positions suggest that voters are not merely following elite cues.

<sup>2</sup> - It can be argued that voters in referendums are not up to the task of determining whether a treaty reflects their preferences, and therefore treat them as 'second-order' elections that can be used to express discontent with unpopular governments (Franklin et al 1994; Garry, Marsh and Sinnott 2005; Ivaldi 2006). However, most of the recent scholarly evidence suggests that voters actually do vote upon the issue put before them, and therefore we can use a 'no' vote in a

Despite the centrality of this question there is little research that has focused explicitly on explaining why governments take positions that are out of synch with their voters; in other words why the electoral connection does not always function. Most existing studies of voter preferences towards European integration have focused either upon the sources of voter preferences (e.g. Hix 2007; Wilson 2000) or upon party views towards integration (Marks and Wilson 2000; Marks, Wilson and Ray 2002; Taggart 1998). In comparison, there have been almost no studies that have investigated the electoral connection and how it impacts upon the lack of representation of voter views in EU constitutional negotiations. Aspinwall (2002) finds, using measures that are similar to the ones employed here, that there is ‘...no relationship whatsoever between public opinion and governmental preferences’ (p. 103), but he does not investigate whether there are cross-national variations in the level of divergence between voter views and national positions. When this is done, it becomes clear that some countries are better than others at representing the views of voters in EU constitutional negotiations. In other words, despite the title of his article, Aspinwall does not investigate how *variations* in the ‘electoral connection’ actually impact upon whether governments do what voters want in EU negotiations.

Before I proceed it should also be noted that this study focuses explicitly upon national *positions*, or in other words what positions governments actually take in EU constitutional negotiations. Most existing studies have focused upon national *preferences*, measured using vague pronouncements by governments that are intended for public consumption. However, as will be discussed further below, governments often say one thing in public and do another behind closed doors. What I am interested in explaining in this paper is the differences in what voters want and what governments actually do in EU constitutional negotiations, and therefore I utilize national positions as the ultimate ‘output’ of the political system.

The level of divergence between voter views and national positions is treated as the dependent variable in this study, with factors that potentially can explain cross-national variations in the level of divergence treated as the independent variables. In terms of the chain of delegation as depicted in figure 1, I am interested in testing whether factors related to different electoral systems and the extent to which they distort the transferral of voter demands into the political system, and whether factors such as the presence of an elite consensus amongst political representatives affects the degree to which voter preferences are reflected in national positions.<sup>3</sup> For example, are voters in proportional

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referendum as a litmus test for the degree to which voter views corresponded to national positions (see Beach and Nielsen forthcoming; Hobolt 2009).

<sup>3</sup> - One potential problem here is that there might be reverse causality, with voter views being in effect created by elite views. However, both Carrubba (2001) and Ray (2003) find evidence suggesting that voter preferences shape elite positions, and not the other way around.

representative electoral systems better able to influence national positions than those in majoritarian systems?

These factors are related to the shaded area in figure 1, and will be investigated by drawing upon existing theories of the impact of electoral systems and party competition. Not depicted in this figure is the direct democratic channel of public referendums on the ratification of a treaty. As this potentially can be a means to control national positions by voters (Christin and Hug 2002), this factor is also investigated in the paper.

### *The impact of the electoral system*

There are two stages in the electoral process relating to electoral laws and regulations that can potentially distort the input of voter preferences into the political system. First, factors relating to media access and campaign finance can potentially have a distorting effect (Norris 2005:83-104). In the following I have chosen to focus upon the potential disruptive effect of public party funding and campaign media access. We should expect that when there is equitable access to public funds and the media that these more egalitarian provisions will benefit smaller, issue-based parties that articulate voter demands on issues such as more/less integration. For instance the Unity List (Enhedslisten) in Denmark is an issue-based party that focuses upon two issues: anti-capitalism and anti-EU. Without access to public funds and free public media time, the party would arguably be unable to achieve representation, which would further reduce the already scant representation of anti-EU views in the Danish parliament.

