

# The Dynamics of Public Opinion towards Aznar's and Zapatero's Foreign Policy:

*the European Constitution and the War of Iraq*

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towards Aznar's and Zapatero's  
Foreign Policy:

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IV

# Abstract

This thesis aims to shed light to what extent, Aznar's and Zapatero's foreign policy decisions: the rejection and approval of the European Constitution and the invasion and the removal of the troops from Iraq, were taken in light of the Spanish public opinion. The objective is to answer the following research question: how José Maria Aznar overcame domestic opposition to implement unpopular policies and how José Luis Rodriguez Zapatero managed to exploit supportive public opinion to implement his chosen foreign policy?

Based on public opinion surveys, interviews and document data I conclude that Spanish policy making is a result of both bottom up processes wherein leaders are responsive to public opinion; and of bottom down process wherein leaders ignore public opinion; as well as a process in which leaders managed to manipulate the public opinion to ensure that policies that they supported were pursued. This relation between policy makers and public opinion is provided by both the type of the policy and the two-level game strategies.

# Abbreviations

<b>BNG</b>	Bloque Nacionalista Galego (Galician Nationalist Bloc- Party)
<b>BRIE</b>	Survey from Real Instituto Elcano from Spain
<b>CC</b>	Coalición Canaria (Canarian Coalition-Party)
<b>CIS</b>	Centro de Investigaciones Sociológicas (Sociological Research Center)
<b>CiU</b>	Convergència i Unió Party (Convergence and Union from Catalonia)
<b>CHA</b>	Chunta Aragonesista (Aragonese Union)
<b>CSDP</b>	Common Security and Defence Policy
<b>ERC</b>	Esquerra Republicana de Catalunya (Republican Left of Catalonia)
<b>EA</b>	Eusko Alkartasuna Party (Basque Solidarity)
<b>EU</b>	European Union
<b>ETA</b>	Euskadi Ta Askatasuna (Basque Homeland and Freedom)
<b>ESDP</b>	European Security and Defence Policy
<b>ICV</b>	Iniciativa per Catalunya Verds (Initiative for Catalonia Greens - Party)
<b>IU</b>	Izquierda Unida (United Left –Party)
<b>NATO</b>	North Atlantic Treaty Organization
<b>PA</b>	Partido Andalucista (Andalusian Party)

<b>PNV</b>	Partido Nacionalista Vasco (Basque Nationalist Party)
<b>PP</b>	Partido Popular (Popular Party)
<b>PSOE</b>	Partido Socialista Obrero de España (Socialist Party)
<b>UNSC/ SC</b>	United Nations Security Council
<b>U.S.</b>	United States of America

# Foreword

I would like to thank, Arild Underdal, my supervisor at the University of Oslo for the support he gave me as well as his great talent and knowledge.

A special gratitude to my parents, Elisa and Ivan, who believed in me and encouraged me to start and finish my thesis.

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*María Daniela Fortin Arias, Oslo*



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# 1 INTRODUCTION

## 1.1 A general presentation

There is no denying that today foreign policy is becoming similar to domestic politics in many states because of the public's influence on the choices elites make (Nincic, 1992; Goldmann, 1985; Shapiro and Page, 1983). This thesis tries to explore and understand whether public opinion played a significant role in determining the important issues of contention in Spain and whether or not it influenced Spanish Prime Ministers, José Maria Aznar and José Luis Rodríguez Zapatero to distance themselves from their predecessor's foreign policy and discourse. My thesis will be focused primarily on policy regarding the European Union (EU) and security and defense policy. Two different types of foreign policies are analyzed and compared during two different political periods: the Spanish participation in the invasion of Iraq and the rejection of the Constitution of the European Union during the Popular Party's (PP) administration; contrasted with the withdrawal of the troops from the Iraq conflict and the approval of the Constitutional of the EU under the Socialist Party Government (PSOE).

