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Only Intergovernmentalism? Partisanship and Public Policy in the European Union

<https://www.e-ir.info/2019/06/21/only-intergovernmentalism-partisanship-and-public-policy-in-the-european-union/>

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Understanding the impact of partisan heterogeneity in determining policy outcomes within the European Union (EU) has been largely neglected. Instead, theories of European integration with (liberal) intergovernmentalist explanations of process outcomes have largely dominated the academic literature (Moravcsik, 1993, 2018; Kleine and Pollack, 2018; Naurin, 2018; Schimmelfennig, 2018; Biermann *et al.*, 2019). The fact that four-fifths of all decisions are taken by consensus across the EU's bicameral legislature, which consists of the Council of Ministers – hereafter, the Council – and the European Parliament (EP), lends credence to the notion that there exists an opposition deficit regarding policies promoted at the European level as argued by the likes of Neunreither (1998) and Mair (2007). Perhaps understandably then, it is commonly advanced that partisan politics are unimportant in the shaping of public policy within the EU.

However, in recent years this conventional academic wisdom has been reviewed with studies suggesting that party partisanship at the national, transnational, and supranational levels all influence policy output of the union's two main legislative bodies to varying degrees (Lindberg *et al.*, 2008; Mühlböck, 2013; Schneider and Urpelainen, 2014; Mühlböck and Rittberger, 2015; Karlsson and Persson, 2018). The purpose of this paper is therefore twofold. Firstly, it strives to add to the relatively modest literature centered on the bicameral nature of the EU by highlighting how partisan politics in the Council and EP influences policy outputs. In the course of doing so, this essay also seeks to offer contributions concerning the manner in which partisan heterogeneity impacts policy at different levels within multi-level governance structures.

This paper is structured as follows. The next section offers a brief review of the academic literature about the role of partisan politics in policymaking within national legislatures after which a section is devoted to providing an overview of the EU's legislative procedures. This facilitates the bulk of the empirical analysis of this work which is presented in the proceeding section as it seeks to understand the influence of partisan politics in determining policy outcomes at the European level. This section is divided into three smaller sub-sections with each primarily concentrated on the role that partisan heterogeneity plays within the EU's bicameral legislature, and whether partisan politics coordinates policy action inter-institutionally between the two chambers. The various strands running throughout the empirical analysis are then summarised in this paper's conclusion.

The State of the Art: A Review of the Partisan Politics Literature

How much partisan politics affects policymaking within a given polity is strongly determined by the type of electoral system in place. Typically, within non-majoritarian, proportionally representative electoral systems in which consensus-based decision-making is innate, political partisanship's influence on public policy is constrained. Therefore, following the same train of thought, the more majoritarian a polity's electoral system is, the greater partisan effects are in determining the outcome of policy (Schmidt, 1996). Lijphart's (1984) 'parties-do-matter' theorem provides the empirical basis for understanding why partisanship affects policy outputs, contending that in majoritarian political systems the governing party controls the legislative agenda and, thus, shapes public policy to satisfy the electorate who voted for them.

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Such analyses of partisanship are limited in that they test theories of partisan politics within the context of majoritarian systems and, thus, their scope does not extend to comprehensively understanding how partisan heterogeneity influences policy in non-majoritarian democratic systems (Schmidt, 1996: 171). In proportionally representative democratic models, coalitions are built between parties that share similar ideological outlooks and they frequently bargain with opposing ideological coalitions to achieve common goals (Bräuninger and Debus, 2011; Müller and Meyer, 2011). If the bargaining process is successful then policies are created that satisfies all the coalitions involved in the decision-making processes, at least at a foundational level (Schmidt, 1996: 173).

Evidently, Lijphart's traditional partisan political arguments are not easily translated into democratic polities that consist of co-governing opposition parties. Furthermore, as argued by the likes of Immergut (1992), it is the institutional structures which surround consensus-based decision-making models that largely determine policy output. Yet, little analysis has concentrated on understanding the conditions under which institutional structures within non-majoritarian systems lend themselves to partisanship and how this subsequently influences public policy, especially within the context of international organisations.

The Legislature of the EU

Before attempting to understand how the literature concerning partisan heterogeneity affects policy output at the European level, it is worth taking stock of how party politics and policymaking operates within the EU. The policymaking process is somewhat nuanced compared to all other democratic systems, involving a variety of actors at various levels of governance. Member states and their delegates such as national government ministers, and Members of the European Parliament (MEPs) interact with national and supranational politicians through a series of EU institutions. In a simplistic manner, the EU legislative process can be described as follows.

