

1. Introduction: understanding the domestic politics of treaty reform

Maurizio Carbone

On 13 December 2007, the heads of state and government of the 27 Member States of the European Union (EU) met in the capital of Portugal to sign the Treaty of Lisbon, the latest episode in the process of ‘constitutional politics’ that officially started in December 2001 with the Laeken Declaration. The ensuing Convention on the Future of Europe, which took place between February 2002 and July 2003, represents a unique experience in the history of the European Union. In contrast to previous treaty reforms, when negotiations occurred in the context of a secretive Inter-Governmental Conference (IGC), the establishment of the Convention was meant to set up a new method, allegedly more democratic and transparent. The draft Constitutional Treaty produced by the Convention was broadly accepted by the Member States in the 2003–04 IGC and signed in Rome in October 2004 under the Irish Presidency. The method of ratification varies across countries, but an unprecedented number of Member States chose to consult their populations. The negative outcome of the referendums in France and the Netherlands in May–June 2005 was expected to precipitate the European Union into one of the most serious crises of its 50-year history. Its predicted lethal effects, however, failed to materialise. Not only did the EU continue to function as before, but after a ‘period of reflection’, the German Presidency was able to restart the debate. Following the June 2007 European Council, a new IGC was convened to draft a Reform Treaty, which was eventually agreed under the Portuguese Presidency in October 2007. The new treaty, which took the name of the city where it was signed (Lisbon), maintained a large majority of the provisions agreed by the Convention and the following IGC, but it removed all the constitutional and statist references. Nevertheless, various Member States, in some cases constrained by domestic structures and in other cases taking advantage of the new situation, managed to receive a number of concessions. The failure of the referendum in Ireland in June 2008 – the only country which had chosen that method of ratification – represented a further stop to the EU’s reform process.

This volume explores the preparation, negotiations and ratification of the Lisbon Treaty with the aim of analysing the impact of domestic politics on one of the ‘grand bargains’ of European integration. By concentrating on Member States, we certainly do not want to claim that these are the sole forces behind change, nor do we want to argue that integration proceeds only in the context of IGCs.¹ A meticulous examination of the national level, it is argued here, helps us to better understand treaty negotiations at the European level, or why some Member States manage to influence outcomes more than would be expected. Drawing on recent contributions to European integration theory, this study goes beyond liberal intergovernmentalism to integrate a number of actors and factors which are believed to play a significant role in shaping treaty reform outcomes: actors beyond national governments, political system, ratification hurdles, context.² In this sense, this volume aims to make a contribution to an emerging literature which argues that we can no longer explain the evolution of the European Union without understanding the increased politicisation of the European project (Hix, 2005; Taggart, 2006; Checkel, 2007; Hooghe and Marks, 2009).

More specifically, this chapter is divided into two sections. The first section presents the theoretical background on the role of domestic politics in the ‘big bangs’ of European integration. It starts from liberal intergovernmentalism, and then reviews the main criticisms advanced by institutionalists and constructivists and by scholars taking a comparative politics approach. The second section offers an overview of the remainder of the book, providing a short summary of each chapter.

DOMESTIC POLITICS AND TREATY REFORM

The European Union has been characterised by a series of treaty revisions, though its evolution cannot be reduced to the history of these intergovernmental bargains. Following the amendments agreed in the 1986, 1991, 1997 and 2000 IGCs, the planned enlargement for the mid-2000s increased the need for further institutional reforms. The difficult negotiations before the Treaty of Nice, when national negotiators spent many days in hard bargaining over parochial issues rather than searching for solutions for the ‘new Europe’, thus leaving unresolved a number of institutional issues, showed that the traditional method of treaty reform had reached its limits (Christiansen and Reh, 2009). The Convention on the Future of Europe was designed differently, in terms of composition and decision-making rules. In fact, it comprised not only the representatives of the governments (including the candidate countries), but also

delegates from the national parliaments, the European Parliament and the European Commission. Some argued that, as a consequence of the strong leadership of its President Giscard d'Estaing and the informal consensus rule, the Convention was able to agree on outcomes that had been rejected in earlier IGCs (Magnette and Nicolaïdis, 2004; Panke, 2006). Others maintained that the bargaining dynamics in reality did not differ much from previous negotiating rounds: the Convention simply reproduced the conflicts between Member States that had occurred in earlier IGCs (König and Hug, 2006).³ The Constitutional Treaty, which broadly reflected the draft produced by the Convention, was however rejected by the French and Dutch voters. Its successor, the Treaty of Lisbon, which was rejected by the Irish voters has had the same fate. Clearly, the reform of the EU's institutional framework has been significantly affected by the increased politicisation of the EU issue in various Member States in so much that the national level of treaty reform cannot be overlooked.

