

The Power of Suggestion: Coordinating Compromise in a Bicameral Legislature*

Daniel Pemstein[†]

Abstract

Legislators in bicameral parliaments must make policy choices that balance their immediate preferences against the realities of lawmaking in bifurcated institutions, where informational asymmetries may hamper the construction of cross-chamber policy coalitions. Moreover, the back-and-forth nature of bicameral lawmaking means that failure to coordinate can be particularly costly in multi-chamber legislatures. Under such circumstances, actors with broad access to information about preferences in both houses can act as mediators, guiding lawmakers towards or away from compromise, modulating the pace of policymaking. Moreover, the strategic context within which individual lawmakers operate—notably, one’s stake in policy production—will regulate both interest in compromise and susceptibility to mediator influence. I investigate this logic in the context of the European Union, focusing on the mediating power of the European Commission. I show that there is a systematic relationship between Commissioners’ public policy stances, European legislators’ level of investment in policy-making, and voting behavior in the European Parliament.

*I would like to thank Bill Bernhard, Josh Clinton, Brian Gaines, Steve Meserve, Bob Pahre, Tracy Sulkin, and seminar participants at the University of Illinois, University of Mississippi, University of Nevada Las-Vegas, University of Washington, and Vanderbilt University for helpful comments.

[†]Assistant Professor, Department of Criminal Justice & Political Science, North Dakota State University. Email: daniel.pemstein@ndsu.edu.

Lawmakers in bicameral systems confront a complex decision problem when voting on legislation. On the one hand, politicians in one house of a bicameral parliament face all the standard incentives that occupy legislators; they have personal policy preferences, their party leaderships have expectations about their voting behavior, and they have constituencies—in some cases voters, in others selectorates within their parties—whom they wish to please in order to win re-election. On the other hand, they must balance their immediate voting preferences with the realities of lawmaking in a bifurcated institution and consider how supporting a given measure will serve them in negotiations with their cross-chamber partners in lawmaking. This state of affairs is not so different from that facing politicians in unitary systems, in the sense that coalition-building generally requires compromises and trade-offs that sometimes force legislators to temper their voting behavior. Nonetheless, legislators in bicameral systems are likely to face transaction costs that dwarf those weathered by unitary politicians, and to confront the specter of gridlock (Alt & Lowry 1994, Binder 1999, Heller 2007, Hiroi 2008).

Bicameral legislators face an information problem that can exacerbate the tendency to incur bargaining costs, notably delay (Tsebelis & Money 1997, Fukumoto 2009). Of course, politicians who sit together in a unitary parliament will often have trouble observing the bargaining strength—in terms of patience, internal agreement, and the relative salience placed on the issue at hand—of opposition players. Negotiators generally prefer to appear strong—or at least unable to budge (Schelling 1960)—and will not easily relay their willingness to compromise to their opponents (Muthoo 1999). Nonetheless, unicameral legislators interact with each other on a daily basis, participate together in debates, and have many opportunities to catch glimpses of their opponents' negotiating weaknesses and internal divisions. In contrast, bicameral legislators largely lack such points of frequent contact. Therefore, while parties can provide linkages between houses (Høyland 2005, Hoyland 2006), informational asymmetries are likely to obscure bargaining positions—and strengths—across chambers. Lacking information, politicians in one house run the risk of proposing legislation that cannot capture the pivotal members of their counterpart institution, precipitating delay.

Bicameralism, therefore, provides the potential for those with access to the internal workings of both chambers to modulate the lawmaking process. In particular, bridge actors, often bureaucrats, with knowledge about pivotal preferences in both houses can leverage their informational advantage

to obtain influence over policy outcomes, and especially the pace of policymaking. When such mediators have an interest in swift lawmaking, and have policy preferences that are compatible with their informational targets, those targets (e.g. lawmakers in a given chamber) can rely on mediator messages to tailor their bargaining strategies, reducing bargaining delay without underplaying their hands and over-compromising. In so doing, bridge actors may fundamentally affect the way in which legislators translate their constituents' interests into law. Yet, only a subset of lawmakers should have reason to alter their behavior in light of such information. Clearly, legislators will only moderate their behavior when they have more to gain from the enactment of a compromise policy than they do from holding firmly to an ideologically pure position. In particular, one would expect politicians with a large stake in efficient policy production to prioritize compromise over policy purity, and in turn, to pay particular heed to bridge actors' signals.

I examine variation in legislators' tastes for compromise, and the role that bridge actors play in coordinating bicameral accommodation, empirically, focusing my investigation on the European Union's (EU) dominant lawmaking procedure, codecision, now known as the ordinary legislative procedure. Codecision provides an ideal laboratory within which to examine mediated coordination in bicameral bargaining. As others have pointed out, the highly complex informational environment that characterizes Union lawmaking encourages actors to rely on informal negotiations and signals from other players to solve difficult coordination problems and reduce policy production costs (Farrell & Heritier 2004, Ringe 2010). Indeed, the problem of cross-chamber information asymmetry is especially notable in the EU. While the EU's lower house, the European Parliament (EP), holds its sessions in public, records many of its votes, and generally behaves in a transparent manner, the same cannot be said for the Union's upper chamber, the Council. In fact, the Council is a largely closed institution that rarely opens up its internal workings to outside observers. Thus, the potential for EP members (MEPs) to misgauge the Council's bargaining resilience is substantial. Furthermore, the Union sports a bureaucracy, the European Commission, that is perfectly placed to bridge this information gap. The Commission is involved in all stages of the lawmaking process and its representatives sit in on closed Council sessions, providing it with information about Council preferences, and internal divisions, not readily available to MEPs. Finally, the EU treaties require the Commission to lodge an official a-priori opinion on every vote that MEPs take on codecision legislation, generating a comprehensive public record of Commissioners' policy signals.

I argue that MEPs who care about efficient policy production, and for whom moderation is not too costly, use Commission vote recommendations as a coordination tool, avoiding bargaining and transaction costs, and overcoming their informational deficiencies vis-a-vis the Council. While previous work has pointed out the strong correlation between Commission opinion and the success of amendments to codecision bills (Tsebelis, Jensen, Kalandrakis & Kreppel 2001, Rasmussen 2003, Kasack 2004), my findings demonstrate that this correlation is not simply an artifact of shared policy preferences. By taking advantage of the fact that MEPs vote frequently on questions—such as resolutions and own initiative reports—on which the Commission provides no opinion, and over which the Council holds no veto, I show that a strategically inclined subset of MEPs react to Commission opinions systematically, and alter their voting behavior in a manner that is consistent with anticipation of bicameral bargaining outcomes. Specifically, MEPs hailing from parties in national government, who’s parties find European institutions particularly salient, and who’s parties are not too ideologically distant from the pivotal players in the Council, make compromises in light of Commission opinions that are likely to facilitate the speedy conclusion of lawmaking negotiations between EU institutions. This study, therefore, provides new insight into how the pressures of party membership affect MEPs’ legislative behavior (Hix 2002, Kreppel 2002, Faas 2003, Hix 2004, Meserve, Pemstein & Bernhard 2009). Furthermore, by highlighting the ways that institutional bargaining constraints and the pressures of policy-production influence MEP voting behavior, this work speaks to the ongoing debate about why party groups within the EP are so cohesive (see e.g. Kreppel 2002, Hix, Noury & Roland 2007, Ringe 2010).

While I focus on the EU empirically, my arguments are general. Politicians in any policymaking institution with multiple veto points are likely to face issues of informational asymmetry and the potential for costly bargaining delay, and will adopt strategies that balance their ideological goals with the need to produce policy efficiently. And, where possible, politicians in such systems will rely on mediating actors to bridge informational gaps. This study highlights the potential that those that mediate between policymakers have to influence the pace and shape of policy. Indeed, in democratic governments, actors who control the flow of information between policymakers may adulterate pure electoral representation similarly to bureaucrats who control policy implementation (Brehm & Gates 1997). Similarly, the staffs of international organizations may exploit their roles as information bridges in much the same way they do the powers delegated to them by states

(Hawkins, Lake, Nielson & Tierney 2006). That is, bureaucrats may, in general, derive influence from both principal-agent relationships and, less conventionally, by acting as information bridges between principals, engaging in “principal-mediator-principal” relationships. Furthermore, institutional bargaining constraints—bicameralism being just one example—affect particular politicians in different ways. This paper emphasizes that legislators’ stakes in the production of policy vary and that such variance can help to explain the composition of legislative policy coalitions by predicting individual appetites for strategic voting in bicameral parliaments. Thus, it extends recent work highlighting how fundamental legislators’ incentives to produce policy are to parliamentary politics (Adler & Wilkerson 2012), and emphasizes the need to wed our understanding of institutional structure, informational constraints, and policy demands to ideology-centric models of legislating.