This thesis assumes that public opinion may adopt different forms of behavior and attitudes towards a policy and those leaders may be constrained or empowered by the majority. **The general objective of this thesis is to determine whether, and to what extent, Aznar's and Zapatero's foreign policy decisions regarding the cases aforementioned were taken in light of the Spanish public opinion.**

## 1.2 The research question and general objectives

In the late 1970's after almost forty years of authoritarian rule, Spain had a political opening and strong desires to enter multilateral organizations such as the European Union (at that time the Common European Market) and the North Atlantic

Treaty Organization<sup>1</sup> (NATO). From the beginning of the transition, (as stated by Puente, 2003: 316) the Spanish democratic process was closely linked to the country's entry into both institutions. In 1986 Spain became an EU member and since the mid-1990s their national military forces have increasingly contributed not only in most of NATO operations, but also in United Nations and Common Security and Defense Policy (CSDP) missions.

In this respect, Spanish foreign policy was characterized and defined by the necessity to engage in multilateral organizations and thus to overcome the isolationism inherited from Franco, “placing Spain again in History” (Marín, 2003: 109). However, and despite the fact that the principles on which Spanish foreign policy was based during the transition were predominantly rooted in European principles, PP's government (1996-2004) surprisingly moved away from this tradition; principally in two fronts:

The first was the decision to involve Spain in the US-lead Iraq War as opposed to trying to develop an alternative option through the EU's Common Foreign and Security Policy (CSDP) framework. Secondly, the PP opposed the EU Draft Constitution provision concerning the voting system in the Council of Ministers, ultimately resulting in the Constitutional debacle in the Intergovernmental Conference (IGC) in Rome on December 2003” (Chari and Gwiazda, 2005: 4).

When the PSOE came into power they had a radically different foreign policy in opposition to PP's proposals. The PSOE government attempted to resume the foreign policy of PP's predecessors. Firstly, Zapatero made the decision to withdraw Spanish troops from Iraq damaging relations with the U.S but progressing relations with the European Union, which had opposed to the invasion. Secondly, Spain's approval of the European Constitution was also considered a way to recover the pro-European consensus. As noted, “there was a change of vision, perception and action in foreign and security policy” (Barbé, 2006). Furthermore, it is also clear that the PP and

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<sup>1</sup> Spain officially became part of NATO during the spring of 1982, and while in the beginning public opinion was slightly reluctant, today the majority approves of Spain's membership in the Alliance. One of the reasons for its approval is it is considered not only an American but mainly a European Multilateral Organization. According to Guillermo Puente (2003), Spain's entry into NATO was precisely because it was considered a required step to the accession into the European Common Market.

the PSOE were involved in opposed and incompatible discourses: while on the one hand Aznar seemed to consider Spain's history much closer to an Atlantic and Anglo-Saxon tradition, Zapatero on the other hand preferred to develop closer relations with European countries.

Overall, both Aznar and Zapatero's governments had very different objectives and ways to achieve them (Shagún, 2004: 265). *How can this divergence in foreign and security policy position between the two Prime Ministers be understood?*

In view of the fact that Spanish citizens were strongly against many of Aznar's foreign policy decisions and supported Zapatero's approach to a more conciliatory and compromising policy, the factor explaining the drastic change in foreign policy can be attributed to public opinion.. However, even though outcomes in foreign policy can often be attributable to the preferences of the majority, Chari and Gwiazda (2005: 2) have argued that many times international policies may be a result of numerous and diverging domestic actor-based pressures and incentives on which a government depends for political support. These include: those in power, the party in government, preferences of domestic interest groups that lean on the government and bureaucracies or personal.

According to Robert Putnam, governments select policies from a range of feasible options, not only due to domestic actors' preferences but also because of international negotiators' motivations. State leaders find themselves in a very complicated situation in which they should try to formulate and implement foreign policies that balance preferences, power and negotiation strategies of domestic players and other governments. The point of departure stems from the supposition that a leader who fails to satisfy both players risks being evicted from his seat (Putnam, 1988:434).

Putnam conceptualized this hypothesis for domestic and international interactions as a two-level game. He maintained that foreign policy making has to be understood as taking place on two levels: Level I, the international level; and Level II, the domestic. The author adds that governments and their representatives when trying to manipulate and frame domestic and international pressures make use of different

strategies in both levels to convince their constituency and the opposing negotiators that their course of action is the best and only possible solution.

