

The Council's Congruence with the European Citizens

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Abstract

The Council brings together the *sovereigns* and decides on the most important policy issues, which determine the political direction of the entire Union. In this paper, we inquire about two thus far neglected, yet important issues: the evolution of the Council's political center of gravity and its ideological congruence with EU citizens. Firstly, we examine whether the enlargement, the economic crisis but also developments in MS' party systems (e.g. rise of the radical right) have affected the political center of gravity in the Council. Secondly, we inquire about the Council's congruence with the EU citizenry as a whole and the public opinion in each of the MS. Our preliminary findings show that while congruence is rather high overall, there are significant differences across member states and income groups.

Ideology & Political Representation in EU Policy Making

As the European Union (EU) is a “split-level democracy”, where legitimizing mechanisms are split between levels of government (Schmidt 2009; 2006), the alignment of representatives with the represented is more complex than usual. The EU polity provides citizens with two channels of representation in policy-making at the EU level: a direct one, which operates through the selection of (national) party candidates to represent citizens at the European Parliament (EP) and an indirect one, through the participation of their national governments in the Council. Ideology matters in how these representative institutions work: it influences how national party representatives vote in the EP (Hix et al 2008; Hix 2002), how they join Party Groups (McElroy and Benoit, 2010, 2012, 2007) and how governments coalesce when voting in the Council (Hagemann and Høyland 2008).

The importance of ideology in the policy-making process at the EU level begs the question of whether representatives in the EU legislative bodies are congruent with the publics in the name of which they make law and policies. Empirically, the concept of ideological congruence is a useful indicator of the linkage between publics and policy-makers. Congruence constitutes an important prerequisite for citizens’ *substantive* representation in the policy making process (Mansbridge 2009; Pitkin 1967): if publics and their representatives diverge greatly, it is unlikely that the latter will make the former present in policy-making processes. Thus far, research on ideological congruence between citizens and their representatives at the EU level has focused on the EP and has found that representation is better on the general left-right dimension than on the issue of European integration (Lefkofridi and Katsanidou 2014; Mattila and Raunio 2012; Costello et al. 2012). However, we know very little about the linkage between the Council and the public, which, until the reforms introduced by the Lisbon Treaty (2009), has been much more powerful than its co-legislator, the EP.

The Council brings together the *sovereigns*, and it is a peculiar institution for two reasons. Firstly, it meets in various formats: on the one hand there is the European Council (EC)¹, the top-level political configuration of heads of states and governments of

¹ Note that the EC was established informally in 1973 but was constitutionalized as a separate institution of the Union only in 2009 with the Lisbon Treaty, and this was done for the purpose of clarifying its role and composition in an effort to increase transparency of the entire system vis-à-vis EU citizens.

the member states (MS)² whose role is to “provide the Union with the necessary impetus for its development”; the EC does not legislate but defines the most important policy issues and determines the political direction of the entire Union (Article 15 TFEU). On the other hand, there is the Council of Ministers (CoM), which meets for the purpose of legislation in ten different policy-related configurations of twenty-eight ministries of the MS. As its agenda-setting (EC) and legislative (CoM) wings bring together different representatives of the same governments,³ in this paper we conceive it as a *unified* political body of the Union, hereafter the *Council* or *EU Council*⁴. Be they presidents, prime ministers or ministers, individual Council members enjoy territorially bound democratic legitimacy for their actions; according to Moravcsik (2002: 612), the “bonds of accountability are tight”: ministers legislating in the Council act under constant instruction from national executives and can be “re-instructed or recalled at will”.