1 The Power of Suggestion

Under codecision, Parliament trades proposals with the Council—the EU’s upper house, composed of the ministers of the Union’s member states¹—until both houses agree on the final form of the legislation. Codecision takes up to three readings. This is a complicated, costly, and lengthy process. Should the Parliament forward a proposal to the Council that asks for more than the Council is willing to give, a subsequent reading results. At first reading, this means additional committee meetings, another debate in plenary, and another round of voting in the EP. A second reading rejection of Parliament’s proposal forces the convocation of the conciliation committee which adds significant weight to the affected MEPs’ already substantial work-loads. In both cases, the staffs of EP party groups and national party delegations spend precious resources examining the report, weighing competing interests within the group, and generating voting recommendations for their members on all the amendments that they—and other groups—might lodge. For groups—and parties, and MEPs—with an interest in passing legislation, this is time better spent working on new proposals. Therefore, many MEPs are likely to face pressure, both from their party groups and their national party leaderships, to line up behind compromises on codecision legislation, even when this means sacrificing their ideological purity.

After initially proposing legislation on a particular issue, the Commission plays a largely sup-

¹The exact composition of the Council varies depending on the topic at hand: ministers represent their nations in the Council with respect to their portfolios.

porting role in codecision. Commission representatives take part in informal communications—called trialogues—between the representatives of the Parliament and the Council and the responsible Commissioner generally attends Parliamentary committee meetings and plenary debates on codecision legislation. Furthermore, the Commission lodges opinions on Parliament’s amendments. Additionally, should the process proceed all the way to conciliation, Commission delegates serve as facilitators in drafting compromise legislation that is palatable to both the Parliament and the Council and generally work to assure that the process ends with adoption. Yet, because the Commission has no veto power, formal spatial models of law-making in the EU categorically find that the Commission has no say over policy outcomes on codecision legislation (see e.g. Crombez 1997).²

Nonetheless, these results are based on full-information models of lawmaking and do not consider the Commission’s potential role as a broker of information during the course of the legislative process. First of all, while the highest echelons of the Commission are populated by political appointees, each ministry within the Commission—called directorates-general—employs hundreds, and in some cases thousands, of experienced, full-time, civil service staff (Nugent 2001). These career civil servants provide the Commission with a deep reservoir of expertise over all aspects of European policy-making and potentially provide the Commission with both a better understanding of the likely outcomes of particular policies and a more comprehensive view of the policy options available to the Union than that available to the Council, and especially to the average MEP (Thomson & Hosli 2006).³ Furthermore, in order to initially draft codecision legislation, the Commission is forced to invest in substantial proposal-specific information at the start of the legislative process. Therefore, both Council and Parliament members have incentives to conserve their own resources by taking advantage of the Commission’s informational investment.

The Commission’s informational advantages also extend to knowledge about the inner workings

²The Commission’s only formal post-proposal role in codecision is its potential ability to set the Council’s voting rule by adopting a negative stance on specific language. While the Treaty appears to give the Commission the right to force a unanimous vote at both readings, the text is much more specific with respect to second reading than it is to first, and the Commission’s ability to use this power at either reading is unclear in practice. Indeed, in a personal communication with the author, representatives from Europe Direct, the Commission’s public information office, referred to this issue as “controversial” and refused to provide a straightforward interpretation of the Commission’s powers. The Commission is very sensitive about perceptions that it over-reaches its mandate and may rarely possess the political capital necessary to take advantage of its formal powers. In practice, the Commission often appears willing to change its opinions if the unanimity requirement represents a roadblock to intercameral agreement.

³Councilors are cabinet members at the national level and therefore have access to extensive staffs of their own. MEPs, on the other hand, typically only have a handful of full-time staff at their disposal, and these staff are often shared between MEPs of national delegations (Corbett, Jacobs & Shackleton 2003).

of the Council, providing MEPs with the potential to overcome their knowledge deficit vis-a-vis the Council and reduce the likelihood of extended bicameral bargaining. Indeed, the Commission has direct access to every level of decision-making within the Council, with representatives sitting in on working group meetings, COREPER deliberations, and convocations of ministers (Cini 1996, Nugent 2001). Therefore, when it is in its interests, the Commission may relay information about the Council's bargaining position to the Parliament. In the context of codecision opinions, the Commission can let the Parliament know when a particular proposal pushes too far, or when an amendment under-sells the Parliament's point of view, conceding too much to a willing compromiser. Because the Commission must expend significant resources on codecision files, especially those that drag out through multiple readings, it will often be in the Commission's interest to facilitate speedy coordination around compromise positions, even if this means sacrificing its most preferred policy outcome. Indeed, we should expect the Commission to take advantage of its prerogative to render opinions on Parliamentary amendments to better inform MEPs about the likelihood that supporting a given policy will lead to bargaining delay, or gridlock. In fact, it is not uncommon for the Commission to cite the level of Council support for an amendment when stating its reasons for an opinion (European Commission 2013).

The Commission's advantages—its policy expertise and its access to private knowledge about the Council's bargaining resolve—both have implications for the utility that MEPs expect to receive from supporting particular policies in the legislature. Specifically, while MEPs will already have ideological preferences over policies, they can use signals from the Commission to update their expectations about the overall benefit they stand to receive from supporting, or opposing, particular amendments. Notably, given the Commission's strong incentive to limit its own workload and streamline lawmaking, *official rejections of proposed amendments will often inform MEPs that supporting the policy in question is likely to drive up bargaining costs.*

1.1 Who Follows the Commission?

Those MEPs that derive utility from efficient European policy production should be particularly susceptible to Commission influence. On the other hand, MEPs focused primarily on position-taking should be largely impervious to Commission recommendations. Consequently, a number of MEP characteristics should predict susceptibility to Commission influence. First of all, MEPs

hailing from national parties in government should find Commission opinions especially influential. European voters are notoriously bad at linking European policy to European policy-makers (see e.g. Hobolt 2007) and therefore most of the demand for such policy production falls on national governments, even in domains where Europe holds sway. Moreover, parties in government may use European institutions to seek policy goals that are difficult to pursue at home (Moravcsik 1998). Even for parties that are ideologically out-of-step with the pivotal voters in the Council, the weight of responsibility may loom large. These parties are expected to get things done—both at home and in Europe—and they should lean on their MEPs to back policies that have a chance to win Council support and to shy away from unsustainable proposals, at least when compromise is not too ideologically painful. Furthermore, such MEPs belong to parties that are represented on the Council; even when national parties face little pressure from constituents to produce policy at the European level, intra-party pressure to find common ground with co-partisans in the Council should encourage MEPs to vote in a manner that facilitates speedy inter-institutional compromise. Conversely, members of parties that do not participate in government, especially those on the political fringe, will have little reason to modulate their behavior. Such parties are unlikely to be blamed for the EU’s inability to pass legislation and, therefore, are largely free to ignore practical considerations when casting votes. Or, more succinctly:

Hypothesis 1. *MEPs belonging to parties that are in national government alter their voting behavior to match Commission opinions more than other MEPs.*

Similarly, MEPs belonging to parties that consider the EU especially salient should be concerned with the efficient production of policy at the European level and should work hard to forge sustainable compromises with the Council, and should therefore react to Commission recommendations. On the other hand, MEPs from parties that consider Europe unimportant should see the EP more as a platform for position-taking than as a policymaking arena. Such MEPs have little reason to sacrifice ideological purity to pragmatic bargaining concerns.

Hypothesis 2. *MEPs belonging to parties that prioritize the EU alter their voting behavior to match Commission opinions more than other MEPs.*

Of course, when a party or group is too at odds with the Council, compromise will be untenable, so the pressure to pursue policy compromise should hold only for MEPs hailing from parties that

can stomach policies that are also acceptable to the pivotal Council voter. Therefore, I expect MEPs that hail from parties that are ideologically distant from those represented on the Council will be less susceptible to Commission suggestions than MEPs that are ideologically similar to the upper house. The Council was dominated by center-right parties for the period that I consider for this study, implying that right-leaning MEPs should better accommodate compromise than left-wing MEPs.