Taking for granted that governments select certain foreign policy options from a wide range of possibilities that are dependent on the restraints and preferences of national and international actors, the purpose of my research is to answer the following research question: **How José Maria Aznar overcame domestic opposition to implement unpopular policies and how José Luis Rodriguez Zapatero managed to exploit supportive public opinion to implement his chosen foreign policy? In other words, how far do two-level games go towards describing and explaining on the one hand the rejection and approval of the European Constitution and on the other the invasion and the removal of the troops from Iraq?**

### **1.3 The selection of the (two different) study cases**

The selection of the two different types of foreign policy options analyzed in this thesis has several different motivations.

Firstly, the Iraq invasion was a significant policy decision largely followed in Spain and which set a precedent for fighting rouge states in anticipatory self-defense. The European Constitution on the other hand it was a milestone in the history of the European Union, so it is important to study the consequences the constitution had on Spain.

Secondly, it is surprising how Spanish leaders have managed, in general, to ignore majority opinion and large demonstrations against different economic and social issues, especially with today's on-going economic crisis. Therefore, it would be interesting to provide evidence as to the role of public opinion in foreign policy decision making.

Thirdly, the reason why I ended up writing about two very different policies is because it enriches my research by adding one more variable to the study: namely the type of policy. It leads to an interesting discussion on how the foreign policy making process is done in contemporary democracies.



## **1.4 Specific objectives**

The rationale of the hypothesis (Goldman, 1986) is that democracies cannot function in a fully democratic manner when foreign policy is concerned. Mainly because it is characterized by secrecy, control of information and also due to the fact that foreign policy questions are too central to the survival of the state to be left to the same interplay of forces as domestic policies. However, while today's national interests are not the traditional ones anymore, this thesis has been somewhat diluted. According to Goldmann, the level of public involvement varies depending on the type of the policy and whether it is a diplomatic security policy, defense policy, foreign economic policy or an internationalist policy.

The specific objectives of this thesis are, one, to describe and analyze in detail the two foreign policies: the invasion and withdrawal from Iraq, characterized as a defense policy, and the European Constitution, defined as an internationalist policy; two, to establish a relationship between leaders playing a two-level game and the effect of democracy on the chosen policy outcomes.

## **1.5 The research**

The analysis begins in chapter two by reviewing the literature on two-level games and the rationale of the hypothesis related to foreign policy. The third chapter addresses the methodological problem and the use of existing research. In chapters four and five I give a historical introduction as well as a characterization of public opinion and the leaders' discourses. In chapter six I analyze both cases in light of Kjell Goldmann's and Putman's theory. Chapter seven then concludes this thesis and reiterates my findings.

## 2 THEORY

### 2.1 Introduction

Theoretical approaches explaining the decision-making process in foreign policy have historically dealt with different and –sometimes- opposing points of view. Even though the premise that public opinion affects foreign policy is now widely accepted among political scientists, some scholars have questioned the plausibility of such influence, especially in the security domain. This chapter compares the different schools and their views on public opinion's influence on foreign political processes: Realist versus Liberalist. I introduce this discussion because the main objective of this thesis is to determine to what extent the majority may affect policy making.

The strongest argument against public opinion's influence on foreign policy-making has been the argument that international politics is inherently incompatible with Democracy, when defined as citizens' right to have their opinion heard (Goldmann, 1986). Kjell Goldmann however, has reconsidered such hypothesis claiming that foreign policy decisions are concerned with democratic issues depending on the type and substance of the decision. On the one hand, Goldmann's description and differentiation of the different types of foreign policy helps to describe and analyze in detail the two foreign policies and to answer: how could the nature of the policy be affecting the policy making and what is the determining factor with regard to potential actors? This research also allows us to examine the relationship between leaders' justifications to avoid domestic opposition and to exploit supportive public opinion and the democratic support of policies.

Robert Putnam's two-level game theory is very useful in identifying key dimensions that could help explain how public opinion is considered as a determinant of foreign policy.