Of course, linking national and European levels is not a novelty in the field of EU studies. In the early 1980s, Bulmer (1983) argued that there are two dimensions to this link: the domestic policy-making structures which are involved; and the attitudes held within the Member States regarding the EU.⁴ Before that, in the late 1950s, Haas had argued that 'national constituted groups' – mainly political elites – played a central role in European integration (quoted in Checkel, 2007). The most influential work in this area is that of Robert Putnam and his famous two-level game metaphor (Putnam, 1988). The idea is that the executive is engaged in simultaneous negotiations at the domestic and the international level. At the domestic level, it deals with societal concerns and pressures; at the international level, it tries to make commitments that will not have detrimental effects back at home. More generally, liberal theories of international relations concentrate on the effects of state–society relations in shaping national preferences. Societal groups constrain, more or less, the priorities and policies of governments, depending on the policy area and the anticipated costs and benefits of the policy in question. It is thus not surprising if a vast literature has been increasingly assessing the role played by economic groups, bureaucracies, non-governmental organisations and ideas in the 'foreign' policies of countries.⁵

The most elaborated theory to explain outcomes in the IGCs is liberal intergovernmentalism, in which domestic politics takes a prominent role: 'An understanding of domestic politics is a precondition for, not a supplement to, the analysis of the strategic interaction among states' (Moravcsik, 1993:481). In a refined version of his theory, Moravcsik (1998) divided the EU's decision-making process into three stages – national preference formation, inter-state bargaining and institutional and delegation.

First, governments aggregate preferences at the national level, mostly on the basis of the economic interests of powerful domestic groups. True, the primary interest of governments is to remain in power and to do so they need the support of domestic voters, parties and interest groups, but they are ultimately sovereign in defining the national interest. Ideological and geopolitical considerations may play a role but this is secondary to commercial interests. Secondly, on the basis of fixed preferences, governments engage in hard bargaining as unitary actors and adopt various tactics (such as linking issues, side payments, threats of exclusion) to affect outcomes. Decisions reflect the relative power of Member States and integration proceeds through lowest common denominator outcomes, mainly when there is a convergence of preferences of the three most powerful Member States – France, Germany and the United Kingdom. Intergovernmental bargaining at the EU level may even strengthen the domestic autonomy of national governments vis-à-vis domestic groups, by weakening parliamentary control and loosening the control of powerful domestic interests. Thirdly, Member States delegate authority to supranational institutions to enhance the credibility of their commitments and solve problems of incomplete contracting, monitoring and compliance. This last stage is particularly relevant for this volume, as, unlike most other treaty negotiations, institutional issues have been central to the negotiation of the Treaty of Lisbon.⁶

Liberal intergovernmentalism and its views of domestic politics have been criticised from various directions. Drawing on the comparative politics and policy literatures, Dimitrakopoulos and Kassim (2004), in a study devoted to the Convention, showed that the policy style and the political system of countries have a structuring effect on preference formation.⁷ The way a Member State deals with the EU's treaty reforms may be affected by its approach to problem solving (anticipatory or reactive?) and the degree of participation of civil society in the policy process (consensual or based on coercion?). Similarly, various elements of the political system are likely to be relevant. These include the composition of the government and the size of its majority, the power granted to the prime minister vis-à-vis other ministers, the influence of the parliament, the ideology of political parties, the role of bureaucratic politics, the overall process of coordination, the organisation of territorial relations and territorial representation, the strength of interest groups and civil society, and the salience of EU membership in the public debate.

Along similar lines, Beach and Christiansen (2007:1165), in a study on political agency in the EU's constitutional politics, argued that a wider range of actors beyond the head of the executive must be included to have a better understanding of treaty reform. Opening the 'black box' of

national interest, they maintain that 'Treaty negotiations cut across the different levels of national interest representation, involving both politicians (at the ministerial and the prime ministerial level) and officials . . . demonstrating the degree to which national interest representation in EU treaty reform is potentially fragmented both vertically and horizontally'.⁸ Furthermore, the referendum is not always used to obtain concessions at the EU negotiating table; it may be called for domestic reasons, particularly in those countries where the EU issue is contentious and the referendum is considered the most appropriate instrument to involve citizens in the process (Closa, 2007).