Hypothesis 3. *MEPs belonging to parties on the right alter their voting behavior to match Commission opinions more than MEPs hailing from parties on the left.*

Similarly, the Council tends to resist expansions in the scope and depth of European integration. Therefore, although the Commission is generally perceived as more pro-integration than the Council, my theory of information transmission implies that its voting recommendations will be influential insofar as they reflect the realities of intercameral negotiation (that is, Council bargaining positions and strengths), rather than Commissioners' policy preferences. Therefore, I expect MEPs who support strengthening European institutions to support compromise positions less than Eurosceptic MEPs.

Hypothesis 4. *MEPs belonging to parties that support expanded European integration alter their voting behavior to match Commission opinions less than MEPs hailing from parties that oppose strengthening European institutions.*

Additionally, MEPs belonging to the three largest party groups in the EP during the period of study—the European People's Party (PPE-DE), the Party of European Socialists (PSE), and the Alliance of Liberals and Democrats for Europe (ALDE)—hold an advantaged place in the policymaking process. These groups control most of the committees, rapporteur assignments, and other levers of power within the Parliament. Furthermore, the “big three” groups dominate both the Council and the political ranks of the Commission. Therefore, these groups play vital roles in shaping European legislation at all levels and are likely to mold those compromise policy positions that are available to MEPs. Indeed, the big three group leaderships may often have reason to encourage their members to coordinate around compromises that they played a role in crafting. Therefore, I argue that MEPs from the big three groups will be more likely to modify their voting behavior to fall in line with Commission opinions than other MEPs.

Hypothesis 5. *MEPs belonging to the big three groups alter their voting behavior to match Commission opinions more than MEPs hailing from other party groups.*

1.2 Preference Congruence, Resigned Facilitation, and Policy Leadership

MEPs might vote consistently with Commission's recommendations for a variety of reasons other than its role as an informative mediator in the bicameral bargaining game. It is, therefore, important to account for plausible alternative explanations that would yield similar predictions to the above hypotheses. Most obviously, there may simply be substantial *preference congruence* between certain MEPs and members of the Commission. Further, it is plausible that preference congruence could be correlated with factors like party governing status, EU emphasis, and, trivially, ideology. Section 2 presents a statistical strategy to address the problem of identifying extra-ideological voting behavior in codecision, addressing the preference congruence problem.

Another theory that yields similar predictions to those in section 1.1 is a model of *resigned facilitation* by the Commission. In this account, MEPs do alter their behavior in light of bicameral bargaining constraints, but the Commission is merely an observer on the sidelines, voicing opinions consistent with the inevitable outcome of the bargaining game, perhaps to avoid looking out of touch, or irrelevant. In particular, it is plausible that MEPs hailing from parties in government will have better information about intra-Council negotiations than their counterparts in national opposition because their co-partisans sit on the Council (Høyland 2005, Høyland 2006). Thus, evidence supporting hypothesis 1 does not differentiate between mediation and resigned facilitation. Indeed, none of the hypotheses in section 1.1 are inconsistent with resigned facilitation. Nonetheless, while mediation and resigned facilitation generate similar predictions about who will vote in line with Commission opinions, they produce competing hypotheses about when MEPs will follow such recommendations. Specifically, if MEPs must rely on the Commission to fill in gaps in their knowledge about the Council, then the Commission has an incentive to strategically mislead the Parliament to believe that the Council is strong when the Commission prefers the Council position to the EP's. Therefore, MEPs should be more likely to trust a Commissioner when confronting issues on which the Parliament and Commission are close and the Council and Commission are at odds.

Hypothesis 6. *MEPs will become more likely to follow signals as the ideological distance between the relevant Commissioner and the median MEP decreases and as the distance between the Commissioner and the pivotal party represented in the Council increases.*

Note that the resigned facilitation model predicts no systematic relationship between Commissioner ideology and the tendency of MEPs to vote in line with the Commission. Indeed, under resigned facilitation, MEP behavior is altogether independent of Commission characteristics. Note further that hypothesis 6 does not predict that MEPs follow the Commission when they agree with it, but rather when the Commission agrees more with the pivotal MEP than it does with the Council. Thus, mediation theory predicts a more nuanced relationship between MEP and Commission ideology than basic preference congruence.

MEPs may follow the commission, not because it provides them information about the bicameral game, but rather because it is a *policy leader* with substantial domain-specific knowledge and policy-making expertise. That is, MEPs may alter their behavior because they want to produce good public policy and they believe the Commission knows what it is talking about. And policy leadership may often explain MEPs' extra-ideological support of Commission positions. The Commission commonly frames its opinions as guides to what is possible, practical, or most likely to be effective, and it has access to policy-relevant information not available to MEPs. Moreover, as was the case with resigned facilitation, policy leadership makes predictions about who will listen to the Commission that are consistent with those implied by mediation; namely that policy-motivated MEPs will be most swayed. One version of policy leadership implies that MEPs' support for Commission positions is purely motivated by the wish to produce good policy, and therefore unrelated to ideology, contra hypothesis 6. A more nuanced story posits a principal-agent game in which the Commission may relay private information about the mapping between policy and ideologically relevant outcomes to the Parliament. Here, the Commission may strategically mislead the Parliament (pivotal MEP) when ideologies diverge, but whether or not a MEP finds the Commission convincing is a simple matter of preference congruence between MEPs and the Commission; the statistical approach below controls for such congruence. Furthermore, this version of the policy leadership story does not predict the complex relationship between median MEP, Commissioner, and Council pivot ideal points described in hypothesis 6. Thus, while policy leadership may explain

why some MEPs follow the Commission at particular times, support for hypothesis 6 would imply that mediation is also a driving force.

Finally, mediation predicts that MEPs will have more reason to alter their voting behavior when the Commission makes negative recommendations than when it supports an amendment. A negative Commission opinion implies a clear potential cost to supporting an amendment for a MEP who prioritizes policymaking. Specifically, a negative Commission opinion signals the likelihood of bargaining delay should the Parliament adopt such an amendment. On the other hand, when the Commission accepts an amendment, the implications are less clear. While some acceptances might indicate strong support for a given amendment, in the sense that the Council might be likely to reject a Parliamentary proposal lacking the amendment, many acceptances are likely to signal only that the amendment in question is uncontroversial. On the other hand, both resigned facilitation and policy leadership predict symmetric influence across acceptances and rejections. Therefore, hypotheses 6 and 7 represent critical tests of my mediation theory.

Hypothesis 7. *MEPs will be more likely to alter their voting behavior when the Commission rejects an amendment.*

2 A Statistical Model of MEP Voting Behavior

Isolating external influence from preference-congruence is a fundamental challenge for many studies of legislative voting (Hall 1992). For example, when one observes Democrats and Republicans in the US House voting largely along party lines, should one conclude that parties influence voting behavior or simply that co-partisans have similar preferences (see e.g. Krehbiel 1993)? Similarly, when a lawmaker votes in a manner that pleases a campaign donor, how can one tell whether she would have voted differently had the donor not been in the picture? Nonetheless, when external pressure is applied selectively across votes in a manner that is observable to the analyst—for example, if parties whip only particular divisions or a donor expresses interest in only a subset of issues on which lawmakers consider legislation—researchers may exploit the voting record itself to isolate the role that external influence plays in vote choice. Specifically, when the ideology-based component of voting behavior remains constant across treated (those votes upon which the outside influence has communicated a preference to the voter) and untreated (those votes that are of little interest

to the potentially influential actor) votes, one can adapt existing statistical tools to identify the relative importance that ideology and a given form of external influence play in legislators' voting decisions.