**H1** – The more disruptive the regulations relating to media and funding access, the higher the level of divergence between voter views and national positions

The second stage of the electoral process is related to the regulation of elections, and in particular the degree of ‘disproportionality’ between votes cast and seats allocated in parliament (Gallagher 2005). In proportional electoral systems with low thresholds such as Denmark and the Netherlands, there is an almost perfect correspondence between votes cast and seats allocated. In this type of system, minor parties can mobilize niche cleavages such as Eurosceptic views, as there is the

realistic possibility that they can achieve representation (Norris 2005: 106-109).<sup>4</sup> In contrast, in majoritarian systems there is a large difference between the number of votes cast and seats allocated. In majoritarian systems it is more difficult for minor parties to gain representation (termed the ‘mechanical effect’ by Duverger), but voters are also less prone to vote for minor parties as they perceive that their votes would be wasted (the ‘psychological effect’). Both effects create pressures that result in fewer parties, and create incentives for parties to represent the views of the median voter, resulting in a system where the full spectrum of voter demands are not articulated through the electoral system, at least in theory. Therefore, we should expect that there is a higher level of divergence in countries that have electoral regulations that create a high level of ‘disproportionality’ between the numbers of votes cast and seat allocated.

**H2** – The higher the level of disproportionality of the electoral system, the higher the level of divergence between voter views and national positions

### *Elite consensus*

Turning from factors related to the electoral system to how party competition (or lack thereof) can potentially impact upon the level of divergence, I will focus upon what I believe to be the most promising hypothesis drawn from the theoretical debate on public opinion and European integration; the degree of elite consensus. The basic argument here is that when there is a strong elite consensus on EU integration-related issues, elites will have few incentives to raise the EU issue in national elections (Steenbergen, Edwards and de Vries 2007; Ray 2003; van der Eijk and Franklin 2004). In this situation, ‘If voters are not offered a choice between different visions of Europe, whatever the differences between voters, these cannot be expressed in their choices of parties to support.’ (van der Eijk and Franklin 2004:39). Although there are other potential channels for voters to articulate their views (e.g. lobbying), the primary mechanism whereby voter demands are translated into governmental policies is in the election of parties to parliament (Ibid). De Vries (2007) for example finds evidence that EU issues play a role in national elections when there is higher level of conflict between parties on the issue.

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<sup>4</sup> - Note that this contrasts with the arguments presented by Aspinwall (2002:106), who argues that first-past-the-post majoritarian systems will often have large catch-all parties that can include Euroskeptics in the governing party – and therefore majoritarian systems are more likely to see anti-EU views represented than in proportional representation.

We should therefore expect that as the level of elite consensus on EU issues increases, that there is a strong potential that the level of divergence should also increase.

**H3** – The higher the level of elite consensus within the party system on EU issues, the higher the level of divergence between voter views and national positions

#### *The impact of direct democracy*

The final hypothesis that will be investigated is whether holding referendums matters. Christin and Hug (2002) and Steenbergen, Edwards and de Vries (2007) argue that referendums can be a powerful mechanism for creating a ‘bottom-up’ linkage between voters and political parties. In the words of Steenbergen, Edwards and de Vries, ‘Since it is potentially costly for party elites to embark on policies only to find them repudiated in a referendum, the referendum mechanism provides strong incentives for political parties to align their policy stances with the positions of their constituents (2007, p. 19). If party elites align their views with voter preferences, we should expect that these demands should be transmitted further through the political system, resulting in national positions that more closely reflect voter views.

In connection with a specific round of EU constitutional negotiations, it is further argued by Christin and Hug that the mechanism is strongest when a referendum is binding and required and elites are cognizant of this prior to the start of the negotiations. In the case of the negotiation of the Treaty of Amsterdam investigated in this paper, Ireland had to hold a binding referendum, whereas a binding referendum was highly likely in Denmark.<sup>5</sup>

**H4** – Levels of divergence should be lower in countries that are required to hold a referendum

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<sup>5</sup> - A binding referendum had to be held if the Treaty resulted in the transferral of sovereignty and the Treaty was unable to be ratified by a 5/6<sup>th</sup> majority in the parliament. As it was expected that the yes-side would be *unable* to secure a 5/6<sup>th</sup> majority, a referendum was expected by elites prior to the negotiations (Laursen 2002).



### 3. Research design

This study utilizes the case of the Treaty of Amsterdam negotiations in 1996-97 in order to test whether any of the four hypotheses can explain differing levels of divergence between voter views and national positions. More recent rounds of EU constitutional reform such as the negotiation of the Constitutional Treaty have dealt primarily with questions relating to institutional design, and therefore did not deal as directly with the transferral of national sovereignty to the EU level (the more-less integration cleavage). For example, the issue of extending the powers of the European Parliament does not map directly onto the more-less integration cleavage, as one can want a stronger supranational Europe but prefer to strengthen the Commission and/or Council of Ministers instead. In contrast, the Treaty of Amsterdam negotiations in 1996-97 dealt with a range of questions directly relating to whether further competences should be transferred to the EU-level. Fourteen countries are investigated, with Luxembourg being excluded due to the lack of information on several variables.

