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# Who Calls for a Common EU Foreign Policy?

## Partisan Constraints on CFSP Reform

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### ABSTRACT

What drove the preferences over institutional choices of EU Constitutional Convention delegates in the area of foreign policy? We examine delegate preferences and find strong evidence that partisan identity rather than government positions drove delegates' preferences for both the role of the Commission and the voting rule in the Council. We also find evidence that delegates' party positions on an EU foreign policy are better predictors than delegates' personal preferences of their preferred role for the Commission and the voting rule in the Council. If government and national interests would dominate any policy area, it would be foreign policy. We contend that our finding in this critical case underscores the importance of partisan effects in European integration.

### KEY WORDS

- common foreign policy
- Constitutional Convention
- institutional choice
- partisan politics

With the US invasion of Iraq in 2003 and Israel's intervention in Lebanon in 2006 there have been renewed calls for a common foreign and security policy (CFSP) for the European Union (EU). This in itself is not new. Pro-integration activists have been continually pushing for a more assertive CFSP for many years. Indeed, institutional reforms intended to make the CFSP a more important aspect of European integration were a prominent item on the agenda in the EU's Constitutional Convention. However, the convention proposed only modest reforms, resulting in decision-making rules unlikely to make either the CFSP a major emphasis of European integration or the EU a major player in world politics. This result produced a great deal of disappointment, particularly among those who had hoped that an invigorated CFSP could be used to restrain US foreign policy with regard to Iraq and the Middle East. Discussion about why the CFSP is so weak and, by extension, why the Constitutional Convention proved so disappointing centered on conflicts of national interest. The conventional explanation for the modest CFSP reform proposal is that important national delegations to the convention opposed making changes that might undermine their own national interests. However, an alternative view, developed in the study of EU domestic policy-making, suggests party politics rather than national interest to be the primary cleavage in the politics of European integration.

This article tests this assertion using survey data collected from the delegates themselves, as well as data about the ideological positions of national political parties and home governments. If national interests were to dominate the institutional choices in any policy area, they would almost certainly dominate foreign policy most. We believe, therefore, that examining the partisan and national sources of institutional preferences in foreign policy decision-making is a critical test in the debate over the partisan or national origins of policy preferences in the EU generally. We find strong evidence that convention delegates behaved as agents primarily of their respective political parties rather than of their national governments. This finding is important because foreign policy is often held to be the policy area within which national interests and intergovernmental politics dominate most. Our findings undermine this view and argue for increased attention to partisan influence on member states' choices regarding foreign policy institutions.

Furthermore, our analysis of delegates' preferences reveals evidence that delegates' institutional choices trump their personal policy preferences. Specifically, a number of delegates stated a preference simultaneously for increased international cooperation and for restrictive institutions that would make such cooperation less likely and less flexible. Following our discussion of the general results, we examine a series of hypotheses that may explain this 'puzzling' observation. Our close examination of the behavior of

particular delegates suggests further that party rather than national interest drives delegates' preferences over institutional choices.<sup>1</sup>

The remainder of this paper is divided into five sections. First, we examine the existing research on the CFSP in particular and on the national and partisan explanations for European integration in general. Second, we present the options that the delegates were considering and discuss their implications for CFSP reform. Third, we present our data collection and method of analysis. The fourth section presents the results of this analysis. Finally we discuss the implications of observing delegates who simultaneously support increased foreign policy roles for the EU and institutional choices that would hinder the EU from playing such a role.

## Existing research

The majority of analyses of an emerging EU foreign policy have emphasized the special nature of foreign policy integration and how conflicts of national interest hinder the development of foreign policy institutions at the EU level (Hill, 1993, 1997, 2004; Holland, 1995; Jupille, 1999; Smaghi, 2004; Smith, 2000, 2004a, 2004b, 2004c; Thym, 2004; Tonra and Christiansen, 2004). Most of these studies focus on the overall level of institutionalization, broadly defined, at the supranational level. At the same time, these studies downplay the interplay of subnational, especially partisan, differences in favor of more aggregated interests ascribed to national identity. There have been partial exceptions; for example, Frieden (2004) raises the question of subnational interests supporting or opposing a common EU foreign policy but his primary focus remains on the perceived national interests involved.

Recent analyses of the EU's Constitutional Convention confirm this view of conventional foreign policy analyses, asserting that the primary cleavages were national rather than partisan (Magnette and Nicolaidis, 2004). However, other studies found that partisan affiliations are likely to have shaped delegate preferences (König and Slapin, 2006) and that the final constitution was largely a result of the institutional framework of the Convention, which gave much power to the Convention president, Valérie Giscard d'Estaing (Tsebelis, 2006; Tsebelis and Proksch, 2007). This suggests that institutional choices regarding CFSP at the Convention may also have been affected by party interest, and not solely by national interest. These different perspectives on foreign policy integration would also be in accordance with the wider literature on European integration, which is divided between those who emphasize national origins of policy and institutional preferences and those who emphasize partisan origins. On closer inspection, this distinction has

deep roots in many EU studies, and recent debates about both domestic policies and foreign policies have contained an element of this distinction. For example, with regard to internal EU policies, a number of analyses in the public opinion and identity literature have found that national characteristics are significant predictors of support for European integration. Brinegar and Jolly (2005) argue that Eurobarometer data show individual support for integration is significantly based on national characteristics such as style of capitalism and relative factor endowments in the respondent's home member state. Sánchez-Cuenca (2000) claims that lack of support for national political institutions increases support for EU integration. Hooghe and Marks (2004, 2005) find that national identity is a significant predictor of support for European integration. Such findings may offer reasons to expect that Convention delegates will reflect national rather than partisan interests.