Legislative proposals are drawn up by the European Commission (EC), an elite-driven, largely apolitical institution – its pro-EU slant aside (Egeberg, 2006; Lindberg *et al.*, 2008). With the Council and EP being co-legislators, legislation is firstly debated by government ministers in the Council and proposals are passed onto the EP once agreement is reached. MEPs then scrutinise these proposals and coordinate votes for/against them along (supranational) party lines. At this stage, MEPs either allow the legislation to pass successfully or send it back to the Council for review. This process repeats a maximum of three times before the proposal is scrapped; either of the chambers can reject the proposal outright at any stage of the legislative process. Determining how policy is influenced by partisanship in the EU thus requires an examination of partisan heterogeneity across its bicameral legislature. Because partisanship relies on the 'parties-do-matter' theorem, this task is complicated by the nexus of different forms of party political organisation at the European level. These include national party delegations, transnational party federations, and supranational party groups; the differences between them can be understood as follows.

Delegates of national governments such as ministers in the Council represent their domestic interests (in theory at least). Transnational party federations, such as the European People's Party (EPP), can also be known as 'Europarties' and coordinate the actions of their members across multiple EU institutions including the Commission, the Council and the EP (Van Hecke, 2010: 397). Although the terms 'Europarties' and 'transnational party federations' are not mutually exclusive in that a Europarty can also qualify as being a transnational party federation, this does *not* mean that they are synonyms. Membership of transnational party federations consists of MEPs who belong to national parties, their corresponding Europarty, and also includes an external network of non-parliamentary political ties throughout Europe (Külahci and Lightfoot, 2014: 73). Thus, there are only four *effective* Europarties with enough political capital to be classed as transnational party federations. These are the EPP, Party of European Socialists (PES), European Liberal Democrat and Reform Party, and the European Green Party (Van Hecke, 2010: 400).

Lastly, supranational party groups typically consist of blocs of Europarties with similar ideological outlooks, forming one of a number of the EP's officially recognised 'Groups' which grants the Europarties the ability to sit on committees and access financial subsidies. MEPs across different Europarties that are situated within the same supranational group are whipped by their group leader into voting a particular way in the parliament. However, not all

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supranational party groups contain MEPs from multiple Europarties. Groups must consist of a minimum of 25 MEPs from 25% of the union's member states. Thus, the largest Europarty with MEPs in every member state, the EPP, sits in a supranational group of its own whereas the European Free Alliance with 11 MEPs groups with the European Green Party. As such, supranational party groups are solely concerned with the workings of the EP. In contrast, transnational party federations operate across multiple levels of governance, at both the national and supranational level as well as in-between the two (Van Hecke, 2010: 397). Consequently, the scope for these different forms of party political organisation to mobilise along partisan lines across different governance levels and EU institutions presents a tantalising case study for understanding how important partisan politics is in determining policy output from the union's bicameral legislature.

Partisan Politics and the EU

Partisanship within the EP

The party system in the EP is largely organised along classic left-right ideological cleavages (Van Hecke, 2010). MEPs are found to prioritise their Europarty membership above that of their national party affiliation and, therefore, supranational party groups dominate the voting agenda in the EP and compete in the policymaking process (Hix *et al.*, 2007; Van Hecke, 2010). This is in stark contrast to the widespread perception that together the two biggest parties, the EPP and the PES, form a 'virtual cartel' and monopolise legislation that passes through the parliament (Hix *et al.*, 2003: 318).

It is certainly undeniable that between 1979–2001 the two main parties have cooperated on around 70% of issues (*ibid.*: 315). However, this is an aggregate figure that captures all votes during the period, including non-binding and consultation votes. Because the EPP and PES are two centrist parties – the former centre-right and the latter centre-left – which are more supportive of the EU than their counterparts at both ends of the left-right spectrum who lean towards being anti-EU, they are likely to vote together on procedural issues to enhance the legitimacy of the EP. In contrast, when policy proposals which are of importance to the two groups arise, such as those concerning agricultural, environmental, economic and social issues, supranational party groups typically tend to mobilise against one another and compete rather than collude (Hix *et al.*, 2003).