To test the explanatory power of the four competing hypotheses requires valid measures of voter views, national positions, and the four explanatory hypotheses. *Voter views* are measured using Eurobarometer data that was collected half-way through the negotiations (October-November 1996) (Eurobarometer 1997) on the transferral of sovereignty in six issues that closely match the range of debate in the negotiations (defense, foreign policy, environment, unemployment, immigration, and asylum).

Existing research on the electoral connection in EU politics usually utilize a single question, where respondents are asked whether the EU is a 'good thing' or a 'bad thing' (e.g. Carrubba 2001). Unfortunately, this is not always a very valid measure of voter views towards further transfers of sovereignty, as a respondent can believe that the EU is a 'good thing' while at the same time not wanting any more of the 'good thing'. That this question conflates the more-less integration cleavage with another cleavage on the benefits of integration can be clearly seen in the Eurobarometer responses. Belgian respondents have a net positive response of 30%, whereas for Greeks it is 46% (Eurobarometer 1997, question 2.1). This suggests that Belgians want 'less' integration than Greek voters, but the opposite is the case when we actually measure whether voters want more or less integration. This is measured using a composite of questions that ask whether decision-making should be at the national or EU-level on six different issues (question 3.11). Translated into a scale from 0 to 10, where a 10 is full support for transfer to the EU-level in all six areas and 0 is full opposition, the mean value for Belgian respondents is 7.5 whereas Greek respondents are much more reticent about more integration (mean value of 5.5) (for the full data set see table 1 in the appendix).

In order to measure validly *national positions* I do not utilize public pronouncements, as there is often a large discrepancy between the positions that national governments actually take during the negotiations and pronouncements outside of the negotiating room that are intended for public consumption. Most existing studies have however utilized public pronouncements (e.g. Aspinwall 2002; Koenig-Archibugi 2004), but this does not measure what positions governments took behind closed doors. As it is these positions upon which the negotiations are based and that produce the final outcome, it is therefore vital that we measure what positions governments actually took during the negotiations.<sup>6</sup>

There are two ways in which this can be achieved. The best method would be to utilize archival sources such as inside documents describing what governments said behind closed doors. The archival sources would include summary descriptions of national positions compiled by different foreign ministries, along with records of what delegates actually said during meetings. However, while I possess this type of material, it is still classified, and therefore the second best solution to measuring national positions is by interviewing participants.

The next best solution is to utilize participant interviews. A team led by Thurner, Pappi and Stoiber collected information on national positions across the range of issues negotiated in the 1996-97 IGC using participant interviews from all fourteen member states (Thurner, Pappi and Stoiber 2002). In order to measure national positions on the six issues, I have utilized as many questions as possible from their study that measure the dimension less-more integration in each of the six issues. For example, for measuring national positions on foreign policy I compiled an index based on four questions: whether foreign policy actions should be financed over the Community budget, the degree to which implementation of foreign policies should be strengthened at the EU level, whether to introduce more majority voting, and introduce common planning of foreign policy (questions 2.1, 2.2, 2.3, 2.4) (see appendix 1 for the full data set). All of the questions were first transformed onto a 0 to 10 scale of less-more integration, and then added together without weighting. For the aggregate data, see appendix 1. In order to validate the measures, I have cross-checked this data with an alternative coding based upon confidential archival sources, supplemented with national proposals tabled during the negotiations. A relatively high level of correlation between the two measures (0.72) was found.

The *level of divergence* between voter views and national positions is measured by subtracting the scores of national positions and voter views. As divergence can mean both voter supporting more

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<sup>6</sup> - One problem with positions is that they also can reflect strategic concerns, with some governments choosing more pragmatic positions whereas others adopt maximalist positions that will never be adopted, but that are used strategically to nudge other governments in a specific direction. However, while this raises problems, these same problems also exist when using public pronouncements.

integration than the government and the opposite, the overall level of divergence was calculated by using absolute totals of sums of each score subtracted from each other. The aggregate levels of divergence are reproduced in table 1 below, and the full data is in appendix 1.

**Table 1** – aggregate figures of the dependent and independent variables

	Level of divergence	Distortions in media and public finance	Level of disproportionality (rescaled)	Elite consensus (rescaled)	Referendum
AUS	2.42	2.5	0	1.13	0
B	1.75	7.5	0.83	10	0
DK	3.33	3.8	0.23	8.52	7.5
F	3.75	7.5	10	9.47	0
FIN	2.5	2.5	1.15	6.19	0
GER	3.08	6.3	0.49	8.20	0
GR	2.97		3.48	0	0
I	1.72	10	2.43	7.60	0
IRL	2.03	5	0.85	8.07	10
NL	1.45	5	0.02	8.59	0
PORT	1.67	8.8	1.47	3.11	0
S	2.82	3.8	0.06	7.67	0
SP	4.45	10	1.79	5.68	0
UK	4.02	7.5	5.17	5.01	0

Sources: See appendix 1 for the sources of the level of divergence; distortions in media and public finance (IDEA 2004); level of disproportionality (Gallagher 2005; Elite convergence (Ray 1999); referendums (Laursen 2002; Christin and Hug 2002).