Secondly, and most importantly, the Council is peculiar because EU citizens can neither anticipate its exact composition in *x, y, z* points in time, nor behave in ways to affect its policy direction. Its composition is the product of many different electoral contests⁵ that are organized nationally and differ in terms of timing. Hence, there is no electoral connection between what the Council does and any constituency in particular; EU citizens can neither select it nor outvote it in the same way that state’s governments are typically selected and voted out of power. Given the Council’s centrality in the EU system, and the impossibility for EU citizens to “sanction” the Council if they are not satisfied with its decisions invites the question of *whom does the Council represent?*

Though the Council’s ideological congruence with EU citizens remains uncharted territory, the scarce research on the Council has generated some important insights into

² The President of the Commission and the (rotating) Presidency of the Council are also members of the EC, but where it decides by vote, its President and the President of the Commission “shall not take part in the vote” (Article 235 TFEU). Depending on what is being discussed, the members of the EC may call on the assistance of a minister and, in the case of the President of the Commission, of a Commissioner. The High Representative of the Union for Foreign Affairs and Security Policy also contributes to the EC’s work.

³ The partisan composition of both the CoM and EC are determined by the same (national) electoral contests; citizens in different MS elect governments, whose members then participate in the CoM and the EC.

⁴ As we are not concerned with the dynamics within these two institutional versions of the Council but with its party-political center of gravity – which does not vary between EC and CoM- and its congruence with EU citizens, in this study we consciously do not differentiate between the CoM and EC.

⁵ While the current CoM is the product of twenty eight legislative elections that result in government formation, the EC includes not just prime ministers but also heads of state, who, in some countries, are directly elected by citizens via separate elections (e.g. Finland, France).

political representation. To date, studies of the Council examine the reasons underlying coalition patterns and voting behaviour of its members, as well as the procedures that regulate its decision-making. Firstly, studies of decision-making inquire about whether and how ideology matters when governments bargain and coalesce; they find that ideology matters, though its exact role is contested (Tallberg and Johansson 2008; Hagemann and Høyland 2008; Aspinwall 2006; Heisenberg 2005; Mattila 2004). How ideology plays out in the Council is important for its interaction with other EU institutions, and ideological congruence between institutions matters for the speed of decision-making (Klüver and Sagarzazu 2013). Secondly, the strand of research on the Council that focuses on procedures investigates whether and how seat allocation and voting procedures in the Council produce inequality among EU citizens (Le Breton et al. 2012; Maaser and Napel 2007; Taagepera and Hosli 2006; Laruelle and Valenciano 2002).

The findings of the aforementioned behavioral and procedural studies combined with the fact that the institutional connection between publics and the Council is indirect hint to the possibility of unequal representation of some citizens over others in the policy-making process and make the quest for ideological congruence more pertinent. Assuming that there is congruence between each government and its national public, for instance, what happens to national constituency representation when the government deliberates and bargains in the Council? To illustrate, if a national constituency Y elects a center right-wing government y but the majority of other MS' governments x, z are located further on its left, then the "political center of gravity" (CoG, Manow and Döring 2008; Gross & Sigelman, 1984) of the Council would tilt towards the left and thus away from the average voter of Y . If ideology matters in coalitions patterns within the Council, the ideological positions of some members' national constituencies may be underrepresented in the Council's policy-making. Yet, since the Council represents the MS but decides on the direction of the EU as a whole, its CoG should not be systematically biased towards any of the MS.

To be sure, government alternation at the national level ensures that the composition of the Council is constantly renewed, so to make any claim about an MS' representation we would need to study its member states over time and see whether there are systematical patterns of underrepresentation. We consider the time

dimension crucial for our understanding of the Council's CoG and, consequently, citizen representation in the Council. We argue that the latest EU enlargement, the rise of the radical right and the crisis that the EU has been undergoing in recent years (2009-2015) may have affected the Council's CoG and its congruence with some EU citizens. The crisis has resulted in high electoral volatility, declining public trust in national and EU institutions and increasing protest, especially in crisis-hit MS. This suggests that the linkage between some national governments and public opinion may have come under strain.

Moreover, as the Council decides for the entire EU citizenry, any claim about the quality of representation in this institution would need to also look beyond territorial defined constituencies and examine its congruence with the EU-wide public. We ask: *How does the Council's CoG evolve over time? To what extent is it ideologically congruent with the national publics but also the EU wide public?* We pursue these questions by combining data from multiple data sources at the mass and elite level. Our preliminary findings show that although there are differences across member states, congruence is high overall.