## 2.2 Public Opinion and foreign policy

According to Shamir (2000), public opinion has: an evaluative component, a normative component, a prospective informational component, and an expressive behavioral element. The evaluative dimension of public opinion consists of the aggregate distributions of personal attitudes, which have become the dominant wishes of public opinion, commonly determined by opinion polls. The normative facet is often described as the majority opinion that can apply social sanctions. The prospective informational facet represents the public's aggregate foresight and expresses the basic human need to form a valid view of reality. The fourth element of public opinion is its behavioral facet.

Public opinion in this thesis is defined in an evaluative and behavioral aspect. It is described as the collection of views and attitudes towards a determined policy, which is at the same time, the dominant opinion of society regarding a specific policy. Public opinion can influence judgment in that political action and can be able or unable to influence or affect policy makers' decisions.

While there might be a disagreement on the degree of the impact of public opinion on internal or domestic policy, there is a general consensus that public opinion influences national leaders. Nevertheless, when it comes to foreign policy this assumption has been questioned. It has been argued by realists that the public has no meaningful opinion or any organized interest in foreign policy.

The realist school's argument is that state behavior is examined from the perspective of external rather than internal forces to the state (White, 1989: 11.); therefore public opinion as a domestic factor would not compel states or their strategic decisions. Arguments in support of the realist view can be found in many influential authors like Walter Lipmann, Hans Morgenthau, John J. Mearshmeier, and Gabriel Almond, among many others.

According to Lippmann (1955: 20), mass opinion is volatile, lacks in structure, is incoherent, and has unfortunately compelled governments to act in ways that were not in the states' best interests, even when the state usually knew what would have

been wiser, or that it was necessary to act in another way for an optimal outcome. Consequently, in the author's view public opinion should be considered a dangerous and irrational force that should be limited. In addition, the mood theory of Gabriel Almond maintains that public opinion is indifferent to foreign policy and responds only to immediate threats; it constitutes a mood, a superficial and fluctuating response (Shapiro and Page, 1988: 212) which "has a highly irrational effect (since) often the public is apathetic when it should be concerned and panicky when it should be calm" (Almond, 1956: 372-376).

Morgenthau, in a similar pessimistic vein, mentions that "the rational requirements of good foreign policy cannot from the outset count upon the support of a public opinion whose preferences are emotional rather than rational" (Holsti, 2000: 120). Going further, Mearsheimer observes that public opinion on national security issues is "notoriously fickle and responsive to elite manipulation and world events" (Foyle, 1983: 5). Rodger A. Payne also comments that "foreign policy elites can simply and cynically manipulate rhetoric to assure wider support for their desired policies" (Payne, 2007: 505). Briefly, these authors conclude that elites should either ignore public opinion or persuade them to support their chosen policy.

In contrast to realists, liberals argue that public opinion is coherent, structured, stable and rational. Even though there might be a disagreement in the extent and degree that public opinion shapes policy decision, there has been a consensus in that political elites respond to public opinion when making foreign policy decisions. Bruce Russett (1990: 110) observed that public opinion has an effect on international policy mostly by "identifying a range of policies in which decision makers can choose, and in which they must choose if they are not to face rejection in the voting booths". In a similar line of work, Thomas Risse-Kappen (1991: 510) found that public opinion in most cases sets broad and unspecified limits to the foreign policy choices. According to Benjamin Page and Robert Shapiro (1983: 189) "public opinion, whatever its sources and quality, is a factor that genuinely affects government policies". The channels, argues Gabel (1998: 333), through which the public influences politics are mainly lobbying, public protests and elections.

The aforementioned perspectives have transformed members of the general public from passive and largely voiceless spectators to important actors in world politics. However, even though the liberal approach recognizes that public opinion could be a significant factor in foreign policy making, several relevant questions to this thesis remain unanswered. Given that this study concentrates on two different cases of foreign policy decision making, it is crucial to ask whether public opinion in the process of policy making concerns leaders in the same way in both cases. An explanation of Kjell Goldmann's main arguments will allow us to answer how the nature of the policy could also be affecting the policy making and to determine whether there is any relation between leaders playing a two-level game and the democratic level of the policies. On the other hand, two-level game theory will help to determine if the majority has an impact on leaders and if they are paying attention to it or ignoring it. The logic of two-level games proposed by Robert Putnam is considered in the next section.

