

## ~ Second Chapter ~

### *Determinants of Vote Choice*

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THE Food Flavoring directive adopted in 2008 was a controversial dossier. Especially Germany had issues surrounding the levels of allowed additives derived from aromatic spices and herbs. The dossier was adopted unanimously in the Council, but the German government attached the following statement to their vote.

“Germany would have preferred a lower coumarin limit for traditional and seasonal bakery ware containing cinnamon the the one now provided for, but in a spirit of compromise can nevertheless support the proposed maximum level”

- Council Monthly Summaries October 2008 p. 21

The dossier had been debated in the Council and parliament since 2006 and the parliament had significantly strengthened the scope of text from the Commission. Among other things, the Parliament proposed to leave an annex regarding the risk of using certain aromatic herbs and spices open until further evidence could be provided to determine the appropriate risk levels. This was welcomed by Germany which had argued that the levels set in the Commission proposal with regards to cinnamon were too high. However the Parliaments amendments was met with opposition from other governments in the Council, who feared that traditional artisans that produced bakery goods with cinnamon would be unnecessarily burdened by a lower limit. Recognizing that the Council could not reach a decision the Commission withdrew the proposal, to redraft it. After several debates in the Council Germany agreed to give in on its reservations.

This sort of behavior is an aspect of decision making not captured in current studies of the Council. Most studies so far only examine yes votes, no votes or

abstentions, thus situations like the one above where Germany expressed strong reservations about the legislation, but still voted yes, are not captured. Including cases like the one above thus allows us to study voting behavior in a more fine grained manner.

It is a commonly used explanation whenever a pattern of consensus is found in the Council to refer to the consensus norm, and often the high degree of unanimously adopted dossiers in the Council is used as corroborating evidence. However using unanimously adopted decisions as evidence for a consensus norm is not without pitfalls. There are many reasons for why a dossier was adopted unanimously. A dossier could be uncontroversial, thus requiring no need for seeking consensus. It is also possible that the preferences were so aligned that an agreement was reached without needing to resort to long negotiations. Finally it might be that logrolling was the mechanism.

The cases of inflating a data set with uncontroversial dossiers or dossiers where the preferences were aligned can be remedied at the case selection stage. To distinguish between logrolling and diffuse reciprocity it is argued that behavior of the type exhibited by Germany above can be interpreted as engaging in diffuse reciprocity, by building up the “favor bank”.

### **2.1 Diffuse Reciprocity and Voting in the Council**

### **2.2 Research Design**

#### **Case Selection**

In order to test competing hypotheses about voting behavior in the Council it is important to have the proper universe of cases. As detailed above, hypotheses about the consensus norm are only interesting in cases where the norm has the possibility to assert causal efficacy. Likewise rational-institutionalist hypotheses are only interesting in cases where it is possible for preferences and institutions to affect the outcome. Hence dossiers in which there was no controversy, i.e. no political involvement was necessary, are not interesting. Indeed including these cases in the analysis risks biasing the analysis towards finding no effect of the variables. Therefore the first step in the analysis is to define the population of relevant cases. In our case the population is defined as dossiers treated in the Council where there was disagreement about the final outcome. In the literature in decision making in the EU several criteria have been used to separate controversial from

uncontroversial dossiers. It has been common in the voting record literature to analyze cases on which there was a dissenting vote separately (Heisenberg, 2005; Hayes-renshaw, Aken and Wallace, 2006; Hagemann and Hoyland, 2008). However this introduces selection bias if the dependent variable is the vote choice of the member states. The DEU project (Thomson et al., 2006) used the criteria of public reporting. If an act was mentioned in Agence Europe it was considered as being controversial. This approach has the drawback that it is not possible to discern whether this controversy represented divisions within the Council, or disagreements between constituent groups and the decision reached by the Council. In order to avoid this ambiguity the present study uses a more direct measure of controversy within the Council. The cases used in this paper are selected on the basis of having, at one point, been treated as a B point in the Council. The Council agenda distinguishes between A and B points, where A points are dossiers that do not require discussion at the ministerial level, and B points are dossiers in which no agreement could be reached on working group level and need discussion at ministerial level. The advantage of selecting only cases treated as B points in the Council is that we are sure to select cases in which there were some controversy related to differences within the Council, and the selection rule does not restrict the variance on the voting outcome.