In the remainder of this paper we proceed as follows. First, we discuss how to conceptualize the congruence of the Council with the citizenry based on territorial-national and EU-wide criteria; why we would expect the CoG to change over time, and why congruence with the citizens could get distorted. Second, we explain our research design and methodology. Third, we present our results and in the final section we conclude.

The Council's CoG & Ideological Congruence with...whom?

In democracies, electoral constituencies are central due to their formal institutional role to structure political representation (Rehfeld 2005). Given that representatives in the Council are elected based on national-territorial constituencies, congruence between the elected government and the national public is a prerequisite for the substantive representation of domestic preferences in Council's deliberations. Some degree of congruence is assumed to exist because each national constituency, whose median voter determines the winner (Downs 1957), democratically elects its government-

member of the Council. Congruence between the average citizen in each MS and its elected government is expected because office-seeking parties strive to remain in sync with the “average” national constituency member (Adams et al. 2004, 2006; McDonald and Budge 2005; Erikson et al. 2002; Powell 2000; Stimson et al. 1995; Huber and Powell 1994). This expectation, in turn, is based on the assumption that MS’ citizens vote in national elections, and that when they do, they vote based on ideological grounds. Only if citizens vote, and they choose “correctly” that is, based on opinion congruence with parties on major dimensions of contestation (Rosema and de Vries 2011), can parties function as ‘the central intermediate and intermediary structure’ enabling ‘channelment’, ‘expression’ and ‘communication’ between society and government (Sartori, 1976: xxi). However, as we discuss below, this twofold assumption may not hold universally for all citizens in the EU.

To begin with, turnout in national elections varies across time and MS constituencies. First, fewer citizens participate in national elections conducted in the more recent, Eastern European MS compared to the old MS. In old MS turnout is typically above 70 %, while in the new MS it is usually below 60 %. For instance, Lithuanian turnout reached 32.4 % in 2008 and 35.9 % in 2012. Second, turnout may also be affected by citizens’ mobility which is promoted by economic integration. Around 25 % of the EU population considers migration to another MS for the purpose of work (European Commission 2014). The segment of EU citizens who live and work in a EU MS other than their country of origin raises an issue for representation in the Council. While in European elections these citizens can vote either for parties of their country of origin or from the country they reside in, EU citizenship does not make them eligible to vote in the national election of the MS they live and work. Hence, their representation in the Council is dependent upon the outcome of the election in their country of origin; as not all countries make it easy for the citizens that emigrated to vote (e.g. via postal or electronic voting), some citizens may be hindered from voting. Alternatively, they may refrain from casting a ballot for a national election that does not affect their daily life, such as the amount of taxes they should pay – a policy competence that remains in the hands of MS.

Secondly, individual citizens’ motivations for casting a ballot in support of one among parties also differ; even if most citizens do vote “correctly” for the party closest

to them, they still cannot anticipate the consequences of their choices for their representation by parties in government acting at the EU level. This is due to the fact that citizens' institutional linkage with the Council is indirect (via national legislative elections) but also because EU citizens lack information of how the Council works, and of what it actually does. Until the current economic and political crisis, which followed the global financial crisis (2008) there was little public awareness of EU policies or the effect of regional integration on national policy-making. National political elites who structure the debate in both national and European electoral arenas - the institutional channels for citizens' expression and policy representation- have systematically kept EU policies, as well as the effects of regional integration on national policy-making, outside electoral politics (Pennings 2006). For the most part, when voting in national elections citizens do not have in mind what kind of policies the parties competing for office at the national level are likely to pursue at the EU level, and how left-right ideological patterns in the Council may matter for the outcomes of its deliberation and bargaining.