My empirical approach estimates how MEPs deviate from their typical voting patterns during bicameral codecision bargaining, in light of Commissioners' public statements about votes. I ground my analysis in a standard behavioral model of probabilistic spatial voting (Poole & Rosenthal 1985, Clinton, Jackman & Rivers 2004, Poole 2005) and assume that each MEP has a most preferred position, an ideal point \mathbf{x}_i , in a D -dimensional policy space. These ideal points represent legislators' induced policy positions and may describe motivations driven both by ideology and by party, constituent, or lobbyist pressures. Following Clinton, Jackman & Rivers (2004), I assume that we can represent each roll call vote in terms of two points in this policy space. Specifically, MEPs must choose between the "Yea" position ζ_j and the "Nay" outcome ψ_j on each of $j \in 1 \dots m$ votes.

In line with my theoretical arguments, MEPs should use Commission opinions to update their expectations about the utility that they will receive from particular voting decisions, based on their own stakes in policy production and position taking. To formalize this logic, I assume that legislator $i \in 1 \dots n$ with induced ideal point \mathbf{x}_i derives expected utility

$$U_i(\zeta_j) = -\|\mathbf{x}_i - \zeta_j\|^2 + a_j \cdot \delta_i^{aa} - r_j \cdot \delta_i^{ra} + \eta_{ij} \quad (1)$$

from voting yea on vote j , and

$$U_i(\psi_j) = -\|\mathbf{x}_i - \psi_j\|^2 - a_j \cdot \delta_i^{ar} + r_j \cdot \delta_i^{rr} + \nu_{ij} \quad (2)$$

from voting to reject. First, a quadratic loss function determines each MEP's expected utility given her ideal point \mathbf{x}_i and the yea and nay positions ζ_j and ψ_j , exactly as in Clinton, Jackman & Rivers (2004). Second, legislators linearly adjust their expected utility based on Commission recommendations. Here, a_j (r_j) is an indicator variable that equals one when the Commission accepts (rejects) the "Yea" position on vote j and equals zero otherwise, δ_i^{aa} (δ_i^{ra}) is the utility— theoretically, a function of expected bargaining costs—that MEP i expects to gain (lose) from voting yes on a measure that the Commission supports (rejects), and δ_i^{ar} (δ_i^{rr}) represents the

expected utility loss (gain) to MEP i from voting against when the Commission counsels acceptance (rejection). Finally, MEPs make stochastic errors η_{ij} and ν_{ij} . Thus, the model incorporates both spatial voting and the potential for commission influence.⁴ In terms of the theory that I proposed in the previous section, one would expect MEPs that are interested in European policy production, and who therefore would prefer to avoid bargaining delay, would exhibit positive δ_i^{rr} values and negative δ_i^{ra} terms. My theory does not make clear predictions for δ^{aa} and δ^{ar} , although MEPs that generally follow Commission recommendations would exhibit positive and negative parameters, respectively.

2.1 Estimating the Behavioral Model

Following Clinton, Jackman & Rivers (2004), I assume that the stochastic parts of the utility function, η_{ij} and ν_{ij} , are independent with respect to both MEPs and votes and normally and jointly distributed with mean $E(\eta_{ij}) = E(\nu_{ij})$ and variance $\text{var}(\eta_{ij} - \nu_{ij}) = \sigma^2$.⁵ Given the $n \times m$ roll call matrix \mathbf{Y} —where $Y_{ij} = 1$ when MEP i votes yea on vote j and $Y_{ij} = 0$ when the same legislator votes nay⁶ on the vote in question—the probability that MEP i votes in the affirmative on vote j is

$$P(Y_{ij} = 1) = \Phi(\beta_j(\mathbf{x}_i - \kappa_j) + a_j \cdot \delta_i^a - r_j \cdot \delta_i^r) \quad (3)$$

where $\kappa_j = \frac{\psi_j + \zeta_j}{2}$ is the cut-point dividing MEPs who support—prior to bicameral considerations—measure j from the who do not, $\beta_j = \frac{2(\zeta_j - \psi_j)}{\sigma}$ describes the extent to which vote j discriminates between voters' baseline policy preferences,⁷ $\delta_i^a = \frac{\delta_i^{aa} + \delta_i^{ar}}{\sigma}$, and $\delta_i^r = \frac{\delta_i^{ra} + \delta_i^{rr}}{\sigma}$, and $\Phi(\cdot)$ is the standard normal distribution function.

In equation 3, δ^a (δ^r) is a vector of MEP-specific fixed effects, capturing each legislator's propensity to follow the Commission's recommendation to vote for (against) an amendment, above and beyond her baseline affinity for the measure. Therefore, a positive (negative) value for δ_i^a (δ_i^r) indicates that MEP i derives positive utility from voting for an amendment that the Commission

⁴Note that the “influence” in this model may derive from a variety of sources beyond the Commission itself. For example, national party leadership may put pressure on MEPs to coordinate around viable policies identified by the Commission. Thus, the relationship between Commission opinions and MEP voting behavior may be indirect.

⁵Clinton, Jackman & Rivers (2004) make the less restrictive assumption $\text{var}(\eta_{ij} - \nu_{ij}) = \sigma_j^2$ but a strict common error variance assumption is necessary once one adds the influence terms.

⁶I treat abstentions as missing values in this analysis.

⁷This parameterization of the spatial statistical roll call voting model differs from the standard approach in Clinton, Jackman & Rivers (2004) and instead follows Bafumi, Gelman, Park & Kaplan (2005).

accepts (rejects) after taking the proximity of MEP i 's ideal point to the “Yea” and “Nay” positions for vote j into account. Thus, if Commission signals indeed provide information about the likelihood of bargaining delay, we would expect MEPs with a vested interest in efficient policy production to sport negative δ_i^r parameters while MEPs interested in protest voting should exhibit the reverse pattern. Finally, MEPs that vote purely based on their own ideal points and the locations of the alternatives in the ideological space should have statistically insignificant δ parameter estimates.

2.2 Ruling Out Preference Congruence

The applicability of this modeling strategy—and its ability to identify the effects of external pressure—hinges on the availability of votes that are not colored by the form of external influence that interests the analyst. In this context, without votes for which one can assume an absence of bicameral bargaining pressure and a lack of potential for Commission influence (i.e. votes where $a_j = r_j = 0$), one cannot uniquely identify the ideal point, \mathbf{x}_i , and the pair of fixed influence effects, δ_i , for each legislator. Including votes that are known to be free from the influence of bicameral bargaining considerations helps the model to nail down MEPs' ideal points, assuring identification. Intuitively, the influence-free votes act as a form of control group, allowing the model to parse out how MEPs alter their voting behavior on “treated,” or externally influenced, votes.⁸

My identification strategy takes advantage of the peculiarity of EU institutions; in particular, it exploits the fact that MEPs vote on both legislative measures—which are subject to the pressures of bicameral lawmaking, and on which the Commission renders explicit verdicts—and non-legislative resolutions and initiatives that have no binding legal ramifications, about which the Commission provides no voting recommendations, and which are not subject to the bicameral bargaining game inherent in codecision legislation. These non-legislative votes have no purpose beyond position-taking and allow MEPs to wave their, or their parties', ideological flags without worrying about the practical constraints of lawmaking in the EU. Indeed, these votes are often highly ideological in nature. For example, the Parliament's only official position on the failed European constitution

⁸Recently, other authors have developed similar statistical models that exploit (quasi)experimental conditions to elaborate on basic spatial voting. Notably, Høyland (2010) develops a model to analyze voting behavior in the EP that allows MEPs to have different ideal points in codecision than they do for other procedures. He finds that MEPs' estimated ideal points differ across procedures but, unlike my formulation, his model does not speak directly to the micro-foundations—namely, bargaining anticipation—of that variance. Bullock, Imai & Shapiro (2011) use a model that resembles Høyland's (2010) to analyze an endorsement experiment designed to measure support for militant groups in Pakistan, where they allow respondents' ideal points to vary with respect to experimental condition.

took the form of an own-initiative report. Therefore, they make an excellent set of “control votes,” and can help researchers to disentangle MEPs’ baseline voting motivations from their bicameral bargaining strategies. Of course, political parties value consistency in their members and may apply pressure on both sorts of votes. Similarly, MEPs will tailor their position-taking to fit the pressures placed upon them by lobbyists and other constituents. Thus, I do not claim that MEPs vote in a manner on non-legislative proposals that perfectly reveals their ideological proclivities. I argue only that, because the Commission renders no explicit verdicts on these votes, and because MEPs do not need to worry about potential bicameral bargaining costs when voting on such measures, they represent a useful tool for gaining leverage over the pressures that bicameral bargaining and actual policy-making place on MEPs. In terms of the model, given the inclusion of votes on these own initiative reports and resolutions, the δ vectors capture how each MEP alters her voting behavior between non-legislative measures and codecision, on average, as a function of Commission recommendations.