Taking an institutionalist perspective, two issues are of particular interest for this study, namely the veto power of Member States and the ratification procedure.⁹ While studies in the intergovernmental tradition place emphasis only on the largest Member States, institutionalists argue that all (types of) Member States must be taken into account, particularly when they are able to exercise veto power. This occurs principally when they perceive issues (the so-called vital issues) as threatening their national sovereignty; therefore by using their veto power, they can maintain the status quo. When vital issues are raised by one country, it is easier to deal with them by granting concessions.¹⁰ As for the ratification procedure, the general argument is that national negotiators try to get an advantage, claiming that their hands are tied by their ratification processes, both parliamentary and popular. In this sense, treaty outcomes would reflect not only the preferences of negotiating governments but also those of all ratifying actors. In the case of parliamentary ratifications, it all depends on the type of majority required, which in some cases is a simple majority and in other a qualified majority. It may at times happen that national governments defend the common proposal while opposition forces for domestic reasons criticise the suboptimal outcome for their country (König, 2006; König and Finke, 2007). In the case of referendums, empirical evidence is not convergent, which means that the effectiveness of this source of power may be contingent upon the bargaining environment (Hug and König, 2002; König and Slapin, 2006).¹¹ Moreover, a referendum might lead to gains, but only if it is scheduled in a country with eurosceptical voters. In the case of 'ratification accidents', the renegotiations would result in marginal changes, if any at all (Hug and Schultz, 2007).

Taking a constructivist perspective, it is argued that the process of treaty reform is influenced by the presence of detailed rules and established practices. Preference formation is not exogenous but is affected by the interaction between actors and their environment.¹² EU membership matters and it does so for various reasons: it may generate a socialisation effect; it may lead to consensual agreements; it may help derive lessons

from past experience. This means that preferences are not always ‘national’ in origin, but can be (re)shaped between or even during IGCs (Falkner, 2002; Christiansen, Falkner and Jørgensen, 2002). In fact, ‘governments bring some options from home, put them next to others which they have agreed on among the fifteen governments . . . and confront them with preferences expressed by the EU institutions’ (Falkner, 2002:3). Moreover, the fact that new treaties are amended versions of previous treaties ‘constitutes a slippery slope towards incremental adaptation of already institutionalised patterns of behaviour’ (Christiansen et al., 2002:16). Time plays a central role: this includes not only election cycles at the national level, but also the setting of roadmaps and the imposition of deadlines by individual presidencies, which result in a sort of ‘all or nothing’ situation. Preference formation does not always precede bargaining, but it is often intermingled with bargaining (Christiansen et al., 2002). Treaty reform, therefore, rather than being a ‘two-level game’ is a ‘three-level process’, that is, ‘a social process that can change preferences, interest and identities’, which includes not only the domestic and the EU levels, but also a ‘*European* cobweb of EU-specific institutions (like the Commission and the EP) as well as procedural patterns and norms (EU-level institutions in a wider sense)’ (Falkner, 2002: 2; original emphasis).¹³

OUTLINE OF THE BOOK

In addition to this introduction, the chapter on the reform process, sketching the road from Nice to Lisbon, and the conclusion, summarising the main findings of this volume, this book contains an analysis of the domestic politics of treaty reform in a number of Member States. For reasons of space, I decided to commission single chapters on each of the big four (France, Germany, Italy and the United Kingdom), because of their significance in the history of European integration, and on two other countries: Poland, because of its contentious approach to the negotiations; and Ireland, because of the outcome of the referendum. The remaining chapters engage in a comparative analysis of four groups of Member States: the Benelux countries (Belgium, Luxembourg and the Netherlands); Spain and Portugal; the Nordic countries (Denmark, Finland, and Sweden); and the Czech Republic and Slovakia. As general guidelines, I asked contributors firstly to focus on preference formation, looking at the role of all domestic actors, and then on inter-state bargaining, showing how the domestic level impacted on the positions taken by the national governments at the EU negotiating table. I also asked contributors to mainly focus their analyses on the period that followed the negative outcomes

of the French and Dutch referendums, not least because the preparatory process for the Constitutional Treaty, including the analysis of the preferences of Member States, has been widely studied (Dimitrakopoulos and Kassim, 2004; König and Hug, 2006; Laursen, 2008).

In Chapter 2, Thomas Christiansen explores the reform process from the European Constitution to the ratification of the Lisbon Treaty. The European Convention, in theory, was meant to inaugurate a more democratic and transparent method for treaty revision. In practice, it was not the 'deliberative forum' that many expected, but the final text reflected largely, more or less, the positions of the Member States. The negative outcome of the referendums in France and the Netherlands opened up a constitutional crisis, which was eventually solved thanks to the change of leadership in several countries, the urgency to find a solution, and the depoliticisation of the negotiations. The Lisbon Treaty, however, contained a vast majority of the provisions that were included in the Constitutional Treaty. The major changes mainly concerned symbolic issues (anthem, motto and flag) and the removal of any indication of 'statist aspirations' from the final text. The fact that all Member States but one chose parliamentary ratification seemed initially reassuring. The failure of the popular referendum in Ireland, therefore, was a blow to the European elites, who had hoped that a diluted version of the controversial Constitution would be accepted by the citizens.