## **2.3 A reconsideration of the incompatible hypothesis**

According to the incompatible hypothesis, foreign policy is made in a special way that is different from domestic policy, which is democratically constructed. According to Goldmann (1986), various ideas have been put forward about the relation between democracy and international politics, and why they cannot function together. These can be summarized in three basic principles of political action.

The first idea underlying the incompatibility hypothesis can be called the principle of *bargaining with outsiders*. Consistent with this principle, the necessity of bargaining makes it inevitable that it is left to professionals, to those who know the adversary and how to bargain. Therefore, the most obvious implication of the bargaining principle is that foreign policies are made in secrecy, insulating the procedure and administration from outside scrutiny (Goldmann, 1986: 5-6). The second argument is the principle of *the supreme interest*, which refers to the notion that the supreme common interest is at stake in foreign policy; hence, citizens should

not afford to debate freely and openly about such matters. The third principle is *remoteness*, and concerns that “foreign policies deal with matters that may ultimately affect the individual citizen far more than domestic issues” (Goldmann, 1986: 7-8).

The three principles mentioned here will allow us to specifically answer how the nature of the policy is affecting the policy making and which is the determining actor-based factor. The principle of bargaining will determine the room for the citizenry to give an opinion, the supreme interest if the policy is important for leaders and the principle of remoteness whether policy is important for the public.

Putting together the principles, foreign policy making runs against democracy and what Goldmann (1986: 17-24) considered being the three main characteristics of an idealized model of democratic policy: *access to information*, *participation* and *representation*. The latter, “usually thought to imply that some link ought to exist between the preferences of the public and the decision of their representatives” (Goldmann, 1986: 17). Goldmann also argued that low representation on an issue, may reflect the preferences of voters (*idem*). Participation is limited in the various stages of policy making because of potential interference from groups such as bureaucracies, interest organization pressures, elections, etc. Regarding information, an ideal democratic policy would be one where everybody would have correct and complete knowledge.

Kjell Goldmann has raised an objection to this, proposing a less rigid theory that depends on the type of foreign policy. Whereas in the incompatibility theory policy making with regard to domestic issues often approaches a democratic ideal it rarely does in the case of foreign policy. According to Goldmann the level of democracy and public involvement would vary according to whether the policy is a diplomatic security policy, defense policy, foreign economic policy or an internationalist policy. My research examines both defense and internationalist policies.

Defense policy is traditionally regarded as the chief task of the Ministry of Defense and the internationalist policy will be used to denote “such international

politics that tend to improve conditions generally by the application of norms thought to be universally valid rather than to further one's own immediate national interests" (Goldmann, 1986: 28).

The ambiguity of the incompatibility hypothesis (table 2.1.) suggests that the three principles that justify the incompatibility appear to be valid only in the case of diplomatic security policy (Goldmann, 1986: 29). Defense policy on the contrary, seems to be a concern of ordinary people. "Internationalism on the other hand, suggests the possibility of policy making under conditions of bargaining and remoteness about interests that are less supreme in the traditional sense" (Goldmann, 1986: 30).

Concerning the three democratic characteristics (table 2.2), policy making follows the incompatibility hypothesis only in the case of diplomatic security policy. First, with respect to defense policy, voters and parties are active in the making of the policy; hence, defense policy seems to be similar to the domestic policy. Second regarding the level of participation, decisions are limited to a few top politicians acting in conjunction with the bureaucracy (except during a crisis). Finally, the information the public holds is incomplete. Internationalist policies, on the other hand, combine three features in a useful way: "that have ideological overtones, there are no well-organized domestic interest with which one must bargain; and they are unimportant in the sense that one's impact on developments is likely to be small" (Goldman, 1986: 34). It is important to keep this differentiation in mind to verify whether Goldmann's theory is fulfilled.