2.3 MEP Characteristics and Susceptibility to Influence

I use a data-contingent hierarchical prior distribution to estimate how MEP characteristics covary with MEP susceptibility to bicameral influence, testing hypotheses 1–5. Therefore, while I relegate most details about prior distribution selection to the appendix, I describe the priors for the δ parameters in the main text. Specifically, I assume that

$$p(\delta) = \prod_i^n \mathcal{N}_2(\Lambda_\delta \mathbf{c}_i^\delta, \Sigma_\delta) \quad (4)$$

where \mathbf{c}_i^δ is $k_\delta \times 1$ vector of covariates describing MEP i , Λ_δ is a $2 \times k_\delta$ matrix of coefficients describing the relationship between MEP characteristics and their commission influence parameters, and Σ_δ is an estimated variance-covariance matrix.⁹ Here, each \mathbf{c}_i^δ is a data vector containing measures of those characteristics—MEP group, national party governing status, party ideology, and party EU salience—that I argue should correspond to susceptibility to Commission influence.

Informally, these priors make it possible to essentially regress Commission and bargaining anticipation influence parameters on MEP characteristics in the process of fitting the full-fledged

⁹I discuss my hyperprior distribution choices for Λ_δ and Σ_δ in the supplementary appendix.

statistical voting model. After fitting the model, Λ_δ contains estimates of the extent to which a MEP’s group, national party governing status, party ideology, and the salience her party places on the EP, affects her tendency to alter her standard voting behavior to follow, ignore, or actively reject Commission recommendations.

2.4 Testing Resigned Facilitation and Policy Leadership

One way to test the argument that MEPs’ voting behavior changes when the Commission renders opinions is simply to fit the Commission-influence model and to see whether or not a substantial number of δ parameter estimates significantly differ from zero. But such an approach assumes that MEPs react to Commission recommendations in a consistent manner, on average, across all codecision votes, and suffers from methodological problems (Clinton, Imai & Pemstein 2011). It also provide little leverage over hypotheses 6 and 7, which imply that the Commission will be influential on certain votes, but not others. Therefore, I develop a more flexible approach that allows for the possibility that MEPs react to Commission influence on certain votes while other divisions are driven exclusively by spatial voting.

I introduce a binary latent variable τ_j that is equal to 1 when vote j is subject to Commission influence, and which equals 0 when all MEPs vote purely based on spatial considerations on vote j . This setup implies a mixture model where the probability that MEP i casts a yea vote on division j is

$$P_{\text{mix}}(Y_{ij} = 1) = \Phi [\beta_j(\mathbf{x}_i - \kappa_j) + \tau_j (a_j \cdot \delta_i^a - r_j \cdot \delta_i^r)]. \quad (5)$$

In other words, when $\tau_j = 0$, vote j is described by the pure spatial voting model; when $\tau_j = 1$, vote j exhibits voting behavior that is consistent with Commission influence.¹⁰ I model each τ_j in terms of vote-level covariates, providing a tool for describing the characteristics of votes on which MEPs, as a whole, follow commission signals. Specifically, using a hierarchical probit specification, I assume

$$P(\tau_j = 1 | \mathbf{z}_j, a_j, r_j) = \begin{cases} \Phi(\gamma \mathbf{z}_j) & \text{if } a_j = 1 \vee r_j = 1 \\ 0 & \text{if } a_j = r_j = 0, \end{cases} \quad (6)$$

where \mathbf{z}_j is a vector of vote-level covariates (e.g. the issue area of amendment j) for division j , and

¹⁰Of course, I restrict $\tau_j = 0$ when $a_j = r_j = 0$ and only estimate this parameter for potentially influenced votes.

γ is a vector of estimated hierarchical regression parameters mapping vote characteristics to sub-model—pure spatial or Commission-influence. I use this hierarchical regression to test hypotheses 6 and 7, evaluating whether or not MEPs follow the Commission specifically when it is a credible mediator and when it signals the potential for delay. I also use this mixture modeling framework to quantify the extent of Commission influence and to test whether or not it better explains the data than pure spatial voting. Integrating over the latent mixture variable yields the following likelihood function,

$$\prod_{i=1}^n \prod_{j=1}^m \{ \pi [\beta_j(\mathbf{x}_i - \kappa_j) + \tau_j (a_j \cdot \delta_i^a - r_j \cdot \delta_i^r)] + (1 - \pi) \beta_j(\mathbf{x}_i - \kappa_j) \}, \quad (7)$$

where $\pi \in [0, 1]$ is the estimated population proportion of votes drawn from the Commission-influence model, and $1 - \pi$ is the proportion of votes in the population generated by pure spatial voting. In other words, π summarizes the relative explanatory power of the competing models (Imai & Tingley 2012).

Following norms in the EP literature (Hix, Noury & Roland 2006) I estimate a 2-dimensional version of the probability model described by equations 5 and 7, using a Bayesian approach. The supplementary appendix describes further details of the model and its estimation, including the sampling density, choice of prior distributions, sampling algorithm, and model fitting diagnostics.

3 Data

Using the Parliament’s online archive (European Parliament 2009), I collected vote data from the 6th EP, covering a period from the beginning of the term in July 2004 through May 2009. The Parliament voted 18,493 times over this period but only recorded 4086 of these votes. I included only votes on codecision amendments and votes regarding own-initiative reports and EP resolutions—both roll calls on amendments and final votes—in the dataset.¹¹ The Commission lodges opinions only on amendments to Union legislation. Therefore, the codecision amendments are “treated” observations, where Commission opinions have the potential to influence MEP voting, while the votes on the initiatives and non-legislative resolutions serve as a “control” group where Commission

¹¹I general, I dropped final codecision votes from the dataset because the Commission’s position towards such votes—while not officially specified—is a function of their positions on related amendments. Nonetheless, I included final votes when the Parliament voted on an unaltered Commission proposal as the Commission implicitly supported the text in question. I did not include votes on legislation considered under any other procedure, such as consultation, in the dataset.

opinions can play no role in MEPs' voting decisions.

I collected Commission opinions on codecision amendments from multiple sources. In many cases, the Commission's opinions on amendments are listed at the end of the transcripts of EP plenary debates; where possible I transcribed Commission opinions from this source. Additionally, I consulted PreLex (European Commission 2013), the EU's legislative database, and extracted Commission opinions on amendments from the documents describing the Commission's first and second-reading positions on EP's proposals. In many cases, I was able to obtain opinions from both sources. While discrepancies were extremely rare, I used the debate transcripts when the two sources disagreed, because debates clearly reflect the Commission's opinion prior to the Parliament's vote. When the debate transcript did not clearly indicate the Commission's attitude towards all of the Parliament's amendments, I relied on the positions published in PreLex. I dropped codecision votes for which I could not find opinion information from the dataset, leaving 540 codecision amendments and single votes available for analysis, along with 2879 initiative and resolutions in the "control group." I collected bill information—namely procedure—from the Parliament's Legislative Observatory (European Parliament 2013).

I gathered information about individual MEPs—their EP group and national party affiliations—from the EP's MEP database (European Parliament 2011), and retrieved data on MEPs' national parties—notably their participation in national government, measured as the proportion of EP votes in which a given MEP's national party was in government—from the *European Journal of Political Research's* yearly country reports. I measure the ideological positions of national parties, and parties' attitudes about the importance of the EU, using an expert survey conducted by Hooghe, Bakker, Brigevid, de Vries, Edwards, Marks, Rovny & Steenbergen (2010). The survey asked experts on European party systems to provide quantitative ratings of the ideological positions and priorities of European national parties in 2006, at the midpoint of the sixth EP term. Specifically, experts provided ratings of national party viewpoints on the role of government in the economy, their ideological stances on social issues and civil liberties, and their general positions on European integration. They also furnished a combined left-right rating and a measure of how much salience national parties placed on European integration in 2006. I used these party position data to estimate hierarchical priors for MEP ideal points, to test hypotheses 2, 3, and 4, and to compute the relative distance between the EP median, the party of the relevant Commissioner, and the pivotal party in

the Council, to operationalize hypothesis 6.¹²

4 Results

So, do MEPs alter their votes in a manner that varies systematically with Commission opinions, or is the correlation between Commission recommendations and voting outcomes simply an artifact of ideological congruence? To answer this question, I fit the mixture model to a dataset containing 540 votes for which commission opinions are available and a random sample of 540 of the 2879 roll calls on EP resolutions and own initiative reports.¹³ The estimated population proportion π ($\mu = 0.75$, $\sigma^2 = 0.01$, 95% highest posterior density (HPD) interval = (0.71, 0.77)) is strongly consistent with Commission influence. Indeed, the estimator finds that there is a 95 per cent posterior probability that between 71 and 77 per cent of the observed codecision votes reflect Commission-influence, rather than the pure spatial voting, model. If the correlation between Commission arguments and MEP voting behavior was driven purely by ideological similarity between Commissioners and MEPs, the standard spatial voting model would best explain every vote. Therefore, simple ideological congruence cannot explain this empirical regularity.