Still, if we assume congruence between each elected government and its national public, and take the Council to pieces, we can perceive the representation of territorially defined preferences⁶ as the goal that each Council member (i.e. the MS representative seating in x, y, z Council configuration) pursues. So the Council as a whole can be conceived as a political body where all MS representatives come together to decide about common policy for the Union while ensuring that domestic preferences are promoted (or at the very least, that they are not hurt). In this view, each member of the Council would make efforts not to diverge from the position of the national constituency. However, how domestic preferences are defined differs according to the ideological composition of the government in place. In this regard, governmental programs of right and left parties entail different perceptions and definitions of what is good for the country and how, that is with which policy instruments, it should be pursued. Hence, ideology matters for the positions each MS represents in the Council and what the Council decides to do, which policy direction to take, and which specific legislative measures to adopt.

⁶ Even if a portion of the electorate selects the parties that form the government based on ideological congruence, the governing officials in the Council's work are supposed to represent the preferences of their MS, not just their supporters.

Research on the Council's CoG in the classic left-right divide until 2005 portrays the institution as changing over time, yet displaying homogeneity (Manow and Döring 2008). Ideological homogeneity suggests that when national governments get sorted into the Council as a political decision-making body, the linkage of individual MS constituencies with the CoG should be roughly similar to their ideological connection with their governments. In other words, the closer the congruence ideological among Council members, the less likely it is that the original distance between the government and the citizens would be distorted. The Council owes its ideological homogeneity to the fact that it has been by and large populated by moderate, centrist parties, who are the typical cabinet members at the national level (Warwick 1996). In sum, be they on the left or right, Council members typically reside in the center of their respective party systems.

What is more, the process of European integration may contribute to this homogeneity. As more and more policy competences get transferred to the EU level, the policy alternatives to be pursued at the national level are increasingly constrained. In particular the Single Market and the Maastricht Treaty that occurred in the 1990s fundamentally changed national parties' policy arena and dampened important policy conflicts between left and right, especially regarding the management of the national economy (e.g. Mair 2007, 2000; Johansson and Raunio 2001; Hix and Goetz 2000). Integration produces policy convergence of parties at the national level and constrains party competition in MS (Dorussen and Nanou 2006; Nanou and Dorussen 2013). These constraints became most obvious during the current economic and political crisis, where parties in government had difficulties to respond to domestic opinion.

In our view, since the last examination of the Council's CoG (Manow and Döring 2008), the EU has witnessed important developments at both the supply and demand side of European politics, which may have affected the CoG during the last decades: enlargement, the rise of the radical right and the crisis. Firstly, since 2004 the EU enlarged to include thirteen new members. Due to their historical experience with communism, Eastern European publics have been more enthusiastic about the liberalization and privatization of the domestic markets than publics in older MS; their membership in the Council may have led the CoG to shift to the right thus enlarging the

distance between the Council and MS where the median is more centrist, and especially center-left.

Secondly, and relatedly, the electoral success of parties on the fringes in many EU MS has caused shifts in mainstream parties' positions across Europe (Bale 2003; Bale et al. 2009). Despite the fact that the radical right rarely participates in government at the national level, its effects are not negligible, as entire party systems have moved to the right on the issue of immigration (Lefkofridi and Horvath 2012; Van Spanje 2010). These developments should be reflected in the CoG over time.

Thirdly, the EU is undergoing a crisis the last five years, which has challenged European voters' party loyalties and affected their voting patterns across the EU. The Council's policy reaction to the crisis has been austerity, in an effort to achieve fiscal consolidation; as budget cuts affect redistributive measures and the provision of social policy to the disadvantaged they predominantly hurt the poor, who are the most vulnerable. In this regard, Lindvall (2014) argues that in the short run the median voter - who does not feel altruistic towards the poor - would turn to the right in the hope that the economy would improve. In the long run, however, as the effects of the crisis (most notably unemployment) hit the middle class, the median would turn to the left, - which is typically associated with welfare solidarity- in the hope that s/he gets protection (Lindvall 2014; Wright 2012). However, voters 'in search of rescue' may not turn to the left but to the right. Radical right parties promote ideas that entertain popular fears of both cultural and economic threats, which together produce an anti-immigrant, exclusionary approach to perceiving and pursuing redistributive solidarity (Lefkofridi and Michel 2015). The success of the chauvinist, protectionist discourse of the radical right during the crisis has challenged (especially center-right) office-seeking parties in many member states, pushing them to take 'nationalist'-'protectionist' stances. At the same time, however, the crisis motivated migration from the EU South to the EU North, as the former was plagued by unemployment. In sum, changes in the CoG of the Council can be generated by the behaviour of parties and voters in national elections across the EU; this, in turn, may have affected the Council's congruence with some MS more than others, or with some income groups more than others. In what follows, we elaborate on