### **Data and Variables**

The dataset used in this paper cover the years 1999 to 2009 and includes every vote in the Council during this time period. In total there are votes registered on 3937 dossiers, which gives a total of 78968 votes cast by member states governments. Of these 16473 were cast for dossiers that at one point was a B point in the Council. Beside the vote cast, the data also contains information on whether a statement was registered by any member state, and whether this statement expressed dissatisfaction with the outcome. This coding is more fine grained compared to most studies who either ignore the possibility of registering a statement in conjunction with a vote, or simply code whether there was a formal statement or not.

The focus of this study is the voting behavior of the member states in the Council of the EU. As such the dependent variable is the individual vote choice of the government in power in a given member state. There are three vote choices available to any member state, namely yes, no or abstain. These choices are coupled with the possibility of also registering a statement in conjunction with the vote. Thus there are six possible combinations of vote and statement:

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1. Yes
2. No
3. Abstain
4. Yes + Statement
5. No + Statement
6. Abstain + Statement

Here we have only included the statements that express dissatisfaction with the final outcome. Thus the dependent variable reflect one category of agreement (yes) and five categories of different types of dissent. It is difficult to rank vote choices, they represent different choices which do not have a well defined high and low point according to which they can be ranked. For this reason the variable is treated as being nominal in this paper.

The independent variables are measured on two levels, namely the dossier level and the member state government level. The member state government is the lowest level in the data, and are nested with the dossier level, such that for each dossier we have recorded between 15 and 27 votes that are attributed to governments from the member states. A potential biasing factor is the presence of country specific interests in given policy areas. Without very detailed knowledge of the economies of each member state it is difficult to device a measure of national interests across policy areas. Given that the simplest way to control for national interests is to include dummies coding for whether a member state has a large interest in a policy area, an equivalent approach is to include both country and policy area dummies in the model. However due to some member state governments not utilizing all voting choices during their stay in office, including country dummies leads to many empty cells, and hence the model cannot converge. Hence the best we can do in order to see if there are any biasing effects is to first conduct an analysis on the full data, without country dummies. Then conduct a separate analysis on a subset of the data only including member states that utilized all voting choices. This is not an ideal solution, but since national interest are only needed as a control it is acceptable in this context. This analysis was conducted and the effects did not change substantially, thus in the analysis below only the Council configuration dummies along with the dummy for dossiers dealing with agriculture and regional policies are included in the models.

**Left-right** The position of each government was recorded on a 0 to 10 scale where 0 is the most left leaning a government can be, and 10 is most right leaning a government can be. The data was taken from the ParlGov database (Doring Mannow 2010). Since the variable is recorded on the government level, the same information is also used to calculate the median position within the Council at any given vote. From this the distance between any government and the Council median was calculated

**Power** To distinguish powerful governments from the less powerful, the raw vote count of a given member state is used. The vote count is based on the population size of a member state, and correlates highly with GDP. The vote is not transformed into a power index as these tend to produce the same ranking as the raw vote count for the Council [REFERENCES] and in order to make the variable more interpretable the raw vote count is used.

**Presidency** A simple categorical variable coding for which government is holding the presidency is included.

**Net Beneficiary** This variable takes the net amount a member state received from the EU in a given year and subtracts it from the amount paid to the EU. A positive value indicates a net beneficiary, whereas a negative value indicates a net contributor.

**Agriculture/Regional Policies** A dummy variable distinguishing whether a dossier fell under agriculture or regional policy areas.

**Meeting Frequency** The potential for socialization within a given Council configuration is measured through the number of Council sessions held in a given year. One alternative would be to count the number of Council sessions between the Commission submission of the dossier to the Council and the final vote. However since the socialization argument is cast at the Council level, and not the single dossier, it is more appropriate to use the yearly count of meetings as a proxy for interaction density.