In contrast, there is considerable evidence in the literature on the European Parliament (EP) suggesting that ideological and partisan rather than national interests drive coalition formation and voting patterns. Kreppel and Tsebelis (1999) found that members of the European Parliament (MEPs) vote along partisan lines (according to their party groups) rather than national lines. This basic finding has been confirmed by a number of subsequent studies (Kreppel, 2002; Noury, 2002; Hix et al., 2003, 2005, 2006). Even studies that argue that nationality continues to play an important role in MEP voting concede that voting by party group is the norm and voting by nationality is the exception (Faas, 2003).

Outside of the EP, Aspinwall (2002) argues that ideology and party position rather than nationality drive member state support for European integration in general. In his analysis of government positions at the Amsterdam Intergovernmental Conference (IGC), Aspinwall demonstrates that ideological indicators derived from Eurobarometer responses and party preferences predict government positions better than does nationality. In particular, centrist political parties favor European integration whereas parties on the extreme left and right tend to oppose it (Aspinwall, 2002: 105). Of all the issues Aspinwall examined, however, ideological measures based on Eurobarometer responses seem to exhibit their weakest performance as predictors of foreign policy. Nevertheless, Aspinwall still found that party positions, as measured by Leonard Ray's (1999) survey of party positions, significantly predict government positions at the Amsterdam IGC (Aspinwall, 2002: 104).

The vigorous debate on the role of nationality in European integration issues other than foreign policy casts doubt on the assumption that Convention delegates will be national rather than partisan agents. Of course, if national interests were to dominate any policy area, it would almost certainly

be foreign policy. Except for Aspinwall (2002), however, there has been little research done to confirm this, and our analysis differs from Aspinwall's in that government preferences are independent variables rather than the dependent variable. By examining the delegates' preferences over institutional choices as a function of partisan and national factors, we hope to address this gap in the literature.

## **CFSP institutions: Options and implications**

The Constitutional Convention examined a series of alternative institutional relationships and voting rules with regard to the formation and management of an EU foreign policy. The dominant questions being addressed were the role of the Commission and the voting rule to be used in the Council. These are vitally important questions in terms of understanding the limits and potential of the EU's CFSP. Increasing the role of the Commission has the effect of taking policy decisions away from the member state governments and placing them firmly at the supranational level. At the same time, changing the voting rule in the Council from unanimity to qualified majority voting (QMV) increases the flexibility of the CFSP. In the end, the Convention presented a draft that incorporated a limited role for a Commission with discretion limited by Council oversight. At the same time, the Council would continue to rely on unanimous voting but with QMV applied in limited areas.

### **The role of the Commission**

The extent of the Commission's authority is an important feature of EU CFSP decision-making. Delegating authority to the Commission would place decisions largely beyond the control of individual member states. Indeed, because restraining the Commission requires qualified majority votes at minimum, the Commission can exercise considerable discretion. In the context of institutional reforms following the Treaty of Nice, the autonomy of the Commission from Council restraints is likely to increase (Tsebelis and Yatağan, 2002). To the extent that member state governments have different foreign policy preferences from each other and from the Commission, Commission discretion is significant.

The Convention considered several options regarding the extent of Commission authority. The status quo was that nominally separate roles existed for the Commission and the Council but with the Council dominating the decision-making process. The option that gave the least authority to the Commission was to place all foreign policy functions under the authority of

the Council, leaving the status quo intact. The next option was to establish distinct jurisdictions for the Council and the Commission but to increase cooperation between the two institutions. The next option was to create a 'double-hatted' foreign minister who would answer to both the Commission and the Council. The final option was to concentrate all foreign policy decision-making in the Commission. These options represent a trade-off between Council and Commission authority in which the Commission's potential influence increases from the first option mentioned to the last.

Concentrating all of the decision-making authority in the Council bases the CFSP on broad consensuses. Depending on the voting rule (see discussion below), the Council cannot make decisions without either a qualified majority or even unanimous support. By relying on very high thresholds to change the status quo, this approach would make CFSP decisions difficult and the policies that result from them very inflexible. Scholars often point to this status quo bias and inflexibility as the defining failure of EU foreign policy.