Distortions in access to the *media and public finance* were measured utilizing an eight point index developed by the International Institute for Democracy and Electoral Assistance (2004). IDEA's study lists eight different aspects of the access to public finance and the media that potentially can distort the articulation of voter demands (2004), and has been used by scholars such as Norris (2005). These figures were then transposed onto a relative ten point scale with a value of 0 being the most egalitarian system amongst the fourteen countries, whereas as a value of 10 was given to the country (Greece) that scored the highest on the eight items (see table 1).

The *level of disproportionality*, or what can be referred to as the level of distortion of electoral rules between vote share and seat share, is measured utilizing Gallagher's index, which is the most widely utilized measure in electoral systems research (Gallagher 2005). The index is calculated by taking a least squares index of the disparity between the number of seats and the number of votes of parties in the most recent election prior to the start of the negotiations (see Gallagher and Mitchell 2005, appendix B). I have re-scaled the index scores onto a 0-10 scale, with 10 being the most disproportional in the most recent election.

In order to measure levels of *elite consensus* I have drawn upon the data collected by Ray in an expert survey on the positions of political parties on European integration (less-more dimension) (Ray 1999). The measure is then constructed by using the position of the largest three parties in terms of number of seats in the most recent elections, and measuring the distance between the two scores that are farthest apart. Substantively it can be argued that using three parties effectively measures patterns of coalition government in Europe, where the pattern is often alternation of power between two large parties with a third smaller party joining the government. Further, the measures utilizing both four and five parties were not significantly different, and therefore for substantive reasons I have chosen to only use three parties. These figures were then rescaled to a relative 10 point scale with a score of ten being the highest level of elite consensus (smallest distance amongst the three parties), and a 0 given to the least amount of elite consensus found.

Finally, the scores for *referendums* are based upon information from Laursen (2002) and Christin and Hug (2002). Ireland had to hold a binding referendum irrespective of the outcome, whereas it was very probable that Denmark would have to hold a referendum. Denmark was given a score of 7.5, as there was an off chance that either a) no sovereignty was transferred in the negotiations, or b) if sovereignty was transferred a 5/6<sup>th</sup> majority could be mustered in parliament, a referendum would not have been legally necessary).

## 4. Analysis

Table 2 presents the statistical results of a linear regression of the full data set. The only explanatory variable that is significantly related to the dependent variable is the level of disproportionality. However, statistical significance is not the same as substantive importance. When we look at the full data set there does not appear to be any strong substantive effects of any of the explanatory variables. As can be seen, the model performs very poorly ( $R^2 = 0.062$ ).

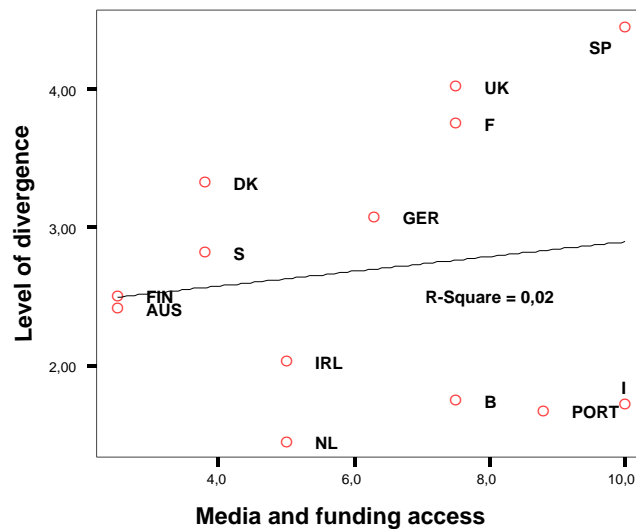
**Table 2** – Explaining the divergence between voter views and national positions

Variable	Coefficient	Standard error
Media and funding access	-0.015	.138
Level of disproportionality	0.175**	.067
Elite consensus	-.0541	.094
Referendum	0.018	.070
R-squared	0.0631	
N	78	