In Chapter 3, Helen Drake and Christian Lequesne discuss the case of France, starting from the rejection of the Constitutional Treaty in May 2005. The referendum was a failure not only of President Jacques Chirac to convince his people, but also of the political elites that had always supported further European integration, with the assumption that it preserved French interests. The new President Nicolas Sarkozy first engaged in a number of initiatives to end the constitutional deadlock (turning his initial proposal of a 'mini-treaty' into a 'simplified treaty'), with a view, in a second phase, to launch a 'soul-searching' initiative on the nature of the overall European project. To do this, he concentrated more on seeking alliances with European partners than on paying attention to the concerns raised domestically by opposition forces. The shared views of the 'French team', both politicians and civil servants, became essential to get what he wanted in the final negotiations on the Lisbon Treaty. Calls for another referendum and political opposition in the parliament were muted. Nevertheless, 'Europe' in France has increasingly been perceived as an issue of national identity, confirming that the era of functional integration may have come to an end.

In Chapter 4, Simon Bulmer explores the debate in Germany on the EU institutional reform process since 2000, applying an institutionalist

approach to domestic politics. The various governments that have alternated in power have played an influential role, first by launching the constitutional debate and later by salvaging what had been achieved by the Convention. Differences within the German leadership did emerge, however. The speech made by Joschka Fischer in May 2000 set out a vision for the future of the EU. During its presidency of the European Union, the government led by Angela Merkel successfully mediated between various positions. It had no specific demands of its own, other than ending the institutional deadlock quickly and adopting a treaty that was as close to the Constitutional Treaty as possible. More generally, over the 2000s, Germany has shown signs of a new attitude towards the European Union: that is, moving away from its role as 'tamed power' into a more utilitarian approach, where the traditional pattern of bilateral initiatives for multilateral EU solutions (often taken together with France) gives way to a new era of greater self-influence, in which the pursuit of national interests takes higher prominence.

In Chapter 5, Neill Nugent and David Phinnemore examine the aims and strategies of the United Kingdom in the process that led to the Treaty of Lisbon. Against conventional views, they argue that the Labour government was not particularly obstructionist and the famous 'red lines' were designed to address domestic concerns. The Labour government, therefore, adopted a defensive and publically combative position but it never jeopardised the successful conclusion of the Lisbon Treaty. In the end, it managed to sell the outcome to the public as a victory, a successful protection of British interests in the EU, which enabled it to complete (parliamentary) ratification without any significant political or electoral damage. Nevertheless, the whole process confirmed the significantly increased politicisation of European integration in the UK, with controversies involving not only the traditionally eurosceptical Conservative Party and the popular media, but also the Parliament and society at large.

In Chapter 6, Lucia Quaglia concentrates on Italy, one of the four largest countries, which is generally overlooked in analyses of treaty negotiations. Using liberal intergovernmentalism as a starting point, she concludes that this theory is inadequate to fully explain preference formation in Italy because it downplays the importance of party politics and the ideology of the government in office. The positions and strategies adopted by the centre-right and centre-left governments in EU constitutional politics differed. The centre-right government, in line with its broader foreign policy agenda, did not place European integration among its central priorities, yet numerous disagreements occurred between and within the various parties in the coalition. The centre-left government was among the Friends of the Constitution, advocated minimal changes to the text signed

in Rome in October 2004, and gave unequivocal support to the Lisbon Treaty – it should be noted that the then Prime Minister, Romano Prodi, had previously been President of the European Commission. Domestic mobilisation on both the Constitutional Treaty and the Lisbon Treaty was marginal, not least because Italian public opinion has been traditionally in support of the European Union, though this has been declining.

In Chapter 7, Paul Lewis analyses the preferences of successive governments in Poland and their relations to other domestic actors. The continuation of the advantageous voting system in the Council gained in Nice was largely considered the central goal in the negotiations. The strategy used was often confrontational, threatening to veto any agreement if their demands were not met. Some concessions had to be granted to the Polish government in October 2007, to take back home in view of the upcoming elections, despite the fact that an agreement had already been sealed in June 2007. More generally, though this difference should not be exaggerated, there was a mismatch between the eurosceptical government and public opinion, which was in support of the EU and even the Lisbon Treaty. The national elections in October 2007 changed this scenario, with the new prime minister taking a less antagonistic stance on the European Union. Yet the president continued to play his domestic politics game, by delaying the ratification of the Treaty.