Establishing distinct jurisdictional boundaries between the Council and the Commission could yield some added flexibility. However, the tendency for similar arrangements in EU institutional choice has been to assign the most controversial decisions to the Council and to assign day-to-day operations and implementation to the Commission. If that pattern held in the foreign policy area, there is little reason to expect that this proposal would result in a substantial difference from sole Council authority. However, the Commission might be able to exercise some discretion during implementation within those areas over which it has authority. This discretion could be subject to *ex ante* constraints built into the decision itself by the Council.<sup>2</sup>

Establishing a 'double-hatted' foreign minister responsible to both the Council and the Commission increases Commission influence still further. This option is especially interesting because it was the outcome of the Constitutional Convention. The discretion of the Union Minister for Foreign Affairs (UMFA) under these conditions would depend on the range of disagreement among the member state governments and the Commission. The draft constitution allowed for the UMFA to be appointed by a qualified majority vote of the Council with the agreement of the Commission President. The Council can also remove the UMFA by QMV. The Commission President has a veto over the appointment of the UMFA but cannot impose *ex ante* constraints on that office. This arrangement allows a sitting UMFA to exercise considerable discretion, so long as s/he retains the confidence of at least 11 member state governments or any number of member state governments representing 36% of the total population of the EU. However, as with the previous option, the Council can set limits to this discretion through *ex ante* constraints. The major difference between establishing clear jurisdictional boundaries and the

'double-hatted' approach is that the President of the Commission can also screen potential UMFA appointees for their expected commitment to an assertive EU foreign policy.

Delegating sole CFSP decision-making authority to the Commission would be a dramatically more streamlined solution. Decisions could be made much more quickly and with greater flexibility. However, the member state governments run the risk of having to accept policies that differ dramatically from their own preferences. Consider an example in which the Council is divided on a foreign policy issue. Imagine that the Commission's policy preference is outside of the range of ideal policies advocated by the member state governments. If the Commission had sole authority over the decision, subject only to the Council's ability to remove the Commission, then the Commission could establish a CFSP that was not only starkly different from the preferences of most of the member state governments but also outside the range of opinion of the entire Council.

### **Voting in the Council**

The implications of the voting options for the Council are more straightforward. The more unanimity voting is required, the greater the bias towards the policy status quo. The most conservative option was to require unanimity for all foreign policy votes. This option was the status quo institution before the Constitutional Convention. The draft constitution allowed QMV for some votes but continued to rely primarily on unanimity. A more ambitious proposal was to allow QMV for most decisions and require unanimity only for security votes. The most ambitious alternative proposed was to require only QMV for all votes.

It is necessary here to justify why we assert that the status quo was to require unanimity for all CFSP votes. It is true that opt-outs are possible for those member state governments that do not wish to participate in a joint action. It is also true that use of QMV was extended to some non-security and non-defense-related policy areas. However, although the Treaty of Amsterdam opened non-security and non-defense decisions to QMV, it also contained a requirement that, should any member of the Council state that they intended to oppose the measure, no vote should be taken at all (Smith, 2004a: 228). Any member state government that wished to block an action could do so simply by stating their intent to oppose it. Under this arrangement, QMV holds only so long as there is unanimous consent to vote under QMV. This requirement imposes *de facto* unanimity voting on the Council even in cases where QMV is nominally possible.



### The outcomes of the Convention

The combination of a 'double-hatted' foreign minister and the continued reliance on unanimity voting precludes an ambitious and flexible CFSP for the EU. Reliance on unanimity voting prevents the EU from engaging in any foreign policy to which any member state government objects. This makes the EU's CFSP very inflexible except in circumstances of very strong agreement among the member state governments. At the same time, placing the UMFA under the authority simultaneously of the Council and of the Commission gives the Council the ability to limit his or her discretion in carrying out those policies to which the Council can actually agree. That said, the UMFA could use the divisions within the Council to exercise discretion within the bounds established by the *ex ante* constraints. Taken as a whole, however, the institutional choices made in the Convention do not lend themselves to a resurgent foreign policy for a united EU. Instead, they serve to decrease the set of alternatives that can defeat the status quo.

### Data collection and methodology

To examine how delegates to the Constitutional Convention made choices concerning these two important foreign policy institutions, we employ two different data sets. First, we use data collected by Thomas König et al. (2006). These data consist of survey responses from the delegates to the Convention collected before the adoption of the draft constitution in June 2003. In total, the Convention was composed of 207 members and 13 observers; however, only 66 members were allowed to vote on the final document. The voting members included the Convention President, the two vice-presidents, 15 representatives of the member state governments (one per EU15 member state), 30 representatives from member state parliaments (2 per EU15 member state), 16 members of the European Parliament, and 2 members of the European Commission. The delegates from the 13 accession countries were allowed to participate but were not entitled to vote. Our analysis focuses only on the Convention's voting members from EU15 member states for several reasons: first, because only these members were given the right to vote, they were the most likely to affect the final outcome; second, EU15 delegates were less likely to change parties, another complicating factor when determining party identifications in the new member states.