**Table 2.1:** The relevance of the three principles for different types of political issues

	<i>Bargaining</i>	<i>Supreme interest</i>	<i>Remoteness</i>
<b>Diplomatic security policy</b>	yes	yes	yes
<b>Defense policy</b>	yes	yes	no
<b>Foreign economic policy</b>	yes	no	no
<b>Internationalist policy</b>	yes	no	yes
<b>Domestic policy</b>	no	no	no

Source: (Goldmann, 1986; 29)

**Table 2.2:** Representation, participation and information for different types of issues: summary of the hypothesis

	<i>Domestic Policy</i>	<i>International Policy</i>			
		<b>Diplomatic security policy</b>	<b>Defense policy</b>	<b>Foreign economic policy</b>	<b>Internationalist policy</b>
<b>Representation</b>	well <sup>2</sup> functioning	malfunctions but consensus	relatively well functioning	relatively well-functioning	malfunctions, no consensus
<b>Participation</b>	tripartite	primarily bureaucratic	primarily bureaucratic in crisis, moderately tripartite in non-crisis	tripartite	bureaucratic, political, or ad hoc
<b>Information</b>	rich and varied	poor and biased	incomplete	relatively rich and varied	relatively rich and varied

Source: (Goldmann, 1986; 32)

<sup>2</sup> Well functioning means: the voters form opinions on some issues; the candidates provide a significant number of votes for a program that is reasonably similar to the public’s views on issues that are important to them; information is available to the voters; the representatives once elected, act in accordance with their stated objectives; and the voters monitor their representatives.



In summary, foreign policy could be made in the same way as domestic policies depending on the type of the international policies. In Defense policy, for example, the public is able to form an opinion and the leaders to provide a significant number of votes for a program that is reasonably similar to the public's wishes. However, with regard to an internationalist policy the leaders most likely would not follow the majority's preferences.

Connecting the two-level game theory with what Goldmann has defined to be the main three characteristics of democracy we will be able to determine when a policy is democratic, seems to be democratic or is autocratic.

## 2.4 The Two-level Game Theory

“From the perspective of the two-level framework the process of many international negotiations as well as most of foreign policy decision-making is a function of incentives and constraints both on the international (level I) and on the domestic level” (Level II). According to Putman (1988: 32), because central decision makers disagree about what the national interest is on nearly all important issues and what the international context demands, governments work as gatekeepers between these two levels try to “balance potentially conflicting international and domestic pressures”, and to “formulate and implement foreign policies that satisfy both” (Bosold & Opermann, 2006: 3). At the national level domestic groups<sup>3</sup> pursue their interests by pressuring the government to adopt favorable policies to them. At the international “governments seek to maximize their degrees of freedom, to satisfy domestic pressures and to limit the harmful impact of foreign developments” (Shamir & Shikaki, 2005: 311-312).

Putman's hypothesis argues the supposition that politicians or any leader who fails to satisfy his fellow players risks being evicted from his seat (Putman, 1988:434). Putman has proposed that these domestic constrains on negotiators are captured by the concept of win-set.

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<sup>3</sup> The actors at Level II may represent bureaucratic agencies, interest groups, social classes, or even "public opinion."

The concept of governmental win-sets can be defined as “the entirety of foreign policy actions on the international level which a government can successfully ratify both formally and informally on the domestic level” (Moravcsik, 1993: 23). In other words, the win sets are all the theoretically possible negotiated agreements at level I that all the parties in the negotiations can agree to and that will be ratified at Level II. All these agreements on foreign policy according to Putnam derive from the size and location of domestic win-sets (Bosold & Opermann, 2006: 3). Putnam has advanced two important hypotheses concerning the impact of domestic win-sets on international agreements. The first is that the smaller the level II win-set, the greater the risk that negotiations will break down, and the opposite, the larger the level II win-sets, the greater the chance of a Level I agreement. The second is that a small win-set can be also a bargaining advantage.

The first hypothesis may derive from the fact that “the larger the perceived win-set of a negotiator, the more he/she can be “pushed around” by the other Level I negotiators” (Putnam 1988:440). The second hypothesis on the other hand can be understood from the idea that while the level II win-set will often be misrepresented by the negotiator on Level I, the other level I negotiator must then grant concessions in order to secure an agreement for all. This means that the government can get a better deal if its domestic base has its hands tied.