In Chapter 8, Brian Girvin considers the case of Ireland, focusing on the outcome of the only referendum on the Lisbon Treaty, which was held in June 2008. Within a trajectory of declining popular support for the European Union, the Irish citizens had become uneasy at the constitutional project and therefore rejected the Lisbon Treaty, but not the overall idea of European integration. In Ireland, EU issues are treated as constitutional issues and are domesticated through the referendum process. This allows disagreements which occur within a well-defined political space and do not directly affect national politics. Preference formation in Ireland was strongly influenced by the successful work of the Irish Presidency that had led to the conclusion of the Constitutional Treaty. The Irish government was adamant on retaining the main arrangements negotiated earlier by the Taoiseach, and refrained from using the referendum as a bargaining chip at the EU negotiating table when the Treaty of Lisbon was being concluded. The outcome of the referendum, however, shows that it underestimated this issue, failing also to learn from the experience of the referendum on the Treaty of Nice.

In Chapter 9, Peter Bursens and Ben Crum examine the role of politicisation of treaty negotiations in the Benelux countries. Traditionally, these have been among the most pro-integration countries in Europe. This was also reflected in the fact that the three countries took similar

positions during the Convention period. But their preferences started to diverge after the negative outcome of the referendum in the Netherlands. On the one hand, Belgium and Luxembourg were among the staunchest supporters of the Constitutional Treaty, while the Netherlands took an 'anti-constitutional' stance, finding new allies in the UK as well as in Poland and the Czech Republic. The traditional Benelux solidarity broke at the 2007 European Council, with a public fight between the Dutch and Belgian prime ministers over the issue of EU competence. The Dutch government then tried to depoliticise the negotiations on the Lisbon Treaty and get concrete solutions to answer sceptical public opinion, and subsequently controlled the ratification process. Once the Treaty of Lisbon was adopted, the positions of the three countries started converging again.

In Chapter 10, Mary Farrell explores the evolution of the debate on EU constitutional politics in Spain and Portugal. The two countries, in line with their traditional pro-European attitudes shown both by political elites and citizens, were particularly active in finding a solution to the constitutional impasse. Spain led the Friends of the Constitution group together with Luxembourg, calling for a 'maxi-treaty' that preserved the innovative elements of the Constitutional Treaty. Portugal held the Presidency of the Union, which eventually led to the adoption of the Lisbon Treaty. Political disagreements between domestic actors were minimal: in Spain, the socialist government took a more conciliatory approach than its centre-right predecessor during the negotiations for the Constitutional Treaty; in Portugal, even the parties which in the past had taken a critical approach to European integration were more appeasing this time. Furthermore, the two countries shared the view that it was necessary to put an end to the constitutional impasse as soon as possible and concentrate on more pressing issues.

In Chapter 11, Finn Laursen evaluates the Nordic contribution to EU treaty reform outcomes. Differences existed between the three countries: Finland belonged to the Friends of the Constitution group, while Sweden and Denmark wanted a minimalist treaty. In particular, Denmark was conditioned by its opt-outs, which it tried to preserve during the negotiations – through in reality, the Danish government itself wanted to abolish them – but the referendum, tentatively planned for the autumn of 2008, was eventually called off as a result of the uncertain fate of the Lisbon Treaty. Finland and Sweden, by contrast, had more freedom to concentrate on the specifics of the treaty. More generally, in EU politics and treaty negotiations, Nordic governments are caught up between domestic politics and adaptation to change in the European Union. The domestic level is rather politicised, affected by the parliamentary system and the proportional representation laws, which often result in weak coalition

governments. The presence of eurosceptical parties and public opinions had contributed to making the Nordics 'reluctant Europeans'. This situation, however, is changing, with leaders becoming more pro-integration and anti-EU sentiments weakening.

In Chapter 12, Karen Henderson looks at the interplay between domestic politics and decision making on EU-related issues in the Czech Republic and Slovakia. She highlights the fact that there are different party attitudes towards European integration but similarities in the way politicians are ready to subordinate the national and European interests to the competition with each other. In contrast to what generally happens in Western Europe, divergences were not related to how treaty provisions really affected the two countries, but to the politicians' own beliefs and their individual interests within their own parties or coalitions. Yet some distinctions should be made. On the road to Lisbon, the Czech Republic had a vision: the government pursued a euro-realist policy, mainly emphasising the strengthening of the principle of subsidiarity. Slovakia, being in the Friends of the Constitution group, was less engaged with defending ideological stances and was merely interested in being a fully fledged Member State with a voice. The degree of politicisation of EU issues had a significant impact on the ratification process: the Czech Republic was not able to avoid the stigma of being one of the few countries not to have ratified the Treaty of Lisbon when it took over the Presidency of the EU in 2009.