Note: Linear regression with robust clustering by country run using Stata 10. \*\*\*  $p < .01$ , \*\*  $p < .05$ , \* $p < .1$  (two-tailed)

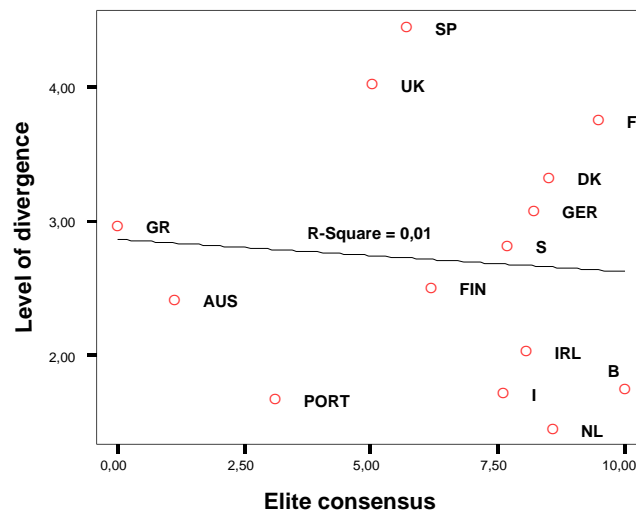
The analysis is more interesting when we utilize aggregate, country-level information. The following figures were all created using data drawn from table 1. First, there does not appear to be any significant relationship between either media/funding access, elite consensus or referendums based upon the figures 1-3 illustrated below, echoing the findings of the statistical analysis of the full data set shown in table 2. In figure 1 we see that in the two most egalitarian systems there is a relatively low level of divergence, which is what we expected based upon H1. But in countries where there are more cartel-like arrangements (Italy, Portugal, Spain), we see that there is no relationship between the two variables. Italy has the lowest level of divergence, whereas Spain has the highest.

**Figure 1** – Levels of divergence and media and funding access



The picture is even more confused when we investigate H3 (elite consensus) (figure 2). We should expect to see that where there is a low degree of elite consensus in a party system that parties would have incentives to mobilize the EU issue in national elections, bringing elite views in line with voter views (lower level of divergence).

**Figure 2** – Levels of divergence and elite consensus of views



Greece was the country where there was the lowest level of elite consensus, where the Communist Party of Greece had strongly anti-EU views in comparison to the two large parties

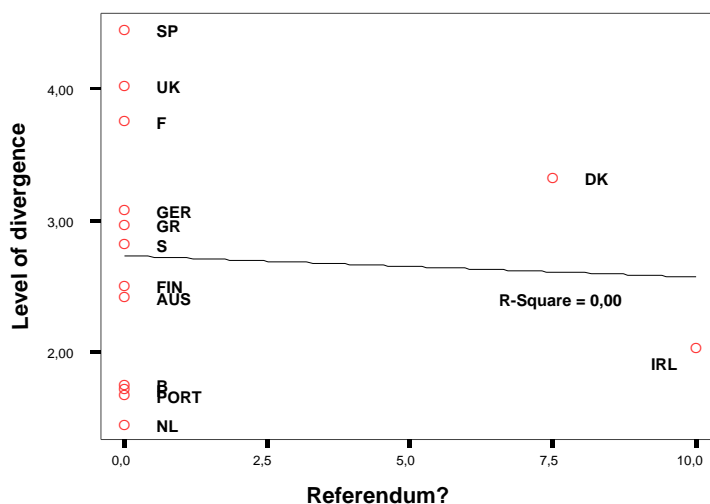
(PASOK and New Democracy) that were more pro-EU. However this lack of elite consensus did not translate into a lower level of divergence.

At the opposite end of the spectrum, there was a strong elite consensus in Belgium, but here voters were closely in line with elite preferences. One interpretation of the Belgian figures can be that there are structural conditions (such as the disfunctionality of the Belgian political system) that make both elites and voters very pro-EU in Belgium, thereby suppressing any other effects.

The Danish case is more in line with what we would expect. Here we see that there was a significant degree of elite consensus on the EU (8.5), suggesting that what we should also expect that the main Danish parties did *not* have incentives to raise the EU issue in parliamentary elections, resulting in a large divergence between voter views and national positions. This is substantiated in the Danish case. For example, while the Social Democratic party leadership has been pro-EU since the late 1980s, their voters have been significantly more anti-EU, resulting in strong party interests in holding EU issues outside of parliamentary elections and instead relegating the EU issue to referendum campaigns and EP elections.