Moreover, the institutional setup of the EP has high threshold requirements. Thus, on many technical and procedural matters turnout is far lower than for socio-economic issues and, therefore, the parties are required to cooperate to meet the voting threshold for procedural legislation to pass. On issues of high salience, MEP turnout is high and so parties can, and do, compete along their ideological lines. The partisan divides that are evident in such voting on socio-economic issues typifies those found in national legislatures. Karlsson and Persson (2018) also challenge the alleged opposition deficit in the EU by highlighting that there is considerable opposition to the polity itself as well as conflict over policy proposals. Eurosceptic parties may have monopolised opposition to the polity (Karlsson and Persson, 2018) but pro-EU parties have the monopoly on policy opposition (Hix *et al.*, 2007). As such, it is the partisanship of supranational party groups that largely dictate *policy* outcomes in the EP (Van Hecke, 2010: 404).

Partisanship within the Council

Recent empirical evidence strongly supports the notion that partisan politics shapes public policy outcomes in the Council. Although decisions taken by ministers reflect their domestic interests they are also influenced by developments at the EU level (Mattila, 2004). Similar to the EP, the majority of these partisan differences are communicated via broad coalitions that vote in unison and are organised along the left-right ideological spectrum as indicated by Hagemann and Hoyland's (2008) analysis of Council voting records from 1999–2007. Moreover, the authors highlight that changes in government composition at the national level are reflected by corresponding movement across the left-right spectrum in the Council. In other words, new national governments seek their closest ideological coalition partners as opposed to the ones favoured by their predecessors. Overall, it is clear that within the Council ministers tend to line up according to political ideology thus providing scope for partisan conflict to occur when shaping public policy (Mattila, 2004; Aspinwall, 2007).

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Furthermore, Kemmerling and Bodenstein (2006) demonstrate that partisan heterogeneity is the missing link in understanding the dynamics between intergovernmental bodies such as the Council and overlapping multilevel governance structures. Through a case study of the EU's Structural Funds, which are ultimately distributed to regions by the Commission but are based on recommendations from the Council, the authors illustrate how partisan politics at the regional level induce partisan heterogeneity in the Council. Traditional partisan theories of redistributive preferences at the national level articulate that left-leaning parties seek more monetary redistribution while right-leaning parties seek lower levels of spending (Kemmerling and Bodenstein, 2006: 379–380). Accordingly, across member states regions that have a higher degree of left-leaning parties lobby their national ministers in the Council to a greater extent than regions with a majority of right-leaning parties. Consequently, this influences ministers within the Council to bandwagon together in their ideologically left-leaning, cross-national coalitions to recommend to the Commission that the poorer regions should receive more Structural Funds (*ibid.*). The ability of sub-national actors on the political left to successfully lobby their countries' Council ministers in a bid to secure more Structural Funds offers a small, albeit fascinating insight into how partisanship at a regional level engenders partisan politics within international institutions which thus determines public policy outcomes.

The effect of partisanship on policy outputs within the Council is further highlighted by Schneider and Urpelainen's (2014) case study of voluntary contributions to the European Development Fund (EDF). They illustrate that partisan politics within the Council limits the scope for cooperation meaning that concessions between ministers on the left-right spectrum is often necessary which results in compromised policy outcomes that diverge considerably from each groups' ideal preferences. As the solution reached is essentially one of the lowest common denominator, domestic governments are less likely to follow through on their commitments concerning the level of their voluntary contributions to the EDF. This finding has wider implications for policymaking in the Council as the effects of supranational partisanship within the body effectively filters down to the domestic level. National governments are thus less likely to fully commit to the implementation of Council policy outputs due to their disenchantment with the policy compromises that have been agreed by the ideologically-driven ministerial coalitions.

Inter-institutional Partisanship between the Council and EP

To date, there has been little research examining the interplay between the Council and EP, and the role partisan politics plays in shaping these interactions with studies by the likes of Van Hecke (2010) and Mühlböck (2013) being the exceptions that prove the rule. In national bicameral legislatures, parties are the main mechanism through which voting cohesion is sought both within, and across, different chambers (respectively, Carey, 2007; Tsebelis and Money, 1997). Parties also act as the primary means with which votes across the EU's co-legislative bodies can be coordinated albeit they do so in a manner that is unique to the (European) supranational level.