**Voting Rule** A categorical variable controlling for whether unanimity or QMV was in force in the final vote on a given dossier.

**Type of Legal Act** A categorical variable controlling for whether the Council was voting on a directive, regulation, or decision.

**Salience** A count variable controlling for the number of times a dossier was discussed at ministerial level. This is not a country specific salience measure, but a measure of how salient the dossier was for the Council as a whole.

### Method

As the dependent variable takes the shape of a nominal variable a multinomial logit is chosen. The multinomial logit model is specifically designed for modeling variables that take the shape of different, non-ranked, choices, also referred to as revealed preferences. The advantage of using a multinomial model over an ordinal is that we do not need to assume any type of ranking in the dependent variable, and hence when there is doubt about how to rank a variable this approach is more suitable. Multinomial models are complex beasts, and require care when estimating and interpreting. Since the model is essentially a series of logit models estimated simultaneously, one for every pair of choices, we have many equations to keep track of (Long, 1997, Chapter 6). It is usual to choose one baseline category, and then estimate all models with this baseline as the reference. Here I have chosen to use the yes category as the baseline, and estimated the 5 equations pairing every other category with the baseline. Thus when interpreting the coefficients in the models, they represent the effects of choosing, say to abstain, compared to choosing to vote yes.

### 2.3 Descriptive Evidence

As a first look at the data table 2.2 shows the distribution of votes across Council Configurations. The number of yes votes dominates the distribution. Even after having selected only definitive legal acts that were treated as B points in the Council, the number of yes votes is staggering. Surprisingly the second largest category is yes votes that have a dissenting statement attached. This category is in all Council configurations the second largest, and shows that studies not taking Council statements into account risk biasing their findings towards consent. The prevalence of attaching negative statements to supporting votes suggests that there is a large degree of signaling behavior going on in the Council. It is important to let your colleagues know that you are a team player and willing to compromise. This

speaks for the interpretation of negotiations in the Council as oriented towards diffuse reciprocity and problem-solving. It is also striking that dissenting behavior is not equally distributed across Council configurations. Agriculture & Fisheries, Competition and Employment, Health & Consumer Affairs exhibit a very high degree of dissent when compared to the other Council configurations. Thus we clearly see some policy specific effects on voting.

	1	2	3	4	5	6	Total
Agri/Pech	2760	92	41	35	17	160	3105
Comp.	2993	20	16	16	7	42	3094
Ecofin	247	0	0	0	0	0	247
Education/Culture	246	2	0	0	2	9	259
Employment/Consumer	1896	26	20	23	18	55	2038
Environment	1216	16	6	15	8	20	1281
Gen. Affairs	227	5	0	0	0	9	241
JHA	1192	2	1	1	2	21	1219
Trans./Energy	1975	12	11	8	3	34	2043
Total	12752	175	95	98	57	350	13527

Table 2.1: The Distribution of Votes Across Council Configurations

Table 2.3 lists the ten most dissenting governments in the period 1999 - 2009. The governments were ranked according to how many dissenting votes they had in the Council divided by the number of days they spend in government. The left-right position of the government, the average Council left-right score during the governments stay in office and the deviance between the two scores is also reported. A common finding in the literature on the Council is that large member states are more prone to vote no or abstain than small member states. However if we disaggregate the data into member state governments and adjust for time spend in power, then a different picture emerges. Austria is one of the member states that is usually regarded as being not prone to dissent, but during the short lived second Schuessel cabinet, the government had a series of conflicts in the Council. Moreover the table gives a first hint that there might be an effect of the left-right position of a government on voting behavior in the Council. Except for Schuessel, Verhofstadt and Balkenende, all governments deviate more than one point from the mean Council position, in the case of Schroeder, Persson and Marcinkiewicz more than two points. There are also some hints that member state

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size, left-right deviation and dissent are related.