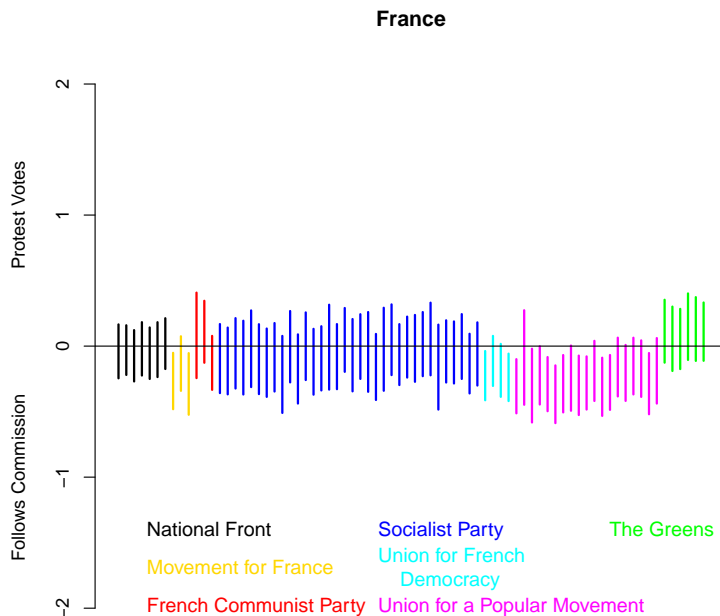
Indeed, MEPs change their voting behavior in a systematic fashion when the Commission lodges an opinion on an amendment. Notably, in light of Commission opinions, MEPs alter their voting behavior in a manner that is consistent with anticipation of potential bargaining delay. Figure 1 provides an illustrative example, highlighting the case of France. The figure presents 95% HPD intervals—essentially, a Bayesian version of 95% confidence intervals—around estimated $-\delta_i^r$ parameters for French MEPs.¹⁴ Lines that cross zero on the y-axis represent MEPs who do not alter their voting behavior when the Commission rejects an amendment, but rather vote based purely on their spatial preferences over outcomes. Lines that fall fully below zero correspond to legislators that follow Commission recommendations, voting against amendments more often than pure spatial voting would predict, when the Commission instructs them to do so. Similarly, lines that lay completely above zero represent protest voters, or MEPs that tend to disregard their own

¹²See the appendix for coding information and prior specification details.

¹³I restricted analysis to votes that were at least somewhat contested, in the sense that at least 25 MEPs voted for each alternative, losing 7 codecision votes in the process. Furthermore, I dropped MEPs who participated in less than 100 total votes from the analysis, leaving 805 of the 905 MEPs for whom at least one vote was recorded.

¹⁴I invert the δ_i^r estimates purely for presentational purposes.

Figure 1: Who follows the Commission? An Example.



preferences to support amendments that elicit Commission disapproval. As figure 1 highlights, MEPs who are likely to suffer when policy production bogs down, and who are open to compromise with the center-right Council—especially MEPs from the governing Union for a Popular Movement and other center-right parties like the Union for French Democracy and the Movement for France—are the legislators that heed Commission recommendations to reject. On the other hand, the center-left, but out-of-government Socialists, largely ignore Commission recommendations, voting only based on their preferences, as do fringe parties—like the Communists, Greens and National Front.

The pattern illustrated by France is a general one. Table 1 presents the estimated hierarchical prior coefficients (Λ_{δ}) for the Commission influence parameters. Each coefficient in this table captures the relative tendency of a MEP exhibiting a given characteristic to vote in favor of an amendment, net of her ideological predilections, after observing a Commission opinion. The first column provides estimates for how MEPs alter their behavior when the Commission supports an amendment, while the second column in table 1 represents MEPs’ extra-spatial voting behavior

Table 1: Who follows the Commission? General patterns.

	Opinion For (δ^a)	Opinion Against (δ^r)
Intercept	0.64 (0.12)*	0.06 (0.04)
In Government	0.03 (0.07)	-0.04 (0.02)*
EU Salience	0.09 (0.05)	-0.09 (0.02)*
Left-Right	-0.06 (0.02)*	-0.02 (0.01)*
Integration	0.18 (0.02)*	0.04 (0.01)*
Big 3	-0.51 (0.08)*	-0.14 (0.03)*

* 95% highest posterior density region excludes 0

Figure 2: Who follows the Commission? Followers and renegades.

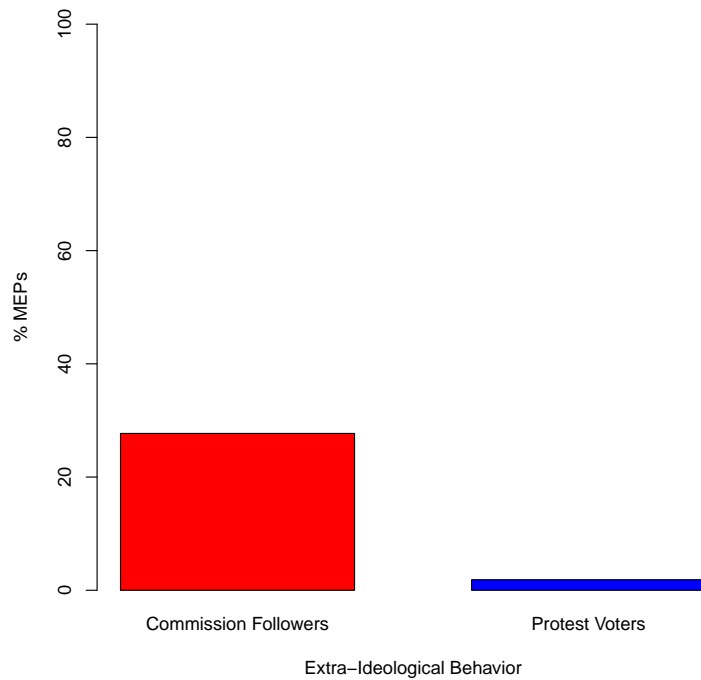


Table 2: When is the Commission Influential?

Intercept	1.22 (0.07)*
Distance Ratio	-0.24 (0.14)†
Acceptance	-1.19 (0.11)*

* 95% highest posterior density region excludes 0

† 90% highest posterior density region excludes 0

when the Commission rejects a proposal.¹⁵ Turning first to the second column in table 1, one can see that the model provides strong support for hypotheses 1–5, at least when the Commission renders negative opinions. MEPs hailing from parties in government are more likely to reject amendments that the Commission opposes, taking their ideological tendencies into account. Similarly, MEPs from parties that take the EU seriously follow Commission recommendations to reject at higher rates than their counterparts. Thus, MEPs who are likely to have a vested interest in policy production are the very legislators who respond to signals that imply that supporting a particular measure could hamper policymaking efficiency. As I hypothesized, MEPs that are best able to stomach compromise with the Council are more likely than other members to heed negative Commission opinions: both right-leaning and anti-integration MEPs follow such recommendations more often than other legislators. Additionally, MEPs from the big three groups seem more open to negative suggestions than other MEPs, as predicted by hypothesis 5.