Finally, in Chapter 13, Carbone summarises the main findings of the volume. He first provides a detailed account of the main events between the failed referendum in France in May 2005 and the meeting of the European Council in December 2008, where a decision on a second referendum to be held in Ireland in October 2009 was made. He then concentrates on four issues, which have been identified as central in this introduction to better understanding the domestic politics of treaty reform: actors, political system, ratification hurdles and context. More generally, over the past decade, there has been an increased politicisation of European integration in a majority of Member States. The conclusion is that the 'EU project' is no longer an issue to be discussed only in negotiations between governments. This volume, ultimately, makes an additional contribution to an emerging literature, which shows that domestic politics and EU politics are no longer insulated from each other.

ACKNOWLEDGEMENTS

Sections of this chapter have appeared in Carbone (2009).

NOTES

1. Scholars belonging to the supranationalist and constructivist traditions have emphasised the role of European institutions, norms and past decisions (Christiansen *et al.*, 2002; Hix, 2002; Sverdrup, 2002; Beach, 2005). In this sense, scholars in the neo-functional tradition have highlighted that integration is driven by transactions and exchanges between various types of supranational and sub-national actors, before and after IGCs (Marks *et al.*, 1996; Sandholtz and Stone Sweet, 1998) – though IGC bargaining leaves little room for their influence, thus making these approaches less applicable to treaty reform (Slapin, 2008).
2. Moravcsik (1993: 494) himself admits that liberal intergovernmentalism offers an inadequate treatment of the impact of domestic (f)actors – and not only businesses and economic interests – on the EU, particularly in cases of institutional and political bargains (Moravcsik and Nicolaïdis, 1999; Magnette and Nicolaïdis, 2004).
3. More generally, the work of the Convention has attracted a lot of attention from various research angles. A first group of scholars has analysed the process and actors (Dimitrakopoulos and Kassim, 2004; König and Hug, 2006; Beach and Mazzucelli, 2007; Laursen, 2008); A second group has looked at its implications from a philosophical point of view (Dobson and Føllesdal, 2004; Eriksen *et al.*, 2004; Castiglione *et al.*, 2008). A third group has looked at the negotiation process in the light of the logics of arguing and bargaining (Magnette and Nicolaïdis, 2004; Panke, 2006; Risse and Kleine, 2007).
4. The basic assumptions for this approach are five. First, the national polity – where governments, political parties and interest groups derive their legitimacy – is the basic unit in the EU. Second, each national polity has a different set of social and economic conditions which affects its national interest; ideology, structure of the state and the state's relationship to the external world play a central role. Third, it is not possible to separate a state's European policy from other domestic policies. Fourth, national governments play a central role in the negotiations, but they may be 'captured' by domestic interests and transnational forces, which restrict significantly their margin of manoeuvre. Fifth, the behaviour of Member States in the EU is shaped by various 'policy styles', which include national political culture, the strength of the government and domestic actors, and the type of policy pursued (Bulmer, 1983:354–62).
5. A discussion of this literature is beyond the scope of this chapter. For sophisticated analyses and reviews on the link between domestic politics and international relations, see Milner (1997), Moravcsik (1997) and Gourevitch (2002). For a discussion of the impact of domestic politics on European integration and policy making in the EU, see Rosamond (2000) and Wiener and Diez (2004).
6. In this sense, liberal intergovernmentalism has been used to explain outcomes in the case of the Treaty of Rome, the Single European Act and the Treaty of Maastricht (Moravcsik, 1998), the Treaty of Amsterdam (Moravcsik and Nicolaïdis, 1999), and the Constitutional Treaty (Magnette and Nicolaïdis, 2004). Interestingly, the Treaty of Nice, in which institutional reforms were prominent, has not been yet explored by liberal intergovernmentalists.
7. Dimitrakopoulos and Kassim (2004:251) draw on the concept of policy style developed by Richardson (1982) when they define policy style as 'the standard operating procedures that societies develop for making and implementing policies'. On these issues, see also Closa (2004) and Jabko (2004).
8. In this sense, Reh (2007) and Puetter (2007) respectively look at the impact of the Group of Government Representatives and of the finance ministers on treaty negotiations. It should be noted however that Reh does not explore the degree of independence of national delegates from capitals.
9. A major contribution to understanding the link between domestic politics and treaty reform has been given by the DOSEI project, a group of researchers dealing with 'domestic structures and European integration', though their analysis is mostly limited to the Constitutional Treaty.