Country	Cabinet	Ratio	Dissent	Days in Power	Left-Right	Mean Left-Right	Council	Deviance
ITA	D'Alema_I	0.06	25	426	2.63	4.53		1.90
AUS	Schuessel_II	0.04	4	96	5.20	5.75		0.55
DEN	Rasmussen_F I	0.02	28	1179	7.22	5.71		1.51
POL	Marcinkiewicz_I	0.02	4	186	7.75	5.39		2.37
BEL	Verhofstadt_III	0.02	4	194	5.69	5.42		0.27
SWE	Persson_III	0.02	28	1446	3.37	5.64		2.28
GER	Schroeder_II	0.02	21	1127	3.24	5.69		2.46
UK	Blair_II	0.02	26	1428	4.18	5.65		1.47
NET	Balkenende_III	0.02	4	230	5.26	5.47		0.21
FRA	Raffarin_III	0.02	7	427	6.80	5.61		1.20

Table 2.2: The Ten Most Dissenting Governments Between 1999 and 2009

In order to see if the presidency effect is present in the data, the data was split into two groups, one group consisted of all votes in which the government that voted held the presidency, and the other group consisted of all votes in which the government did not hold the presidency. In each group the number of dissenting votes relative to the total number of votes was calculated, and surprisingly there were only minuscule differences between the ratios (0.057 for the presidency group and 0.058 for the non-presidency group). Thus on the aggregate level the presidency does not seem to reduce the level of dissent. However if we examine individual governments there are some differences. When only looking at no votes and abstentions (with and without statements), the Blair II government see a reduction from 0.03 to 0 when holding the presidency. However if we include yes votes with a dissenting statement as part of the dissent category the presidency increases the level of dissent from 0.09 to 0.14. Indeed only examining the yes votes with a dissenting statement, there is an increase from 0.06 to 0.14. Thus there are large effects for some governments, however for most governments this is not the case.

### 2.4 Inferential Analysis

In order to further test whether the relationships found here hold when controlling for potentially confounding effects, and to test the other hypotheses, a multinomial choice model is used. Table 2.8 presents summary statistics for the continuous and count variables used in the model, the categorical variables are excluded. The Hausman test for irrelevant alternatives rejected the null hypothesis, thus the IIA assumption is not violated. Tables a - d in panel 4 show the results from the models. All models include Council configuration dummies, to save space these



are not reported. Table a only contain the variables of theoretical interest, tables b - d introduce controls for dossier type, voting rule and salience, table 5 show the full model with all controls Finally table 6 show the full model with all controls, including an interaction term between the power and outlier variables. When including an interaction term in a statistical model the constituent parts of the term can no longer be meaningfully interpreted in their own right. Therefore, in order to be able to evaluate hypotheses one and two, the interpretation will focus on the full model with and without the interaction term.

When inspecting the models it is clear that the effects of the main variables are robust to the inclusion of the procedural control variables. The effects of the variables also differ significantly across contrasts. The effect of being an outlier on the left-right scale in the Council, only show a significant effect when a member state government is choosing between voting yes or no. When the choice is between any other contrast the effect becomes insignificant. The effect of the power variable also shows a differentiated effect. Only when the choice is between voting yes or voting no and attaching a negative statement does the variable become significant. One surprise is that the effect of being a net beneficiary from the EU is not more prominent, as it is usually claimed that this is one of the big splits within the Council. However in the full model there is only a significant effect when examining the contrast between voting yes or no. The meeting frequency and presidency variables fail to even come close any meaningful level of statistical significance. The dummy for agriculture and regional policies do achieve significance when comparing the yes/abstain contrast, but otherwise do not display any pattern. Finally the interaction term between the outlier and power variable fail to achieve any meaningful level of significance.