A more nuanced explanation is necessary when we investigate the *direction* of divergence; in some issues the Danish government was more pro-EU than voters (employment and the environment), whereas in both defense and foreign policy voters held more pro-EU views than the positions taken by the government. This suggests that the lack of debate on the EU issue in national elections results in Danish politicians being simply more out of touch with voter demands, and not just that elites are systematically more pro-EU than Danish voters.

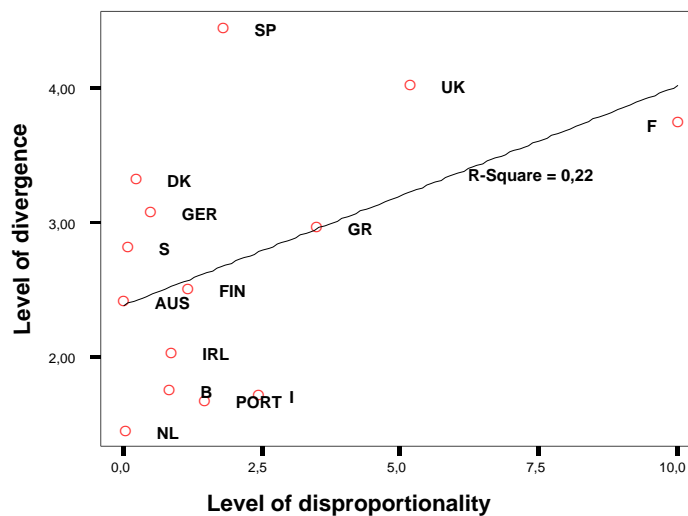
**Figure 3** – Levels of divergence and referendums



Unfortunately, at least for analytical purposes, referendums were rare phenomena before the ratification of the Constitutional Treaty in 2005. For the 1996-97 negotiations, Ireland was the only country where it was certain before hand that they would hold a referendum (score = 10), whereas it was expected before-hand that it was highly likely that Denmark would also hold one (score = 7.5). Ireland's placement in figure 3 is what we would expect following H4, suggesting that holding a referendum might force the government to negotiate positions that it knows would be accepted by voters (low level of divergence). However, this leaves the high level of divergence in the Danish case unexplained.

As with the statistical results from the full data set, the only explanatory factor that is linked with varying levels of divergence is the level of disproportionality of the electoral system in the aggregate country-level results. Hypothesis 2 suggested that the stronger the distortion between vote share and seat share due to the electoral system, the higher the level of divergence. Figure 4 shows that there is a quite strong relationship at the aggregate country level.

**Figure 4 – Levels of divergence and the disproportionality of electoral systems**



Here we see that majoritarian systems such as Britain and France, where there is a large discrepancy between votes and seats, also display high levels of divergence between voter views and national positions. However, in both countries voter views were measured as being more pro-EU than the positions that their governments eventually adopted. This suggests two possible explanations. First, if the measures are valid, then this suggests that majoritarian systems have the potential of producing governments with more extreme pro/anti EU views than is possible in more proportional systems. In



France the Chirac administration adopted positions inspired by its Gaullist ideology (Deloche-Gaudez 2002), whereas in the UK the Conservative government was increasingly dependent upon Euroskeptic backbenchers in 1996, resulting in strong anti-European positions being adopted that arguably did not represent a majority of voter preferences (Best 2002).

An alternative explanation could be that the measures are invalid, especially in the UK case. The Eurobarometer question on views towards different issues in the British case results in a relatively pro-EU score. Similar pro-EU scores in the British case are also reached if we utilize other Eurobarometer questions such as is 'EU a good thing' or a more precise question on the desired speed of European unification (question 1.12). One explanation of this unexpectedly high level of British voter support for the EU could be that the Eurobarometer answer categories systematically skew British voters towards middle categories (as consensus-minded British voters dislike being perceived as being 'extreme'), but *relative to other* countries British mainstream views towards the EU are arguably quite extreme. Therefore there is the significant possibility that highly skeptical British views are underrepresented in the Eurobarometer data.

If we ignore potential data problems the pattern is however quite close to what we would expect based upon hypothesis 2. Countries like the Netherlands and Belgium, where minor issue-based parties are able to achieve representation relatively easily, also have relatively low levels of divergence between national positions and voter views. Majoritarian systems are able to create larger oscillations in the composition of preferences represented in government. The result in the case investigated in this paper was that both the British and French governments negotiated positions that were more anti-EU than what a majority of their voters wanted. This finding is exactly the opposite of the arguments presented by Aspinwall (2002:106). He argues that first-past-the-post majoritarian systems will often have large catch-all parties that can include Euroskeptics in the governing party – and therefore majoritarian systems are more likely to see anti-EU views represented than in proportional representation. The findings of this paper suggest that the opposite is the case.