10. The most controversial issue during the negotiations for the Constitutional Treaty concerned the proposal to reduce the size of the Commission – smaller Member States feared that they would lose importance – and to modify the voting threshold in the Council – Poland and Spain feared that they would become less powerful (König and Slapin, 2006; Slapin, 2008).
11. The nature of the Convention itself, which required consensus and not unanimity, and the lack of information about the ratification process, may have been more important – the negative outcomes in France and the Netherlands is thus explained (König and Slapin, 2006).
12. The impact of domestic politics on European integration has generally been inadequately dealt with by constructivism. Two typical constructivist topics – such as socialisation and identity – demonstrate however that the link between domestic politics and the EU plays a role in European integration (Checkel, 2007:67–70). For instance, Hooghe (2005) shows that identity change and socialisation within the European Commission are a product of national socialisation. Risse (2005) argues that the various components of an individual's identity cannot be separated; its different components (national and European) are actually interlinked.
13. Another interesting insight comes from the case of the referendum. The high number of referendums in relation to the Constitutional Treaty may also be part of a sort of 'Europeanisation of the ratification process', through which some governments under domestic pressure decided to copy neighbour countries (König et al., 2008).

REFERENCES

- Beach, D. (2005), *The dynamics of European integration: why and when EU institutions matter*, Basingstoke: Palgrave Macmillan.
- Beach, D. and Christiansen, T. (2007), 'Introduction: political agency in the constitutional politics of the European Union', *Journal of European Public Policy*, **14** (8), 1163–66.
- Beach, D. and Mazzucelli, C. (eds) (2007), *Leadership in the big bangs of European integration*, Basingstoke: Palgrave Macmillan.
- Bulmer, S. (1983), 'Domestic politics and European Community policy-making', *Journal of Common Market Studies*, **21** (4), 349–63.
- Carbone, M. (2009), 'From Paris to Dublin: domestic politics and the Treaty of Lisbon', *Journal of Contemporary European Research*, **5** (1), 43–60.
- Castiglione, D., Schönlau, J., Longman, C., Lombardo, E., Pérez-Solórzano Borragán, N. and Aziz, M. (2008), *Constitutional Politics in the European Union: the Convention moment and its aftermath*, Basingstoke: Palgrave Macmillan.
- Checkel, J. (2007), 'Constructivism and EU politics', in K.E. Jørgensen, M.A. Pollack and B. Rosamond (eds) (2008), *Handbook of European Union politics*, London: Sage, pp. 57–76.
- Christiansen, T., Falkner G. and Jørgensen, K.E. (2002), 'Theorising EU Treaty reform: beyond diplomacy and bargaining', *Journal of European Public Policy*, **9** (1), 12–32.
- Christiansen, T. and Reh, C. (2009), *Constitutionalising the European Union*, New York: Palgrave.
- Closa, C. (2004), 'The formation of domestic preferences on the reform of the treaties in Spain', *Comparative European Politics*, **2**, 320–338.
- Closa, C. (2007), 'Why convene referendums? Explaining choices in EU constitutional politics', *Journal of European Public Policy*, **14** (8), 1311–32.

- Dimitrakopoulos, D. and Kassim, H. (2004), 'Deciding the future of the European Union: preference formation and the treaty reform', *Comparative European Politics*, **2**, 241–60.
- Dobson, L. and Føllesdal, A. (eds) (2004), *Political theory and the European Constitution*, London: Routledge.
- Eriksen, E., Fossum, J. and Menéndez, A. (eds) (2004), *Developing a constitution for Europe*, London: Routledge.
- Falkner, G. (2002), 'Introduction: EU treaty reform as a three-level process', *Journal of European Public Policy*, **9** (1), 1–11.
- Gourevitch, P. (2002), 'Domestic politics and international relations', in W. Carlsnaes, T. Risse, and B. Simmons (eds), *Handbook of international relations*, London: Sage, pp. 309–28.
- Hix, S. (2002), 'Parliamentary behavior with two principles: preferences, parties, and voting in the European Parliament', *American Journal of Political Science*, **46** (3), 688–98.
- Hix, S. (2005), *The political system of the European Union*, 2nd edition, London: Palgrave.
- Hooghe, L. (2005), 'Several roads lead to international norms, but few via international socialisation: a case study of the European Commission', *International Organization*, **59**, 861–98.
- Hooghe, L. and Marks, G. (2009), 'A postfunctionalist theory of European integration: from permissive consensus to constraining dissensus', *British Journal of Political Science*, **39** (1), 1–23.
- Hug, S. and König, T. (2002), 'In view of ratification: governmental preferences and domestic constraints in the Amsterdam Intergovernmental Conference', *International Organisation*, **56**, 477–76.
- Hug, S. and Schulz, T. (2007), 'Referendums in the EU's constitution building process', *Review of International Organizations*, **2**, 177–218.
- Jabko, N. (2004), 'The importance of being nice: an institutionalist analysis of French preferences on the future of Europe', *Comparative European Politics*, **2** (3), 282–301.
- König, T. (2006), 'The dynamics of the two-level process of constitution building: setting the agenda by agenda setting', in S. Puntischer Riekmann and W. Wessels (eds), *The making of a European constitution: dynamics and limits of the convention experience*, Wiesbaden: Verlag für Sozialwissenschaften.
- König, T., Daimer, S. and Finke, D. (2008), 'The treaty reform of the EU: constitutional agenda-setting, intergovernmental bargains and the presidency's crisis management of ratification failure', *Journal of Common Market Studies*, **46** (2), 337–63.
- König, T. and Finke, D. (2007), 'Reforming the equilibrium? Veto players and policy change in the European constitution-building process', *Review of International Organization*, **2**, 53–76.
- König, T. and Hug, S. (2006), *Policy-making processes and the European Constitution: a comparative study of member states and accession countries*, London and New York: Routledge.
- König, T. and Slapin, J. (2006), 'From unanimity to consensus: an analysis of the negotiations at the EU's Constitutional Convention', *World Politics*, **58**, 413–45.
- Laursen, F. (ed.) (2008), *The Rise and Fall of the EU's Constitutional Treaty*, Leiden and Boston, MA: Martinus Nijhoff.