Of the 66 voting participants, our data contain the positions of 47 delegates. This subset of the data includes at least one response from each member state government and parliament, as well as from the EP and

Commission delegates. For most states, the data set contains responses for both parliamentary representatives attending the Convention in addition to the government representative. The survey respondents answered questions on 23 key reform topics. For the purposes of this analysis, we focus on five survey questions related to the common foreign and security policy. The survey team formulated the questions after they identified topics of debate and alternatives facing Convention deliberations through document analysis of the Laeken European Council Summit. Thus, these questions are very likely to represent the entire range of foreign and security policy issues on the table.<sup>3</sup>

Our dependent variables are the delegates' responses to the following two questions:

1. The common foreign and security policy (CFSP) is a matter of the High Representative of the Council and the Commissioner for External Relations. How should this policy be regulated on the personal and administrative levels in the future?
  - 0 Keep separate assignments (STATUS QUO)<sup>4</sup>
  - 0.25 Combine the functions of the High Representative of the Council and the Commissioner for External Relations and reassign them to the Council.
  - 0.5 Keep the jurisdiction of the Council and the Commission while differentiating them and making better use of synergistic effects.
  - 0.75 Double-hatted foreign minister (OUTCOME)
  - 1 Combine the functions of the High Representative of the Council and the Commissary of Foreign Relations and reassign them to the Commission.
2. How should the Council vote regarding common foreign and security policy?
  - 0 Only unanimous votes may pass (STATUS QUO).
  - 0.3 Some votes should pass on a qualified majority (OUTCOME).
  - 0.6 Votes should pass on a qualified majority except for security and defense matters, where unanimity should continue to be required.
  - 1 All Votes should be passed on QMV.

The delegate responses to these questions, along with their national and party affiliations, are listed in the appendix.<sup>5</sup> Because for each question we can discern a clear order of choices over institutional outcomes from the most conservative institutions (i.e. institutions favoring the status quo) to institutions most likely to lead to foreign policy integration, we use an ordered logit model to examine why delegates prefer one institutional rule over the others.

We examine several independent variables that capture competing explanations for why delegates might take positions. First, we examine the delegates' self-reported positions on different aspects of EU foreign policy. These variables are taken from the König et al. (2006) survey as well. Delegates were asked about specific policy areas in which they would like to see more power relegated either to the EU or to the member states. For these policy areas, delegates were asked whether they would prefer to relegate jurisdiction to the member states (coded as -1), keep the status quo (0), or relegate jurisdiction to the EU (1). We examine delegates' responses to three policy areas: European foreign policy, defense and security policy, and cooperation in matters of international security. The idea behind including these variables is that delegates may be acting as individuals and may not necessarily have thought of themselves as representatives of member states, political parties or specific institutions. If this is the case, their own preferences towards these policies should be the best indication of their choice for institutions that will govern these policies. In other words, we would expect that those delegates who prefer to assign jurisdiction to the EU level would also support institutions that make it easier for Brussels to decide foreign policy matters. These would include qualified majority voting and creating a double-hatted foreign minister or assigning the tasks of the High Representative of the Council to the Commission.

Second, it is possible that delegates acted as agents of the member states, party or institution they represented (Commission, EP, national parliament or national government). If this is the case, delegates' personal preferences may not provide much information about their choices regarding institutions after we know the preference of their political party, member state or institutional affiliation. To test whether a delegate's personal preferences or the preferences of his or her political party matter more, we determine the party affiliation of each delegate by examining the delegates' personal, professional or party web pages. We identified the web pages using a common internet search engine and were able to confirm the party identification with multiple websites for all the delegates in all but one case, Paolo Panzono, an Italian academic and Commission employee. We then use the Chapel Hill Party Data Set (Hooghe and Marks, 2002) to determine each national party's position on European integration of foreign policy. Specifically, Hooghe and Marks asked experts to rank the position of each party's leadership in 2002 on a common foreign and security policy. Responses can range from 1 (strongly opposed) to 7 (strongly favors). As a delegate's party prefers more foreign policy integration, we would expect him or her to support institutions that are less biased towards the status quo.

To capture the effects of national preferences on institutional choice, we create two variables. First, we use the Chapel Hill data set to determine the EU foreign policy position of each member state's government. For each member state, we take the average EU foreign policy position of all governing parties and assign that position to delegates from that member state. We expect delegates from member states with governments skeptical of EU foreign policy to be skeptical of EU foreign policy as well.<sup>6</sup>

Second, we use a dummy variable to indicate whether that delegate's member state opposed or supported the Iraq war with troop deployments. Delegates from member states supporting the Iraq war should be more likely to support institutions biased towards the status quo. These member states would be less interested in creating a European foreign policy capable of balancing against the USA simply because they are not as opposed to US policy. This dummy is coded as 1 for delegates from the UK, Italy, Denmark and Spain, all of which had sent troops to Iraq at the time of the Convention. Member states that did not deploy troops to Iraq were coded as 0. We included this variable in part because our measure of government ideological position may not capture the 'special relationship' many EU member states have with the United States. Furthermore, some of the most prominent recent calls for increasing the role and efficacy of a common EU foreign policy were made in direct response to the US invasion of Iraq in 2003. Indeed, many of these calls have been specifically framed as providing a basis for opposition to US foreign policy (see, especially, Habermas and Derrida, 2005).