how we estimate the CoG of the Council and how we measure its ideological congruence with EU citizens.

Research design & Methodology

Our analyses are based on a compilation of information from different sources. Data on citizens' opinions comes mainly from the European Social Survey (ESS) (2002-2012) but has been enriched with other mass surveys to get public opinion for all 28 member states. In particular, we incorporated information from the European Election Studies (EES) 1999 and 2014 to enlarge the time series and EES 2004 and 2009 for the new member states where other information was not available. Moreover, a handful of national election studies were added to complete the time series⁷. All mass surveys have been weighted according to their population.

The empirical analysis is based on the left-right dimension of political conflict⁸. We calculate the CoG of the Council using information from two sources: the national government compositions have been taken from the ParlGov-website (Döring 2013) and party position data comes from expert surveys. We used the Chapel Hill expert survey (CHES) predominantly which has the advantage of time-variant party positions but for Luxembourg, Malta, Cyprus and Croatia and a few single parties in other countries not covered by CHES we utilized the Benoit and Laver expert survey instead (Benoit and Laver 2007). While the position of each government is the weighted average of all incumbent party positions⁹ (or in other words the center of gravity of national cabinets), the CoG of the Council is an aggregation of all member states national government positions.

For the descriptive figures and the subsequent regression analyses the data is presented in a monthly format; this is because the Council is subject to change when new national governments are formed. Congruence is calculated as the distance between the left-right position of the citizenry to the CoG of the Council. We estimate two types of congruence: first, we consider EU-level congruence, which concerns the

⁷ Appendix A shows the development of mass ideology over time for the 28 member states covered.

⁸ While there is no doubt that the left-right dimension is the most important, when dealing with congruence within the EU we should ideally also include the second major dimension of political contestation in, i.e. pro-/contra European integration; this is currently not possible due to data restrictions.

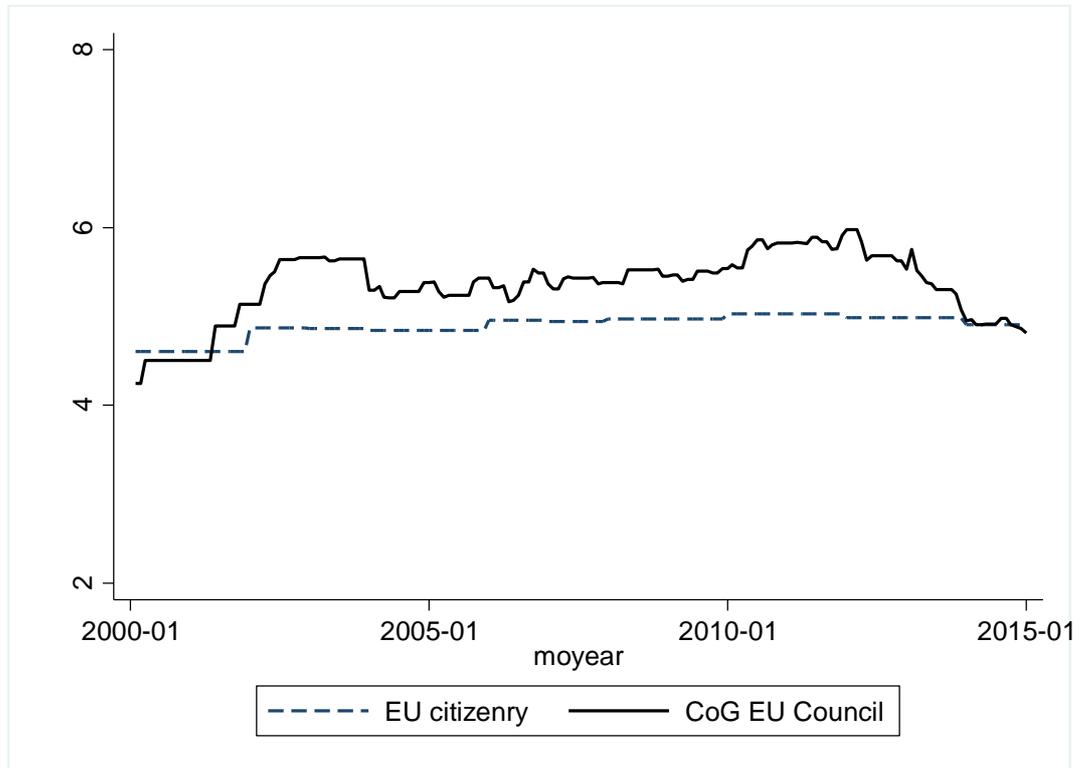
⁹ A graph summarizing government position in EU member states is presented in Appendix B.