Note further that the proportion of MEPs who react to Commission opinions is quite large. Figure 2 shows the proportion of MEPs who, after taking their ideological voting tendencies into account, follow Commission recommendations to reject amendments (those MEPs for which the 95% highest posterior density region around δ_i^r is less than 0) and the percentage of MEPs that engage in protest voting when the Commission rejects an amendment (those MEPs for which the 95% highest posterior density region around δ_i^r is greater than 0). As figure 2 illustrates, around 30% of MEPs alter their voting behavior, on average, to match Commission recommendations to reject, while only about 2% of MEPs actively change their voting behavior to distinguish themselves from the European bureaucracy, even at the cost of their own preferences over outcomes.

Turning to hypothesis 6 and 7, table 2 presents the estimates of the γ parameters described

¹⁵Note that I have transformed the coefficients in the second column—that is, multiplied them all by -1 —so that positive coefficients indicate increased support for amendments that the Commission dislikes.

by equation 6. I placed two covariates in each \mathbf{z}_j when estimating the model. Specifically, to test hypothesis 6, I used the Chapel Hill Survey (Hooghe et al. 2010) to calculate the ratio of the ideological distance between the party of the median MEP and that of the relevant Commissioner and the distance between the Commissioner’s party and the pivotal party on the council on each vote;¹⁶ larger ratios indicate that the Commission is closer to the Council than the median MEP. I included whether or not the Commission accepted the proposed amendment to test hypothesis 7. Table 2 shows that codecision votes are most likely to exhibit behavior consistent with Commission influence when the party of the median MEP is ideologically closer to the relevant Commissioner’s party than that party is to the pivotal party in the Council, and when the Commissioner rejects a proposed amendment. These findings are consistent with hypotheses 6 and 7, and show that the data support a mediation story. While resigned facilitation and policy leadership are likely to predict some of the tendency of MEPs to follow Commission recommendations, the negative coefficients in table 2 are consistent with the idea that a substantial portion of the Commission’s ability to influence MEPs through amendment recommendations stems from its role as a mediator.

5 Conclusion

This paper provides a window into the strategic behavior of MEPs, helping us to better understand how their institutional context—specifically the pressure of bicameral lawmaking—influences their voting behavior. I demonstrate that MEPs from governing parties, who prioritize Europe, and who are ideologically open to compromise with the Council, tailor their votes in a manner that is consistent with a concern for intercameral bargaining outcomes. The European Commission plays a key role in this process. The Commission is a policy leader that can use its wealth of expertise to guide MEPs in their voting choices. Furthermore, the empirical record is consistent with bureaucratic mediation. Indeed, MEPs make extra-ideological voting decisions that mirror Commission recommendations precisely when the Commission is best positioned to act as a trustworthy mediator. Therefore, the Commission has the potential to leverage private information in two contexts; it can exploit both principal-agent and principal-mediator-principal relationships.

Facing this information gap, MEPs cede some power over, and responsibility for, European

¹⁶See the supplemental appendix for coding details.

policy outcomes to the Commission. Thus, while bureaucratic mediation may sometimes enhance legislative efficiency, it comes at a potential representational cost. While the Commission no longer holds strong formal powers over the majority of EU legislation (Crombez 1997, Crombez 2001, Crombez, Groseclose & Krehbiel 2006), I show that it can influence legislative behavior, and therefore policy, merely through careful use of its privileged access to information. Therefore, as others have argued (Rasmussen 2003), the Commission maintains an important role in a procedure in which the formal rules render it “irrelevant” (Crombez 2001, pp. 101). In recent Treaty revisions, the Union has moved the bulk of its lawmaking to codecision, a procedure that formally favors elected officials—namely MEPs and nationally elected cabinet ministers in the Council—over political appointees and career bureaucrats—Commissioners and their staffs—in a bid to increase the democratic accountability of European institutions. To the extent that MEPs use Commission suggestions as an informational crutch, their behavior may undermine this push towards heightened legislative accountability, exacerbating the Union’s perceived “democratic deficit.” And, ironically, parties that take the EU seriously may actually provide less direct accountability to voters than Euroskeptic parties, precisely because their interest in European policy-making encourages their members to defer to the Commission. More generally, the Commission’s ability to leverage its access to information highlights an important advantage—information garnered through the control of ministries and through multiple points of contact with legislating institutions—available to many executive branches of government. Indeed, because the Commission looks a lot like a parliamentary government, but has a composition that is not a function of the seats in the Parliament, and has no recourse to such institutional devices as votes of confidence,¹⁷ the EU provides an excellent laboratory within which to examine the role that informational advantages play in allowing governments to influence legislators’ voting decisions.

The findings demonstrate the importance of considering the wider inter-institutional bargaining environment when studying the voting behavior of legislators. Many MEPs approach legislation that requires compromise with the Council differently from intra-parliamentary resolutions and initiatives. Thus, the mechanisms that drive voting behavior differ depending on the institutional context. Similarly, MEP behavior reflects both political and technocratic considerations. Legislators are not simply politicians. Rather, many are also policy-makers who spend a substantial

¹⁷Although the Parliament invests the Commission and can remove it from office with a supermajority vote.

portion of their time dealing with the technical aspects of lawmaking. And, as I have argued, the demands placed on legislators by their parties and constituents modulate their relative appetite for ideology and the daily legislative grind. Ignoring the shades of gray, some MEPs make points, others make policy. Standard techniques for modeling legislative voting, such as common ideal point estimation models, treat all parliaments, and all legislators, equally. This will often provide us with an inaccurate picture of what drives legislative behavior; we can improve our comparative understanding of lawmaking by taking key underlying determinants of vote choice—such as the need to strike intercameral bargains—into account. More generally, the results emphasize the need to separate ideology from strategy in empirical models of legislative voting (Clinton & Meirowitz 2003, Clinton 2007, Hirsch 2011, Stiglitz & Weingast 2011), both to improve theoretical clarity, and, when measurement is the main focus, to avoid lumping a motley host of motivations into estimated ideal points.

Finally, the techniques that I introduce in this paper may travel to a variety of other contexts. My estimation strategy, which is firmly grounded in an explicit model of legislator utility, allows analysts to identify both those legislators that are most susceptible to a given external influence and the circumstances under which legislators find external actors influential. Similar models may help us to explain when Presidential veto threats influence Congressional voting in the US, or provide a new way to model the role that pressure groups, or party leaders, play in swaying lawmakers' votes.

References

- Adler, E. Scott & John D. Wilkerson. 2012. *Congress and the Politics of Problem Solving*. Cambridge: Cambridge University Press.
- Alt, James E & Robert C Lowry. 1994. "Divided Government, Fiscal Institutions, and Budget Deficits: Evidence from the States." *American Political Science Review* 88(4):811–828.
- Bafumi, Joseph, Andrew Gelman, David K. Park & Noah Kaplan. 2005. "Practical Issues in Implementing and Understanding Bayesian Ideal Point Estimation." *Political Analysis* 13(2):171–

187.

URL: <http://pan.oupjournals.org/cgi/doi/10.1093/pan/mpi010>

Binder, Sarah A. 1999. "The Dynamics of Legislative Gridlock, 1947-96." *American Political Science Review* 93(3):519-533.

URL: <http://www.jstor.org/stable/2585572>

Brehm, John & Scott Gates. 1997. *Working, Shirking, and Sabotage: Bureaucratic Response to a Democratic Public*. Ann Arbor: The University of Michigan Press.

Bullock, W., K. Imai & J. N. Shapiro. 2011. "Statistical Analysis of Endorsement Experiments: Measuring Support for Militant Groups in Pakistan." *Political Analysis* 19(4):363-384.

URL: <http://pan.oxfordjournals.org/cgi/doi/10.1093/pan/mpr031>

Cini, Michelle. 1996. *The European Commission: Leadership, Organization, and Culture in the EU Administration*. Manchester: Manchester University Press.

Clinton, Joshua D. 2007. "Lawmaking and Roll Calls." *The Journal of Politics* 69(02):455-467.

Clinton, Joshua D. & Adam Meirowitz. 2003. "Integrating Voting Theory and Roll Call Analysis: A Framework." *Political Analysis* 11(3):381-396.

Clinton, Joshua D, Kosuke Imai & Daniel Pemstein. 2011. Measuring Party Influence on Legislative Agendas with "Noisy" Data: The Case of the U.S. House, 1789-2010. In *Midwest Political Science Association Annual Meeting*. Chicago: .