Obviously, neither of our variables directly measures what might be called 'national interest'. Rather, we have one measure indicating the preferences of the elected government and another that acts as a proxy for member states' strategic position relative to the major international political event of that period, namely the US invasion of Iraq. Despite the shortcomings with these measures, we contend that our approach is a conservative research design. To the extent that party preferences are captured by either our government position or the Iraq troop deployment measure, we are less likely to find statistically significant results for the partisan identity measure.

Finally, we include two dummies to capture institutional affiliation. The first dummy is coded 1 for delegates from a national parliament and 0 otherwise, and the second is coded 1 for delegates representing the Commission or the EP and 0 otherwise. The effects of these dummies are relative to our remaining category, delegates representing national governments. We might expect delegates from the supranational institutions to favor decision-making rules that would shift power to the Commission, thus leading to further integration. The expectation regarding delegates from national parliaments is less

clear-cut, but it may be that they are less inclined to shift policy towards the supranational level. Although national parliaments may offer some check against governments' foreign policy decisions handled at the national level, they would have virtually no influence if those decisions moved to the supranational level.

## Results

The results for our two ordered logit regressions, one for Commission control and the second for qualified majority voting, are shown in Table 1. The results show that delegates' partisan and national identities are significant predictors of their preferences for both increasing Commission control over common foreign policy decisions and increased use of QMV in the Council, whereas institutional positions and personal preferences are not.

**Table 1** Results for ordered logit regressions

<i>Variable</i>	<i>Preference for Commission control</i>	<i>Preference for QMV voting</i>
Party preference for EU foreign policy	0.928*** (0.331)	0.858*** (0.304)
National support for US in Iraq	-1.813** (0.805)	-1.039 (0.685)
Government preference for EU foreign policy	0.414 (0.503)	-0.64 (0.428)
Delegate preference for international cooperation in security	-2.252** (1.113)	-1.829* (1.004)
Delegate preference for EU foreign policy	1.366 (1.001)	1.85 (1.06)
Delegate preference for EU role in defense and security	-0.662 (0.694)	0.201 (0.652)
Delegate represents national parliament	-2.35** (1.17)	0.167 (0.871)
Delegate represents supranational actor	-2.06 (1.275)	-1.357 (0.983)
Log likelihood	-36.191	-34.627
Prob > $\chi^2$	.0018	.0045
Pseudo $R^2$	.25	.24
<i>N</i>	43	45

Note: \*\*\* significant at .01; \*\* significant at .05; \* significant at .10

Delegates from parties that support a greater foreign policy role for the EU are significantly more likely to support increased Commission responsibility and increased reliance on QMV in the Council. The effect of party preference on institutional choice is substantively quite large. To examine the effect of party positions, we set the variables capturing the personal preferences of delegates to their median positions and all dummy variables to 0. We then vary party positions from their minimum to their maximum. Moving from the position most opposed to EU foreign policy integration, held by the British Conservatives, to the most favorable position, held by the Flemish Liberal and Democrats Party (VLD), increases a delegate's predicted probability of supporting a shift of foreign policy duties completely to the Commission from .38 to .96. Likewise, this same move would increase the predicted probability of supporting qualified majority voting in the Council on all but security and defense matters from .16 to .86.<sup>7</sup> This result is intuitive in that one expects delegates from parties that support an EU role in foreign policy to advocate ambitious decision-making structures. However, the majority of the literature on the EU's common foreign policy does not account for the importance of partisan differences, focusing instead on national cleavages. Magnette and Nicolaidis (2004), in their discussion of bargaining in the EU Convention, go further to suggest that partisan preferences took a back seat to national preferences, an assertion not supported by the data analyzed here. Moreover, it is reasonable to predict that, if national preferences were ever to trump party preferences, it would probably be in the realm of foreign and security policies. Although the direction of this relationship is not surprising, its importance relative to the other factors we examine is substantively interesting. The fact that our findings show that partisan cleavages matter when discussing delegates' choices for CFSP institutions suggests that national party positions should not be ignored when examining other bargains struck at the Convention.

In addition to a partisan effect, we also identify a member state effect. This effect, however, is not as strong as the partisan effect. Only one of our two state-level variables works as expected. Delegates from a member state that deployed troops in support of the US invasion of Iraq were less likely to support integrationist institutional change. This effect was also substantively quite large. Setting the party position variable to its mean, the delegate response and government position variables to their medians, and the institutional dummies to 0, moving a delegate from a member state that does support the Iraq war to one that does not increases that delegate's probability of supporting Commission control of the CFSP from .62 to .87. Likewise, the probability that the same delegate supports qualified majority voting on all but security and defense matters increases from .41 to .63. This finding supports an assertion made widely in the CFSP literature that the special

relationship with the United States of some member states (for example, the United Kingdom) influences their attitude towards the CFSP.