distance between the Council's CoG and the average EU citizen (all MS' constituencies conceived as one EU-wide public). Second, we consider national level congruence, which we use to answer questions about territorial representation (each MS separately). Precisely, EU level congruence is the absolute distance between the EU average left-right position and the CoG of the Council times -1. National level congruence is the absolute distance between the national average left-right position and the CoG of the Council, times -1. The multiplication by minus one allows for a more easy interpretation of the results.

Results

We begin by examining the evolution of the CoG compared to the development of EU-wide public opinion during the last fifteen years (2000-15). Figure 1 portrays the ideological congruence between the Council (solid line) and the average EU citizen (dashed line). We see that public opinion has remained rather stable over time, and that the Council is almost always on the right of EU public opinion. Exceptions constitute the 2000s and the latest years in our dataset, when the two are more aligned, because in both cases the Council is located more on the left than it usually is. The overall picture of congruence between the Council and EU citizenry is positive, given that, even when the Council is on the right of EU publics, their distance is not very large. Also it seems that during the crisis the Council's CoG seems to approach the average public opinion in the EU. Regarding the Council CoG we see that the enlargement in 2004 has, in fact, led to a leftwards – and not rightwards- shift of the Council's CoG. In fact, the CoG moved from 5.64 at the end of 2003 to 5.22 at the beginning of 2004. During the Great Recession we see first a move towards the right followed by a leftward realignment as hypothesized by Lindvall (2014).

Figure 1. Congruence between the Council and EU citizens over time



Next, we turn to the Council’s congruence with the public opinion in each of the EU MS. Figure 2, which shows to what extent the average citizen in each of the MS is under- or over-represented in the Council when we aggregate all time points available¹⁰, reveals great variation across MS. Negative numbers mean underrepresentation, while positive numbers mean overrepresentation. The variation across member states is sizable with some nations such as Germany, Latvia or Austria being worse represented than the average, a second group of countries enjoying just the average congruence (e.g. Italy, Croatia or Greece) and a last group of countries whose citizens’ are better represented than the rest. Countries in this group come predominantly from Eastern and Central Europe (e.g. Poland, Czech Republic or Romania). This is also confirmed by a more systematic test, which is presented in Table 1.

¹⁰ This figure is based on a random-intercept multilevel model controlling for the time component. Displayed are the random country intercepts for the dependent variable. A more detailed graph showing the time-variant development of the Council congruence for each member state is shown in Appendix C.