If we look at figure 4 we see that Spain is an outlier. In the Spanish case, with the exception of the environmental issue, the government adopted significantly more pro-EU positions than voters preferred. Again one can question the Eurobarometer measures, and if we compare the relatively skeptical scores on the specific issues with general Spanish attitudes towards the EU, it does appear that the data in appendix 1 underestimates the positive views of Spaniards towards the EU (the net EU good/bad thing is +30% for Belgium and +40% for Spain, Eurobarometer question 2.1, 1997). One interpretation of this discrepancy between measures could be that the EU is not a salient issue for Spanish voters, and therefore while they might be strongly pro-EU, they have difficulties being

consistent when they are asked for views on specific issues. However, the scores do reflect the alternative measure 'desired speed of integration' (question 2.8, Eurobarometer 1997), suggesting that the chosen measure is valid in comparison to the cruder EU 'good/bad' thing question, and therefore that the unexpectedly high level of divergence in the Spanish case is an anomaly that needs to be explained in further research.

Concluding, the analysis found that of the four competing explanatory variables only the level of disproportionality of the electoral system was significantly correlated with divergence between national positions and voter views. Are there any other potential alternative explanatory factors that potentially could explain variation in the degree to which governments do what voters want in EU issues? One possible factor is whether there is a strong parliamentary control of governments in EU issues, with the argument being that in systems with strong control we should expect that voter views are better translated into national positions, other things equal. However, in the three countries with the strongest parliamentary control of national positions in the EU (Denmark, Sweden and the UK), all three were at the high end of levels of divergence, suggesting counter-intuitively that governments are *more in line* with voter views when they are under *less control* by national parliaments. Another potential factor that could be investigated is whether the party composition of governments matter. Do center-left governments better reflect voter preferences on Europe than center-right governments? Here again there does not seem to be any explanatory traction, as there were center-left governments in low divergence countries like the Netherlands and Portugal and high divergence countries like Denmark. Finally, it does appear that pro-EU countries such as Belgium, Ireland, the Netherlands and Portugal have lower levels of divergence than more skeptical countries (Denmark, UK). This suggests that there might be an underlying structural variable in these countries that pushes both voter views and national positions in a pro-EU direction. As we see net beneficiaries of the EU budget such as France and Spain with high levels of divergence, an alternative could be the level of dependence upon EU trade. But this does not explain why Denmark has such a high level of divergence. More theorization and testing of hypotheses is needed.

## 5. Conclusions

This paper has attempted to shed light on the question of why governments travel to Brussels and negotiate treaties transferring sovereignty to the EU-level that are out of synch with what voters want. While most existing studies have only focused upon the link between voters and political parties, this study has extended the analysis to look at whether what governments actually do corresponds to what voters want.

Examining cross-national differences in the level of divergence between voter preferences and the actual positions adopted in the negotiations, it was found that national positions were more in-line with voter views in proportional representation systems than they are in majoritarian systems such as France and the UK. In majoritarian systems, minor issue-based parties face strong barriers to entry, and as we saw in both France and the UK, majority governments created by the disproportional electoral systems adopted positions that were more extreme than what a majority of voters wanted.

There were two significant outliers that fell outside of this general pattern; Denmark and Spain. In the Danish case, the electoral system produced few distortions between votes cast and seats allocated, but there was nonetheless a high level of divergence. One explanation for this could be the high level of elite consensus on EU issues; a consensus that has resulted in the relegation of the debate on the EU issue to referendums and EP elections. Due to the lack of debate, it was argued that Danish politicians were relatively out of touch with what voters actually wanted, and therefore both supported more integration in some areas than voters wanted, but also opposed more integration in other areas where voters wanted integration.

The Spanish case was more difficult to explain. Here we saw a combination of a relatively low level of distortion in the electoral system with a very high level of divergence between positions and voter views. The Spanish government took positions that were significantly more pro-integration than what voters wanted. One possible explanation for this could be that the Eurobarometer measures systematically underrepresented the pro-EU views of the Spanish electorate. This anomaly needs to be better accounted for in future studies.