Although a member state's position on the Iraq war does provide information about delegates' preferences over institutional outcomes, the position of member state governments on EU foreign policy provides much less information about delegate preferences. Delegates did not seem to represent the interests of their home governments. The position of the government has no statistically significant effect on delegates' institutional choice in either model. Furthermore, in the QMV model, the government position has the wrong sign. With regard to preferences for QMV, delegates seem more likely to take a position opposite to what their home government wanted. This is strong evidence that partisan ties were much stronger than national ties.

Lastly, we find that, after controlling for party preference, government position and member state position on Iraq, neither institutional affiliations nor the personal preferences of delegates easily explain their preferences for institutional change.

Whether a delegate represents a supranational actor or not is not significant in either model. However, delegates who represent national parliaments are significantly less likely to support increasing the Commission's role in CFSP decision-making. Statistical significance, however, does not carry over to preferences for QMV voting in the Council. This difference makes intuitive sense. National parliaments are likely to exhibit consensus in their opposition to increasing the role of the Commission, an institution over which they have no direct oversight. However, delegates' attitudes towards voting rules in the Council of Ministers may vary depending on where in the issue space their preferred policy is located relative to the outcomes likely to be associated with different voting rules.

Two of our three variables capturing personal preference towards EU foreign policy integration are statistically insignificant. Surprisingly, though, we find that delegates' preferences for international cooperation in security do significantly predict institutional choice in the wrong direction. The probability that a delegate prefers Commission control actually falls from .98 to .87 as the delegate prefers a move towards a greater EU role in international cooperation in security. The probability of supporting qualified majority voting on all issues except security and defense drops from .93 to .63.<sup>8</sup>

Our statistical findings are corroborated by an analysis of individual delegates' positions. The delegates who favored combining all foreign policy under the authority of the Council included two British Labour delegates, a French Rally for France (RPR) delegate, a Danish People's Party (DF) delegate and Italian delegates from the Northern League (LN), the National Alliance and the Italian Renewal Party (former prime minister and foreign minister,

Lamberto Dini) and a Greek delegate from the Coalition (SYN) Party. Delegates with these positions do not represent the entire delegations for their respective member states. This observation shows that the blocs of delegates with particular patterns of institutional choice preferences are not arranged by member state.

The delegates who favored exclusive use of unanimity voting in the Council for foreign policy decisions included two British Labour delegates, two British Conservatives, one delegate from the Italian LN and two delegates from the Danish DF. Although it could be argued that the LN does not represent the median Italian position, it does participate in center-right government coalitions. The party's preferences over institutional choices matter. Similarly, although the DF is not officially in government in Denmark, the minority government of that country depends on the DF for support in many instances, EU matters not least among them. The delegates from the other parties in the Italian and Danish governments did not exhibit this pattern of support. This finding suggests the possibility of intra-governmental division on this issue and lends further support to the argument that delegates are acting as agents of their party rather than their governments.

Furthermore, the next most conservative option for voting rules (relying on QMV for a limited range of policies) is supported by 20 delegates (out of 45). This group of moderately conservative delegates includes three French Socialists, a French RPR delegate, a Dutch People's Party (VVD) delegate, a Dutch Christian Democrat (CDA) delegate, a Belgian Green, a Danish Radical Liberal (RL), three Portuguese Socialists, a Portuguese Social Democrat, an Irish delegate from Fiana Fail, an Irish Labour delegate, a Greek SYN delegate, an Italian United Christian Democrat (UDC) delegate and a German Christian Social Union (CSU) delegate. Again, the partisan identity of these delegates indicates that this pattern of preferences is not related to the government position of the respective member states. This finding undermines the argument that delegates' preferences reflect the preferences of their member state's current government rather than their own partisan loyalties.

These observations also show that there are divisions within national delegations. The bloc of delegates supporting limited use of QMV is not arranged along national lines. Furthermore, there are divisions within national delegations between the two institutional options discussed above. Finally, some of the parties that took the most conservative positions are either in government (Italian LN) or frequently work in cooperation with minority governments (Danish DF and RL). These observations show not only divisions within the same national delegation but even the possibility of divisions within governments. Evidence that there can be partisan divisions



within the same government or its collaborators with regard to institutional choices at the European level is an interesting finding.

In regard to both the role of the Commission and the voting rule in the Council of Ministers, national delegations were split along partisan lines, which included divisions within government coalitions (and, in the case of the Danish DF, tacit supporters of a government). These findings further underscore the necessity of including partisan differences in any analysis of EU policy-making. Foreign policy decisions are likely to be the policy area in which the greatest deference is given to the current government. That partisan differences are important sources of institutional preferences, even in this area, strongly argues against the exclusive emphasis on national or governmental positions.

### **Simultaneous support for international cooperation and restrictive decision-making**

A delegate's personal preference for a greater international cooperation in security is significant but has the 'wrong' sign. That is, delegates who preferred a greater role for the EU in security appeared to oppose a greater role for the Commission and wider use of QMV in the Council. Several delegates simultaneously support increasing the EU role in foreign policy and unanimity voting. In short, this group of delegates appears to favor making more foreign policy decisions at the EU level but favors decision-making rules that would tend to hinder such decisions. We believe that, rather than being counterintuitive, this is evidence of strategic behavior. In particular, we argue that the preferences for decision-making rules are strategic preferences that have trumped what may be the sincere preferences for greater international cooperation.