Since the multinomial logit is non-linear, it is not possible to directly interpret the direction and magnitude of the effects from the coefficients. In table 2.7 the effect of the outlier, power and net beneficiary variables for the Council configurations with the most variance in the voting behavior. The effects are calculated based on the results from 2.5. Since the interaction term did show any pattern it has been left out of the interpretation. When calculating effects from non-linear models it is necessary to choose sensible levels at which to hold the control variables constant, while the variable of interest is allowed to vary. Here all continuous and count variables were held constant at their mean or median value, while categorical variables were held constant at the modal category. The effect calculated are thus for a government that are in the center of the left-right distribution,

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		Constant	Outlier	Power	Net Beneficiary	Meeting Frequency	Presidency	Agriculture
[Model with Council Dummies]	1 2	2.29	-0.22	0.01	0.00	0.06	0.07	
		5.57	-2.94	1.52	1.99	1.83	0.27	
	1 3	-0.99	0.02	0.03	-0.00	-0.02	0.24	
		-1.37	0.19	1.83	-0.14	-0.27	0.59	
	1 4	-0.78	-0.06	0.03	0.00	-0.07	0.18	
		-0.88	-0.34	2.08	0.48	-0.90	0.34	
	1 5	-1.07	0.03	-0.03	0.00	-0.04	-0.20	
		-1.24	0.18	-1.42	1.28	-0.52	-0.36	
	1 6	-0.12	-0.05	-0.01	0.00	-0.17	-0.31	
		-0.10	-0.27	-0.55	0.11	-1.68	-0.41	

[Model with Council Dummies and Controlling for Dossier Type]

	Constant	Outlier	Power	Net Beneficiary	Meeting Frequency	Presidency	Agriculture/Regional	Directive	Regulation
1 2	3.01	-0.22	0.01	0.00	0.05	0.07	0.00	-0.43	-0.57
	6.18	-2.97	1.56	1.98	1.31	0.26	0.00	-2.08	-2.93
1 3	-0.10	0.02	0.03	-0.00	-0.03	0.24	0.89	-0.82	-0.78
	-0.13	0.18	1.86	-0.16	-0.49	0.59	3.53	-2.39	-2.44
1 4	-0.39	-0.07	0.04	0.00	-0.11	0.17	-0.03	1.23	0.05
	-0.36	-0.41	2.11	0.51	-1.45	0.33	-0.08	2.36	0.09
1 5	-0.41	0.03	-0.03	0.00	-0.05	-0.20	0.52	-0.56	-0.56
	-0.41	0.17	-1.41	1.27	-0.66	-0.36	1.62	-1.45	-1.45
1 6	-0.91	-0.05	-0.01	0.00	-0.14	-0.31	-0.18	0.21	0.49
	-0.65	-0.25	-0.55	0.11	-1.33	-0.40	-0.41	0.38	0.90

[Model with Council Dummies and Controlling for Voting Rule]

	Constant	Outlier	Power	Net Beneficiary	Meeting Frequency	Presidency	Agriculture/Regional	QMV	Unanimity
1 2	2.74	-0.22	0.01	0.00	0.06	0.07	-0.07	-0.46	-0.63
	4.83	-2.93	1.50	2.00	1.88	0.27	-0.45	-1.18	-1.53
1 3	-1.64	0.03	0.03	-0.00	-0.01	0.24	0.74	0.57	-1.00
	-1.50	0.23	1.78	-0.14	-0.09	0.60	2.99	0.70	-1.06
1 4	-1.62	-0.05	0.03	0.00	-0.06	0.19	-0.20	0.83	-1.34
	-1.15	-0.31	2.03	0.48	-0.84	0.36	-0.58	0.76	-1.03
1 5	-0.35	0.03	-0.03	0.00	-0.03	-0.20	0.34	-0.73	-3.54
	-0.33	0.19	-1.45	1.29	-0.43	-0.34	1.10	-1.19	-3.01
1 6	-11.48	-0.05	-0.02	0.00	-0.16	-0.31	-0.14	11.33	10.69
	-0.08	-0.24	-0.58	0.11	-1.64	-0.40	-0.32	0.08	0.07

[Model with Council Dummies and Controlling for Salience]