- Magnette, P. and Nicolaïdis, K. (2004), 'The European Convention: bargaining in the shadow of rhetoric', *West European Politics*, **27** (3), 381–404.
- Marks, G., Hooghe, L. and Blank, K. (1996), 'European Integration since the 1980s: state-centric versus multi-level governance', *Journal of Common Market Studies*, **34** (3), 343–78.
- Milner, H. (1997), *Interests, institutions, and information: domestic politics and international relations*, Princeton, NJ: Princeton University Press.
- Moravcsik, A. (1993), 'Preferences and power in the European Community: a liberal intergovernmentalist approach', *Journal of Common Market Studies*, **31** (4), 473–523.
- Moravcsik, A. (1997), 'Taking preferences seriously: a liberal theory of international politics', *International Organization*, **51** (4), 513–53.
- Moravcsik, A. (1998), *The choice for Europe: social purpose and state power from Messina to Maastricht*, Ithaca, NY: Cornell University Press.
- Moravcsik, A. and Nicolaïdis, K. (1999), 'Explaining the Treaty of Amsterdam: interests, influence, institutions', *Journal of Common Market Studies*, **37** (1), 59–85.
- Panke, D. (2006), 'More arguing than bargaining? The institutional designs of the European Convention and Intergovernmental Conferences compared', *Journal of European Integration*, **28** (4), 357–79.
- Puetter, U. (2007), 'Intervening from outside: the role of EU finance ministers in constitutional politics', *Journal of European Public Policy*, **14** (8), 1293–310.
- Putnam, R. (1988), 'Diplomacy and domestic politics: the logic of two-level games', *International Organization*, **42** (3), 427–60.
- Reh, C. (2007), 'Pre-cooking the European Constitution? The role of government representatives in EU reform', *Journal of European Public Policy*, **14** (8), 1186–207.
- Richardson, J. (1982), *Policy styles in Western Europe*, London: Allen and Unwin.
- Risse, T. (2005), 'Neo-functionalism, European identities, and the puzzle of European integration', *Journal of European Public Policy*, **12** (2), 291–309.
- Risse, T. and Kleine, M. (2007), 'Assessing the legitimacy of the EU's treaty revision methods', *Journal of Common Market Studies*, **45** (1), 69–80.
- Rosamond, B. (2000), *Theories of European integration*, New York: Palgrave.
- Slapin, J. (2008), 'Bargaining power at Europe's Intergovernmental Conferences: testing institutional and intergovernmental theories', *International Organization*, **62** (1), 131–62.
- Sandholtz, W. and Stone Sweet, A. (eds) (1998), *European Integration and supranational governance*, Oxford: Oxford University Press.
- Sverdrup, S. (2002), 'An institutional perspective on treaty reform: contextualizing the Amsterdam and Nice Treaties', *Journal of European Public Policy*, **9** (1), 120–140.
- Taggart, P. (2006), 'Questions of Europe: the domestic politics of the 2005 French and Dutch Referendums and their challenge for the study of European integration', *Journal of Common Market Studies*, **44** (Annual Review), 7–25.
- Wiener, A. and Diez, T. (eds) (2004), *European integration theory*, Oxford: Oxford University Press.