This combination of preferences is exhibited by a group of delegates that includes two of the three British Labour delegates (Linda McAvan and Gisela Stuart), one of the two Danish DF delegates (Per Dalgaard) and the Italian delegate from the Northern League (Francesco Enrico Speroni). All but one of these delegates (Linda McAvan) also oppose increasing the Commission's authority over foreign policy decisions. It is possible that different explanations apply to different delegates. Although we do not test them in this article, we feel a discussion of these possible hypotheses is a worthwhile contribution. Three of these explanations center on possible partisan or even personal sources of this pattern. The fourth explanation centers on a possible national source of the observation. This examination of this combination of

preferences underscores the need for including partisan preferences in analyses of EU institutional choice, even in the area of foreign policy.

### **Strategic pacifism**

The first explanation for simultaneous support for increased cooperation and continued reliance on unanimity voting is that these delegates are strategic pacifists. Imagine a delegate with the following preferences: a total ban on interventions overseas by EU member states is preferred to interventions only in extreme circumstances and with broad international support; interventions with broad support are preferred to interventions with narrow support.<sup>9</sup> A delegate with such preferences may anticipate that arguing in favor of a total ban on overseas interventions by EU member states would be easily defeated. However, the delegates could get most of what they want by advocating greater international cooperation or even the placement of foreign policy decisions under EU jurisdiction, while simultaneously insisting on decision-making rules that make interventions unlikely if not impossible. Their support for increased cooperation on foreign policy decisions at the EU level is conditioned on their retention of unanimity voting. That is, they want a supranational foreign policy decision-making institution only if it is prevented from actually engaging in an active foreign policy.

### **Duplicitous Eurothusiasm**

A second possible hypothesis is that delegates who simultaneously support increased international cooperation and continued reliance on unanimity voting want to ensure national sovereignty for foreign policy decisions while appearing to be strong advocates for further EU cooperation. This duplicitous eurothusiasm is distinct from strategic pacifism in that, for the strategic pacifists, the preferences for increased cooperation and for unanimity voting are both sincere and strategic. In this case, however, support for increased international cooperation in foreign policy is not sincere. Rather, the delegates intentionally undercut their stated preference by insisting on institutional structures that prevent its achievement. Both preferences are strategic.

### **Shared costs**

A third possible hypothesis is that delegates who simultaneously support increased international cooperation and continued dependence on unanimity voting want the EU to become a mechanism whereby the costs of foreign

policies can be shared across all the member states. At the same time, however, these delegates do not want to be held responsible for sharing the costs of projects of which they do not approve. In those cases where unanimous agreement is possible, the EU would provide a means by which the costs of action could be shared. However, each member state government would retain the ability to prevent such sharing.

### **Avoiding domination**

The three possible hypotheses discussed so far do not contain an explicitly national dimension. That is, each of the previous explanations relies on partisan or even personal preferences for the preferred foreign policy outcomes and the decision-making institutions that generate those outcomes. There is at least one explanation for the unusual result we found that is based on national identity. This explanation is the possibility that delegates from smaller member states simultaneously support increasing international cooperation and restricting decision-making procedures because they wish to avoid being dominated by larger states. However, we were able to test this possibility by controlling for the population of the delegates' home member state. The population variable was not significant. A visual examination of the data confirmed that there is little evidence that smaller member states' delegates support restrictive decision-making structures. It should be noted at this point that two of the delegates we observed simultaneously supporting a stronger EU role and more restrictive EU decision-making rules were British (Labour Party).

Our examination of the four hypotheses for simultaneous support for increased international cooperation and restrictive decision-making institutions suggests that the idea that national characteristics or government loyalties should be the exclusive or dominant emphasis in analyses of EU CFSP reform is unlikely to be correct. Although testing these explanations is both difficult and beyond the scope of this paper, our preliminary discussion of the final, nationality-driven, explanation showed little evidence in support. Even if further tests showed little support for the other three explanations, our examination suggests that an exclusive focus on national or governmental preferences is not likely to produce an explanation for the pattern of preferences we observed.

### **Conclusions**

This article began by asking whether delegates in the EU's Constitutional Convention acted as agents of their national governments or their party. We

examined personal, national, governmental, institutional and partisan preferences for institutional reforms and found strong support for the argument that delegates were agents of their parties rather than their governments. We also found that whether a delegate's home member state had deployed troops in support of the US invasion of Iraq was a significant predictor of preferences over both the role of the Commission and the voting rule in the Council of Ministers. However, controlling for the national support for the US invasion did not eliminate the partisan element of support for CFSP reforms. Very telling, however, was the poor performance of government preferences for EU policy as a predictor of delegates' preferred role for the Commission and preferred Council voting procedure. Government preferences were not significant in either model.