Figure 2. Under- and overrepresentation of national constituencies

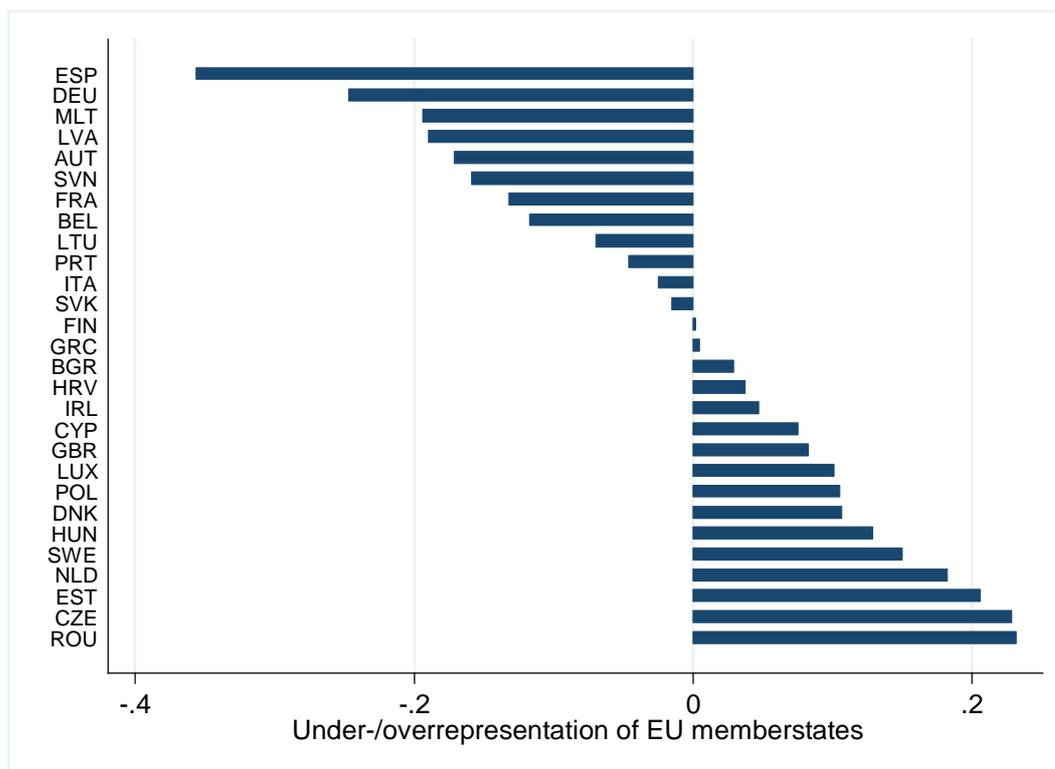


Table 1 present results of a regression analysis exploring whether congruence varies across Eastern, Southern and Western MS. Given the temporal and cross-national dependencies in the data we opted for panel-corrected standard errors and pairwise-deletion¹¹. We see the impression from Figure 2 confirmed. Eastern MS tend to be overrepresented, whereas Southern MS tend to be underrepresented in the Council again simply controlling for but not modelling temporal variation.

¹¹ The results from a multilevel regression with either a random temporal component or fixed effects are very similar.

Table 1 Pooled-Time Series Regressions of national level Council Congruence

	Model 1			Model 2			Model 3		
	B	S.E.		B	S.E.		B	S.E.	
Eastern member states	0.09	0.01	*				0.07	0.01	*
Southern member states				-0.11	0.01	*			
Constant	-0.49	0.01	*	-0.43	0.01	*	-0.46	0.01	*
N	4272			4272			4272		
R2	0.017			0.021			0.028		