Clinton, Joshua D., Simon Jackman & Douglas Rivers. 2004. "The statistical analysis of roll call data." *American Political Science Review* 98(02):355-370.

URL: http://journals.cambridge.org/abstract_S0003055404001194

Corbett, Richard, Francis Jacobs & Michael Shackleton. 2003. *The European Parliament*. 5th ed. London: Harper.

Crombez, Christophe. 1997. "The co-decision procedure in the European Union." *Legislative Studies Quarterly* 22(1):97-119.

URL: <http://www.jstor.org/stable/440293>

- Crombez, Christophe, Tim Groseclose & Keith Krehbiel. 2006. "Gatekeeping." *The Journal of Politics* 68(2):322–334.
- Crombez, Cristophe. 2001. The Treay of Amsterdam and the Co-decision Procedure. In *The Rules of Integration: Institutional Approaches to the Study of Europe*, ed. Gerald Schneider & Mark Aspinwall. Manchester: Manchester University Press pp. 101–122.
- European Commission. 2013. "PreLex: Monitoring of the Decision-Making Process Between Institutions." <http://ec.europa.eu/prelex/apcnet.cfm?CL=en> (last accessed July 2013).
- European Parliament. 2009. "The Archives of the Activities: Parliamentary Business." <http://www.europarl.europa.eu/activities/archives.do?language=EN> (last accessed June 2009).
- European Parliament. 2011. "Your MEPs." <http://www.europarl.europa.eu/members/archive.do> (last accessed November 2011).
- European Parliament. 2013. "Legislative Observatory of the European Parliament." <http://www.europarl.europa.eu/oel/home/home.do> (last accessed July 2013).
- Faas, Thorsten. 2003. "To Defect or not to Defect? National, Institutional and Party Group Pressures on MEPs and their Consequences for Party Group Cohesion in the European Parliament." *European Journal of Political Research* 42(841–866).
- Farrell, Henry & Adrienne Heritier. 2004. "Interorganizational Negotiation and Intraorganizational Power in Shared Decision Making: Early Agreements Under Codecision and Their Impact on the European Parliament and Council." *Comparative Political Studies* 37(10):1184–1212.
URL: <http://cps.sagepub.com/cgi/doi/10.1177/0010414004269833>
- Fukumoto, Kentaro. 2009. A Game Theoretic Model of Bicameral Conference and Amendment. In *Legislative Elections, Process, and Policy: The Influence of Bicameralism*. Nashville: Vanderbilt University.
- Hall, Richard L. 1992. "Measuring Legislative Influence." *Legislative Studies Quarterly* 17(2):205.
URL: <http://www.jstor.org/stable/440058?origin=crossref>

- Hawkins, Darren G, David A Lake, Daniel L Nielson & Michael J Tierney, eds. 2006. *Delegation and Agency in International Organizations*. Cambridge: Cambridge University Press.
- Heller, William B. 2007. "Divided Politics: Bicameralism, Parties, and Policy in Democratic Legislatures." *Annual Review of Political Science* 10(1):245–269.
URL: <http://arjournals.annualreviews.org/doi/abs/10.1146/annurev.polisci.10.071105.112758>
- Hiroi, Taeko. 2008. "The Dynamics of Lawmaking in a Bicameral Legislature." *Comparative Political Studies* 41(12):1583–1606.
URL: <http://cps.sagepub.com/content/41/12/1583.short>
- Hirsch, Alexander V. 2011. "Theory Driven Bias in Ideal Point Estimates - A Monte Carlo Study." *Political Analysis* 19(1):87–102.
- Hix, Simon. 2002. "Parliamentary Behavior with Two Principals: Preferences, Parties, and Voting in the European Parliament." *American Journal of Political Science* 46(3):688–698.
- Hix, Simon. 2004. "Electoral Institutions and Legislative Behavior: Explaining Voting Defection in the European Parliament." *World Politics* 56(2):194–223.
- Hix, Simon, Abdul G. Noury & Gerard Roland. 2006. "Dimensions of Politics in the European Parliament." *American Journal of Political Science* 50(2):494–511.
- Hix, Simon, Abdul G. Noury & Gerard Roland. 2007. *Democratic Politics in the European Union*. Cambridge: Cambridge University Press.
- Hobolt, Sara B. 2007. "Taking Cues on Europe? Voter competence and party endorsements in referendums on European integration." *European Journal of Political Research* 46(2):151–182.
URL: <http://doi.wiley.com/10.1111/j.1475-6765.2006.00688.x>
- Hooghe, Lisbet, Ryan Bakker, Anna Brigevich, Catherine de Vries, Erica Edwards, Gary Marks, Jan Rovny & Marco Steenbergen. 2010. "Reliability and Validity of Measuring Party Positions: The Chapel Hill Expert Surveys of 2002 and 2006." *European Journal of Political Research* 49(5):687–703.

- Høyland, Bjørn. 2005. "Cheap talk and Bicameral Bargaining in the European Union." Unpublished Manuscript.
- Hoyland, Bjorn. 2006. "Allocation of Codecisiion Reports in the Fifth European Parliament." *European Union Politics* 7(1):30–50.
- Høyland, Bjørn. 2010. "Procedural and party effects in European Parliament roll-call votes." *European Union Politics* 11(4):597–613.
URL: <http://eup.sagepub.com/cgi/doi/10.1177/1465116510379925>
- Imai, Kosuke & Dustin Tingley. 2012. "A Statistical Method for Empirical Testing of Competing Theories." *American Journal of Political Science* 56(1):218–236.
- Kasack, Christiane. 2004. "The Legislative Impact of the European Parliament Under the Revised Co-Decision Procedure: Environmental, Public Health and Consumer Protection Policies." *European Union Politics* 5(2):241–260.
URL: <http://eup.sagepub.com/cgi/doi/10.1177/1465116504038138>
- Krehbiel, Keith. 1993. "Where's the Party?" *British Journal of Political Science* 23:235–266.
- Kreppel, Amie. 2002. *The European Parliament and the Supranational Party System*. Cambridge: Cambridge University Press.
- Meserve, Stephen a., Daniel Pemstein & William T. Bernhard. 2009. "Political Ambition and Legislative Behavior in the European Parliament." *The Journal of Politics* 71(03):1015–1032.
URL: http://www.journals.cambridge.org/abstract_S0022381609090859
- Moravcsik, Andrew. 1998. *The Choice for Europe*. Ithaca: Cornell University Press.
- Muthoo, Abhinay. 1999. *Bargaining Theory with Applications*. Cambridge: Cambridge University Press.
- Nugent, Neil. 2001. *The European Commission*. New York: Palgrave.
- Poole, Keith T. 2005. *Spatial Models of Parliamentary Voting*. Cambridge: Cambridge University Press.

- Poole, Keith T & Howard Rosenthal. 1985. "A Spatial Model for Legislative Roll-Call Analysis." *American Journal of Political Science* 29(2):357–384.
- Rasmussen, Anne. 2003. "The Role of the European Commission in Co-decision: A Strategic Facilitator Operating in a Situation of Structural Disadvantage." *European Integration online Papers (EIoP)*, 7(10).
URL: <http://eiop.or.at/eiop/texte/2003-010a.htm>
- Ringe, Nils. 2010. *Who Decides, and How? Preferences, Uncertainty, and Policy Choice in the European Parliament*. Oxford: Oxford University Press.
- Schelling, Thomas C. 1960. *The Strategy of Conflict*. Cambridge: Harvard University Press.
- Stiglitz, Edward H. & Barry R. Weingast. 2011. Endogenous Bias in Ideal Point Estimates. In *American Political Science Association Annual Conference*.
- Thomson, Robert & Madeleine Hosli. 2006. "Who Has Power in the EU? The Commission, Council and Parliament in Legislative Decision-making*." *JCMS: Journal of Common Market Studies* 44(2):391–417.
URL: <http://doi.wiley.com/10.1111/j.1468-5965.2006.00628.x>
- Tsebelis, George, C.B. Jensen, Anastassios Kalandrakis & Amie Kreppel. 2001. "Legislative procedures in the European Union: An empirical analysis." *British Journal of Political Science* 31(04):573–599.
- Tsebelis, George & Jeannette Money. 1997. *Bicameralism*. Cambridge: Cambridge University Press.