While I argue that the measures employed in this study are an improvement upon existing studies, there is still a great degree of caution that must be expressed regarding their validity. I am quite confident in the validity of the measures of national positions, as I have validated the measures based upon participant interviews with archival records of what positions governments actually took behind closed doors. I am however much more concerned about the validity of the measures regarding voter views. While the measure that I utilized was a significant improvement upon the crude EU 'good/bad'

thing proxy that is otherwise widely used, I found several instances where the patterns in the data were questionable based upon my knowledge of the public debate in the UK and the secondary literature. I am not sure that the Eurobarometer questions are especially valid when comparing countries due to different national contexts. What might be perceived to be an extreme view in Belgian regarding less-more integration might arguably be perceived as mid-range in the UK. If this is true, we would need to incorporate some form of correction for this relativism into our cross-country measures. Given that it is impossible to create a new survey with more valid cross-country answer categories that measure events in the mid-1990s, and attempting to 'correct' the measures through weighting would be very subjective, the more realistic alternative is to flag these problems and treat the findings with a measure of caution.

This paper has unfortunately only scratched the surface as regards explaining why governments do not do what voters want in EU constitutional negotiations. More research is needed on other rounds of negotiations in order to see whether the findings hold in other cases. In the final version of this paper, I will also investigate the negotiation of the Constitutional Treaty. Further, more theorizing is needed in order to develop other potential factors that hopefully have more explanatory power. The data shows that governments are more in-line with voters in some countries like Belgian, Ireland and Portugal, but better explanations for why they are so are needed in order to understand (and perhaps prevent) further debacles like the failed ratification of the Constitutional Treaty.

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**Appendix 1** – Full list of governmental positions and voter views on the six issues.

Country id and issue number	Governmental positions	Voter views	Level of divergence
a1	7.5	5	2.5
a2	5.9	8	2.1
a3	10	5	5
a4	8.3	5	3.3
a5	3.8	3	0.8
a6	3.8	3	0.8
b1	7.5	7	0.5
b2	8.7	9	0.3
b3	6	9	3
b4	6.7	6	0.7
b5	10	7	3
b6	10	7	3
dk1	0	3	3
dk2	1.7	6	4.3
dk3	8	5	3
dk4	6.7	2	4.7
dk5	0	2	2
dk6	0	3	3
fin1	0	0	0
fin2	5.1	6	0.9
fin3	6	4	2
fin4	6.7	4	2.7
fin5	6.7	1	5.7
fin6	6.7	3	3.7
f1	5	5	0
f2	5.1	9	3.9
f3	2	8	6
f4	0	6	6
f5	9.3	6	3.3
f6	9.3	6	3.3
g1	7.5	7	0.5
g2	7.6	9	1.4
g3	2	9	7
g4	0	5	5
g5	7.8	5	2.8
g6	7.8	6	1.8
gr1	7.5	3	4.5
gr2	8.4	7	1.4
gr3	8	7	1
gr4	8.3	5	3.3
gr5	9.3	6	3.3
gr6	9.3	5	4.3
ir1	0	1	1
ir2	4.9	9	4.1
ir3	10	6	4
ir4	6.7	6	0.7
ir5	6.7	6	0.7
ir6	6.7	5	1.7
i1	10	7	3
i2	8.3	9	0.7

i3	8	8	0
i4	10	8	2
i5	6.7	9	2.3
i6	6.7	9	2.3
nl1	7.5	9	1.5
nl2	8.3	9	0.7
nl3	8	10	2
nl4	6.7	5	1.7
nl5	8.9	7	1.9
nl6	8.9	8	0.9
p1	5	3	2
p2	5.1	7	1.9
p3	6	5	1
p4	6.7	5	1.7
p5	6.7	5	1.7
p6	6.7	5	1.7
sp1	7.5	1	6.5
sp2	5.1	5	0.1
sp3	0	5	5
sp4	8.3	5	3.3
sp5	8.9	2	6.9
sp6	8.9	4	4.9
s1	7.5	1	6.5
s2	3.7	5	1.3
s3	8	5	3
s4	8.3	5	3.3
s5	4.4	2	2.4
s6	4.4	4	0.4
uk1	0	3	3
uk2	0.9	6	5.1
uk3	0	6	6
uk4	0	4	4
uk5	0	3	3
uk6	0	3	3

Sources: Governmental positions (Thurner, Pappi and Stoibel 2002); Voter views (Eurobarometer 47).

List of questions in Thurner, Pappi, Stoibel 2002 used to create the additive measures.

Issue 1 = defense policy (question 2.5)

Issue 2 = foreign policy (questions 2.1, 2.2, 2.3, 2.4)

Issue 3 = environmental policy (question 6.3)

Issue 4 = Employment (question 6.1)

Issue 5 = Immigration policy (questions 3.1, 3.2, 3.3, 3.5)

Issue 6 = Asylum policy (questions 3.2, 3.3, 3.5)

(Note – issues 5 and 6 utilize some of the same questions, as the two issues are two aspects of the same overall policy area (Justice and Home Affairs)).