There are two forms of party organisation that bridge politicians across the EU's bicameral legislature: national party affiliations and transnational party federations, the latter of which provides 'a forum for co-ordination, communication and exchange between like-minded actors partaking in policy-making' (Chrysogelos, 2017: 258). In domestic contexts parties simply have to ensure unity among its representatives – who are all affiliated with the same national political party – across its two legislative chambers. However, at the European level national political parties and transnational party federations must navigate an array of different allegiances which span multiple levels of governance – i.e. the national and supranational. Transnational party federations and national political parties can therefore be interpreted as competing forms of inter-institutional party political organisation that possess the ability to coordinate the voting behaviour of Council ministers acting in the national interest alongside those of MEPs who share the former's vested domestic interests but also have loyalties to their Europarty.

Unfortunately, there is no academic work dedicated to analysing the success (or lack thereof) of coordinated inter-institutional voting within transnational party federations. This is a line of research that should prove promising in the years ahead as the EPP only began convening national ministers who all belong to its transnational party federation ('EPP ministers') prior to Council gatherings from 2009 onwards (European Factbook, 2011: 16–17). The PES also recently followed suit in 2018, incorporating a working body into its statutes to enhance coordination of PES ministers in meetings to 'develop common positions' (Party of European Socialists, 2018: 17). Therefore, it is yet to be determined whether such efforts by the likes of the EPP and PES will produce the desired inter-institutional voting

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coordination along transnational party federation lines.

Scholarly attention has however been devoted to understanding if national political parties link inter-institutional voting within the EU. Utilising a dataset containing 190 legislative proposals voted on by members of the Council and EP belonging to the 15 original EU member states from 1999–2009, Mühlböck (2013) shows that there has been no effective coordination of ministers' and MEPs' voting behaviour according to national party affiliation[1]. Voting across the two chambers is normally coherent but this is a consequence of the consensus-based setup of the EU institutions with MEPs and ministers often voting together on technical and procedural matters as discussed previously. Where matters of substantive importance are concerned, such as socio-economic issues, MEPs routinely voted with their supranational party group and only put on a united front with national ministers on 3 occasions (Mühlböck, 2013: 583).

In short, although this study is unable to ascertain the inter-institutional effect of political partisanship between the Council and EP due to a dearth of academic research, it does illustrate that there are clear limits to the intergovernmental nature of the EU. For clarity, Mühlbach's analysis focused on the same national political parties which were spread across multiple legislatures. So, it is argued that at the national level in the UK, for example, the Labour Party would have sought to ensure voting cohesion of its ministers in the Council and its MEPs in the EP – who belonged to the PES – on substantive policy issues. Yet, the party's MEPs, who were first and foremost members of the European Parliamentary Labour Party, voted in line with their supranational party group and not their national government in contrast to their party colleagues in the Council. The partisan politics of the EP thereby shackles intergovernmental efforts to control the outputs of the EU's bicameral legislature by preventing coordinated inter-institutional voting according to national party affiliations. National allegiances are therefore less of a determinant of policy outcomes at the European level than commonly suspected.

Conclusion

To summarise, this work has demonstrated that partisan politics across the two key European institutions which are primarily responsible for shaping legislation impacts policymaking at different tiers of the EU's distinct multilevel governance structure. The left-right ideological divides that dominate the EP were detailed through supranational party groups who, despite cooperating on a range of procedural matters, typically challenge one another and attempt to fashion substantive policy issues in their preferred image. The same political cleavages were also found to dominate decision-making in the Council, with ministers from different member states bandwagoning together in left-right coalitions as indicated by voting records from 1999–2007. The compromises produced by the Council thereby lessens national governments' commitments to follow through on the negotiated policy outputs as demonstrated with the case of contributions to the EDF. Furthermore, through an analysis of the distribution of EU Structural Funds, regional partisanship along the same left-right dimension that dominates Council meetings was shown to engender a corresponding supranational partisan effect in the latter. Lastly, there appeared to be little inter-institutional partisanship between the two legislative chambers as allegiances to national political parties and loyalties to Europarties seemed to govern voting behaviour on crucial policy areas in the Council and EP, respectively.

Taken altogether then, how important is partisan politics in shaping policy within the EU? The short answer: a lot more important than is typically believed. With partisanship on the left-right dimension frequently trumping national political affiliations in both the Council and EP, the findings of this paper challenge the widespread perception that intergovernmentalism dominates policymaking and its outputs in the EU's bicameral legislature.

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Notes

[1] N.B. In Mühlbach's (2013) study the author uses 'transnational EP groups' to describe what this paper defines as 'supranational party groups' – chosen to spare readers confusing it with the term 'transnational party federation(s)' – in line with the terminology employed by the likes of Van Hecke (2010).

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Date written: 03/2019