	Constant	Outlier	Power	Net Beneficiary	Meeting Frequency	Presidency	Agriculture/Regional	B Points
1 2	2.44	-0.22	0.01	0.00	0.06	0.07	-0.06	-0.06
	5.74	-2.95	1.55	2.00	1.72	0.26	-0.39	-1.45
1 3	-1.44	0.03	0.03	-0.00	-0.00	0.25	0.82	0.13
	-1.94	0.21	1.75	-0.17	-0.00	0.63	3.35	2.20
1 4	-1.02	-0.05	0.03	0.00	-0.06	0.18	-0.12	0.08
	-1.11	-0.33	2.06	0.46	-0.82	0.35	-0.34	1.11
1 5	-1.28	0.03	-0.03	0.00	-0.03	-0.20	0.47	0.07
	-1.43	0.20	-1.45	1.28	-0.42	-0.36	1.51	0.85
1 6	-0.12	-0.05	-0.01	0.00	-0.16	-0.31	-0.11	-0.00
	-0.10	-0.27	-0.55	0.11	-1.68	-0.41	-0.26	-0.01

Table 2.3: Panel with Models 1 - 4. The coefficients are in first row for every contrast, and the t-values are reported in the second row

	Constant	Outlier	Power	Net Beneficiary	Meeting Frequency	Presidency	Agriculture/Regional	Directive	Regulation	QMV	Unanimity	B Points
1 2	3.56	-0.22	0.01	0.00	0.04	0.06	-0.02	-0.40	-0.57	-0.41	-0.59	-0.06
	5.63	-2.98	1.57	1.99	1.23	0.25	-0.13	-1.95	-2.87	-1.06	-1.44	-1.45
1 3	-1.33	0.03	0.03	-0.00	-0.00	0.26	0.80	-0.86	-0.76	0.67	-0.91	0.14
	-1.13	0.25	1.69	-0.20	-0.05	0.64	3.21	-2.50	-2.38	0.82	-0.96	2.23
1 4	-1.09	-0.06	0.03	0.00	-0.10	0.18	-0.11	1.24	0.08	0.47	-1.75	0.08
	-0.70	-0.39	2.07	0.50	-1.34	0.35	-0.32	2.35	0.15	0.43	-1.34	1.00
1 5	-0.11	0.03	-0.04	0.00	-0.03	-0.20	0.37	-0.51	-0.46	-0.67	-3.52	0.08
	-0.09	0.22	-1.49	1.27	-0.43	-0.35	1.18	-1.31	-1.21	-1.09	-2.99	0.99
1 6	-12.18	-0.04	-0.02	0.00	-0.13	-0.30	-0.24	0.13	0.46	11.27	10.56	0.00
	-0.08	-0.21	-0.59	0.11	-1.28	-0.40	-0.52	0.24	0.85	0.08	0.07	0.02

Table 2.4: Full Model with Council Dummies. The coefficients are in the first row for every contrast, and the t-values are reported in the second row.

is from a medium sized member state and contributes slightly more to the EU than it receives back. The dossier is assumed to be a regulation, the voting rule is QMV and the dossier has been treated twice as a B point in the Council. Finally it is assumed that the council Configuration meets seven times a year. The effects represent the first difference in the variables when going from the minimum to maximum value on the variable of interest.