Delegates' personal preferences exhibited the 'wrong sign'. That is, a delegate who preferred an increased EU role in security and defense policy was significantly less likely to prefer decision-making structures that would allow for such a role. This was confirmed by analysis of the individual delegate's preferences. A number of delegates simultaneously supported increased international cooperation and a lesser role for the Commission and continued unanimity voting in the Council. This combination of preferences appears to favor an increased EU role in international politics but favors keeping restrictive decision-making structures that prevent the EU from taking on an effective role. We offered several possible hypotheses to explain this unusual combination of preferences. We labeled these four explanations 'strategic pacifism', 'duplicitous Eurothusiasm', 'shared costs' and 'avoiding domination'. Of these four explanations, only 'avoiding domination' involved national interests. Our initial exploration of that explanation shows no relationship between size of member state and preference for restrictive institutions. That finding further undermines the presumed primacy of national and governmental preferences in the area of EU foreign policy.

Our findings have implications for two research lines within EU studies. First, our analysis contributes to research on the CFSP by examining questions of institutional choice emphasizing the role of national parties and partisan disagreements about available institutional options. The recognition of partisan sources of conflict over institutional choices has both positive and normative implications for the study of CFSP reform. From a positive perspective, we contend that our results add an important dimension to the study of CFSP reform. Furthermore, the importance of partisan differences strongly suggests that there are limits to the viability of normative prescriptions for CFSP reform that exclusively emphasize national differences.

Our results show that preferences over institutional choices in the area of foreign policy decision-making are driven in large part by partisan loyalties. In particular, our findings show that the effect of party seems to

trump both the personal preferences of the delegates and the preferences of their home governments. These partisan differences can even manifest themselves between parties that are coalition partners at home. Our findings show that, in the case of foreign policy at least, understanding institutional choices at the EU level requires understanding partisan differences at the national level.

Our findings also have implications for at least one common proposal for reforming the CFSP. Many people have suggested that a two-speed solution is the best approach to resolving the CFSP impasse. The idea is that those member states that wish to move forward with a more robust and active CFSP could enact more aggressive institutional reforms that would apply only to themselves and leave the reluctant member states behind. However, this approach is based on the premise that support for and opposition to a more active CFSP is arranged along national lines. Our findings suggest that partisan differences represent a significant dimension of disagreement about institutional choice in the area of foreign policy decision-making. A two-speed approach based on national distinctions cannot account for the partisan dimension of the institutional choice debate.

Second, we present our analysis of institutional preferences in the foreign policy area as a critical test of the debate about whether preferences over institutional choices in the EU are driven primarily by national or by partisan differences. Given that national and governmental preferences for institutions are most likely to dominate in the area of foreign policy, our finding that partisan preferences are significant sources of conflict regarding CFSP reform is strong evidence in favor of including national partisan preferences in future analyses of EU IGCs and institutional choice. If partisan differences matter in the area of foreign policy, it is unlikely that they do not matter in a myriad of policy areas with more exclusively domestic scope. At the very least, partisan preferences should be included in every analysis of EU institutional choice.

This article asks the question ‘Who Calls for a Common EU Foreign Policy?’ Our answer is that, largely, national political parties do. That is, national party loyalties drive Constitutional Convention delegates’ support for or opposition to QMV and an increased role for the Commission. This partisan effect is stronger and more robust than personal preferences, national policies towards major international crises and even national government positions. The examination of the national partisan dimension to EU institutional choice is central to understanding institutional choice at the EU level, even in the area of foreign policy.

## Notes

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- 1 The institutional choices to which we are referring are the role of the Commission in EU foreign policy decision-making and the voting rule applied in the Council of Ministers.
- 2 See, especially, Epstein and O'Halloran (1994, 1999), Bawn (1995) and Franchino (2001, 2005) for discussions on ex ante constraints on agency discretion generally and within the EU.
- 3 The construct validity of the questions has been confirmed by the scientific adviser of a German Convention member, Professor Dr Oppermann, and the high response rate of the interviewees.
- 4 Although some may argue that assigning these roles to the Council is a less integrationist position than the status quo. For our purposes this does not matter. No delegates support the status quo on this question and we are not making an argument that depends upon the position of the status quo.
- 5 The appendix is available at <http://www.uni-konstanz.de/eup/issues.htm>
- 6 Positions reflect the governments in power at the start of the Convention.
- 7 All predicted probabilities are calculated using Clarify (Tomz et al., 2001; King et al., 2000).
- 8 Again, this is calculated holding the party position variable at its mean, the other delegate preference variables at their median, and setting all three dummies to 0.
- 9 In light of this preference ordering, it is worth revisiting the influence of QMV on EU decision-making. QMV, combined with increased community cooperation on foreign policy, would allow the possibility of more frequent interventions. It is not that increased QMV would necessitate or automatically lead to more interventions. Rather, QMV allows for a greater range of circumstances in which intervention can be agreed to. At the same time, if the pacifist could count on at least one government in the EU being opposed to military interventions on principle at any given time such a vote comes up, unanimity voting could effectively prevent any military interventions under EU auspices.

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