* p<0.05

Conclusion

In this paper we attempted a first exploration of the Council’s ideological congruence with the publics for which it makes policy and in doing so we extended previous work on the Council’s political CoG (Manow and Döring 2008). A key issue with the Council concerns the criteria based on which representation should be assessed (and consequently, the concept of constituency based on which congruence be estimated). In this paper we argued that an understanding of representation in the Council should include the average citizen of the national-territorial constituency, which elects a member of the Council *and* the average citizen of the EU wide constituency, which is affected by its policy-making. Although the Council is typically conceived in terms of national- territorial representation, and the concept of constituency is confined to geographical boundaries – the MS, the kind of integration the Council has pursued is in many ways “melting down” those boundaries: there are no more tariffs, and customs; EU citizens do not even need to show a passport when crossing borders, and they are free to live and work everywhere within the EU. If the Council is something like a large part of what we call “government” in our domestic systems (the other part being the Commission, to whom the Council’s executive function is delegated), that decides on policy direction in a polity with a Single Market, then the question of the Council’s EU-wide representation becomes inevitable.

Indeed, depending upon how we measure congruence we see a different part of the broader picture of citizen representation in the Council. When we examine the congruence between the Council's CoG and each MS' average citizen position, we find large variation across MS. Interestingly, the ideological position of Eastern MS tends to be overrepresented, while that of Southern MS tends to be underrepresented in the Council. That said, if we look at the Council's CoG compared to that of the average EU citizen, we get a rather positive picture. The Council is not very far from the EU average, although systematically on its right.

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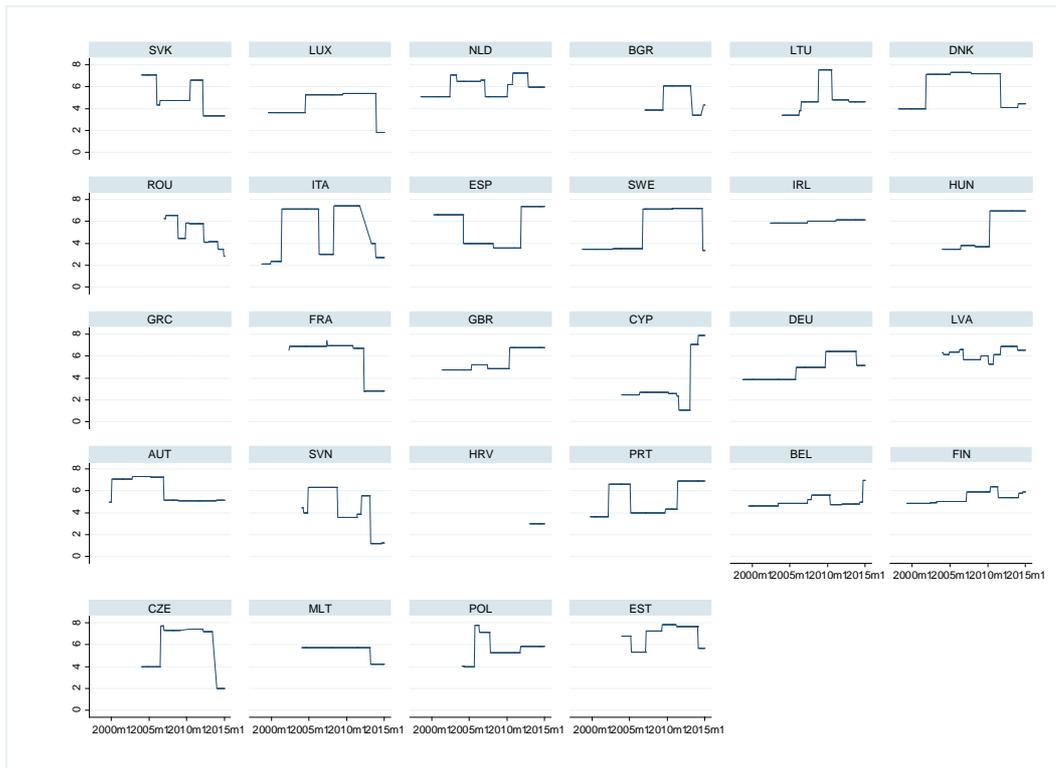
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APPENDIX

A. Left-right mean voter in EU member states, 2000-2015



B. Government position in all EU member states, 2000-2015



C. Left-right congruence over time for all EU member states, 2000-2015