The effects presented in table 2.7 might not seem very large. If we consider that a 2 point increase in the outlier variable is associated with an increase of 93 no votes, the effects become substantial. Considering the direction and size of the effects, the hypotheses relating to being a net beneficiary and being powerful are corroborated. Being a net beneficiary increases the number of yes votes in the Agricultural and Fisheries Council by 200 votes, while reducing the number of dissenting voters correspondingly. In the Competition and Employment & Social Affairs Councils the effect is in the same direction, but markedly reduced. Indeed all effects show their strongest presence in the Agriculture and Fisheries Council, confirming that this Council configuration seems to exhibit a hard bargaining approach to negotiations more often than other Council configurations. Surprisingly an the more an outlier a member state government is in the Council, that member state will exhibit an increase in the raw number of yes votes with a dissenting statement by a factor of 1.75 compared to a member state government on the median position. This is an effect which is consistently large across Council configurations and in terms of the increase in the raw number of this vote choice, it is by far the largest effect. Hence in conjunction with hard bargaining, we also see member state governments compromise on their positions, while at the same time signaling to their colleagues their disagreement. However this only happens when member states are outliers on the left-right scale. Furthermore the effect is present for both small and large member states. The effect that large member states vote yes more often than small member states is most likely an enlargement effect, as the Eastern enlargement saw many small and medium sized member states enter the EU. It is well documented that they behaved more consensual in the first years of member ship. Furthermore the old large member states such as Germany, France, Italy, Spain and the UK have been in the sample longer, and compared to the new member states are thus represented by more votes. However this also implies that the estimate of the dampening effect that power has on dissent is conservative, and thus more likely to be larger. This provides corroborative evidence for hypothesis 2a, as one possible mechanism behind the effect of power

is that large member states are able to move the final text closer to their ideal point. This effect also includes yes votes with an associated negative statement, hence alluring to a possible differentiated effect of Heisenbergs hypothesized “favor bank” (Heisenberg, 2005, p. 69).

The overall pattern that emerges from the models is one where receiving more from the EU than you give, and being powerful reduces dissenting behavior, whereas being a preference outlier decreases the number of yes votes, however the number of yes votes with a dissenting statement increases substantially. The first two effects can be explained by classic rational-institutionalist mechanisms, however the last effect is not so straightforward. From a rational-institutionalist perspective sending conflicting signals (voting yes, but saying no) is meaningful in signaling games where the players are trying to outsmart each other. In the present context the statement is attached after the vote, so it could not have been part of a bargaining strategy. From a logrolling perspective the behavior is also puzzling. There is no reason for an actor after a deal has been done, to then publicly state his/her opposition to this deal while still supporting it. From a logrolling perspective, once a deal has been done its done (Warntjen, 2010). From the perspective of diffuse reciprocity, such behavior makes more sense. Signaling do not necessarily have to be towards a well defined opponent, as the rational choice signaling games assume, but could also be aimed at future negotiations with the same partners. This notion of signaling to a future, unknown, negotiation, is only possible when a level of trust and reciprocity has been created in a group. This has been amply documented to be the case in the Council. Furthermore Jönsson, Ole Elgström (2000) has shown that this type of behavior is consistent with a problem-solving style of bargaining, where there is a long shadow of the future. Hence the results reported here provide further support for the statement by Elgstrom and Jonnson, that the council is made up of:

“[...] a predominant problem-solving approach with islands of conflictual bargaining.

- Jönsson, Ole Elgström 2000, p. 697

## 2.5 Conclusion

In this paper a new data set was used which merged data from the PreLex data base and the Council monthly summaries. This allowed us to select cases that all had

an element of conflict in them, based on the fact that non-controversial dossiers do not contain any meaningful information when studying decision making in the Council. The data was then disaggregated into each vote for each government in each member state of the EU. This allowed the use of a multinomial logit model to model the vote choice of the individual government. The implication being that studies who only focuses on member states risk biasing their analysis as governments change. That different governments from the same member state can differ a lot was witnessed in table 2.3, where the Schroeder II government was among the ten most dissenting government in the EU in the 1999 - 2009 period, whereas the Merkel governments did not come close to the top. The explanation lies in the fact that the preference composition of the Council changes over time as old governments leave office and new governments enter office. Thus the Schroeder II government found itself an outlier in the Council (an average absolute deviation of 2.46 over its duration). The effect of being an outlier does not only lead to an increase in no votes and abstentions, but also to a substantial increase in dissenting statements attached to yes votes. An increase that is much more pronounced than the increase in no votes and abstentions. This type of behavior is difficult to reconcile with either a pure rational-institutionalist argument or a pure constructivist argument. In stead the answer is complex and lies between the two poles. Governments engage in both bargaining and problem-solving, however from a frequency point of view problem-solving is dominant. The fact that the main variable supposed to capture the effect of socialization did not show any effect, whereas the classic rational-institutionalist variables were significant, but had effects that were not predicted by the theory provides several points worthy of mentioning. First of all, the proxy for socialization was most likely a bad proxy, so it can be argued whether this paper successfully managed to find the pure rational-institutionalist effect of the outlier variable. This would explain the differentiated effects of the outlier variable. This, however, raises another point. Since a large part of the effect of the outlier variable was in an area of the dependent variable not measured in other studies, papers only using classic rational-institutionalist variables, without controlling for socialization effects, risks introducing bias into their models.

	Constant	Outlier	Power	Net Beneficiary	Meeting Frequency	Presidency	Agriculture/Regional	Directive	Regulation	QMV	Unanimity	Saliency	Outlier×Power
1 2	3.38	-0.46	-0.01	0.00	0.10	-0.10	0.27	-0.41	-0.52	-0.38	-0.13	-0.12	0.02
	4.37	-2.77	-0.26	3.12	2.54	-0.33	0.72	6.15	0.09	2.61	3.70	4.84	-0.00
1 3	-2.04	0.50	0.07	0.00	0.03	0.19	0.91	-0.62	-0.38	0.62	-1.48	0.10	-0.07
	-1.72	1.75	2.48	1.57	0.26	0.40	3.21	0.27	0.00	-0.05	-0.43	1.17	0.69
1 4	-1.55	-0.55	-0.01	0.00	0.01	-0.14	0.50	1.11	0.09	0.62	-1.09	-0.02	0.04
	-1.59	-1.67	-0.31	1.36	0.81	-0.22	1.14	1.12	0.00	-0.08	0.95	0.57	-0.08
1 5	-0.22	-0.26	-0.09	0.00	0.04	-0.21	0.44	-0.57	-0.41	-0.67	-3.04	0.02	0.03
	-1.33	-0.79	-1.53	2.26	0.57	-0.36	1.30	1.60	0.01	-0.07	1.44	2.45	-0.08
1 6	-11.16	-0.92	-0.17	0.00	-0.12	-0.29	0.29	-0.04	0.35	11.31	11.14	-0.06	0.13
	0.44	-2.18	-2.16	0.64	-1.22	-0.38	0.66	-0.42	0.01	0.06	0.10	0.40	-0.07

Table 2.5: Full Model with Council Dummies and Interaction Term. The coefficients are in the first row for every contrast, and the t-values are reported in the second row.

## 2. DETERMINANTS OF VOTE CHOICE

Variable	Choice	Comp.	Agri/Pech	Empl. & Social Affairs
Outlier	Yes	-.012	-0.05	-.02
	No	.003	.01	.007
	Abstain	.001	.003	.01
	No + Statement	.002	.005	.002
	Abstain + Statement	.0008	.006	.004
	Yes + Statement	.006	.03	.02
Votes	Yes	.008	.03	.016
	No	.0003	.002	.0004
	Abstain	.003	.01	.006
	No + Statement	-.007	-.02	-.012
	Abstain + Statement	-.0009	-.008	-.003
	Yes + Statement	-.004	-.02	-.007
Net Beneficiary	Yes	.013	.066	.024
	No	-.0008	-.002	-.001
	Abstain	-.0009	-.002	-.002
	No + Statement	.001	.004	.003
	Abstain + Statement	-.001	-.01	-.004
	Yes + Statement	-.01	-.05	-.02

Table 2.6: Effects

	Mean	Standard Deviation	Max	Min	Observations
Left-right	5.36	1.43	7.75	2.59	13527
Voting Power	8.24	6.72	29.00	2.00	13527
Net-beneficiary	-0.70	180.15	531.75	-437.83	13527
Meeting Frequency	7.84	3.49	22.00	3.00	13527
B-point	1.77	1.32	10.00	1.00	13527

Table 2.7: Summary Statistics for Count and Continuous Variables



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