To put it in another way, the greater the autonomy of central decision makers from domestic pressures the more likely the states are to achieve an agreement. Nevertheless, the controversy is that the stronger a government is the weaker its relative international bargaining position will be (Putman, 1988: 449). Consequently, governments may either seek to widen or to reduce their respective win-sets. In accordance with Putman (1988: 44), “clever players will spot a move on one board that will trigger realignments on other boards enabling them to achieve otherwise unattainable objectives”. In this way, state leaders would use different techniques to overcome domestic constraints and to increase incentives:

1. One effective way to widen the scope of foreign policy decisions is to rally support from one's constituents.
2. In contrast, “executives can choose to ride the unsupportive climate of opinion and further delegitimize a normatively unpopular solution” (Shamir and Shikaki 2005: 325).
3. Schelling (1980:21-2) postulates that negotiators can also convince the other party that his win-set is small. The negotiator might say that what the opponent proposes cannot be ratified at Level II, though this might not be true: “I'd like to accept your proposal, but I could never get it accepted at home”<sup>4</sup> (Putman, 1988: 440).
4. “Informed negotiators can exploit ignorance to expand the other side’s win-set by modifying its public’s erroneous perceptions without risking too much their own domestic standing”. Ignorance affords leaders greater flexibility in maneuvering public opinion according to their purposes and preferences (Shamir & Shikaki, 2005: 325).
5. According to Putman (1988: 450), side-payments to attract marginal supporters have often been used in practical politics.
6. According to Moravcsik (1993: 24-30) governments can enhance flexibility on the international level by “cutting slack” in the ratification process.
7. The governmental strategy of “tying one’s hands” at the international level can be used to deliberately reduce one’s domestic leeway.
8. Vice versa, “tying one’s hands” at the national level can be used to deliberately reduce one’s international leeway.

Putnam’s (1988: 450) general model suggests that governments seek international self-binding (to tie their hands at the international level) when they are weak (have a lack of domestic approval) at home and want to strengthen its international bargaining position. He suggests that governments can impose an international agreement arguing that a supranational entity such as the European Union

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<sup>4</sup> Jane Haaland Matlary (2009; 5) mentioned that domestic constraints can be used to get one’s way in an international organization –in fact, the more bound one is, the more one may gain because other states that want to reach an agreement and have larger scope for negotiation may be forced to concede much more than they would normally.

or NATO is bound to implement it. Thus, it is advantageous to be constrained by level I if level II actors strongly disagree with a measure.

Janne Haaland Matlary (2009: 5) argues that in security and defense policy executives use the level II as a multiplier for their interests when things go wrong. She maintains that governments “need to have a second level for political risk and burden sharing” (Matlary, 2009: 97). Furthermore, Milner (1997: 20-23) states that because governments in the level II enjoy privileged access to information with respect to their citizens, they engage in blame avoidance and credit claiming exercises to selectively mobilize domestic support for their foreign policies.

According to Putnam (1988: 457), the two-level strategies are costly and risky for the chief negotiator. Nonetheless, the most important reason for playing is to enhance leaders’ standing in the Level II game by increasing their political resources or by minimizing potential losses. “For example, a head of government may seek the popularity that he expects to accrue to him if he concludes a successful international agreement, or he may anticipate that the results of the agreement (for example, faster growth or lower defense spending) will be politically rewarding” (Putnam, 1988: 457).

In general, what can be concluded from the two-level game is that executives use their exclusive access to both levels to overcome potentially troublesome public opinion and international pressures exploit the supportive majority to reach an agreement.

## **2.5 Conclusion**

The impact that public opinion could have on foreign policy would depend on the type of the international policy. While defense is the most democratic aspect of foreign policy, internationalist policy is the least representative and participative. According to Putman’s theoretical model, the government would be strong when tacking internationalist foreign policy decision and weak as regards with defense policy. Following his two-level game theory strong national executives would also try to avoid public opinion by making moves on the level I and level II boards. This

captures the essence of the problem: the main purpose of foreign policy is to make domestic policies compatible, confirming the importance of domestic factors in foreign policy. Are Aznar and Zapatero also trying to make their policies compatible with the majority's preferences?

# 3 METHOD

## 3.1 Introduction

This thesis is a comparative study between two different cases, which by the systematic study of the similarities and differences between them attempts to yield useful generic knowledge of important foreign policy patterns from the political realities of Spain. This chapter aims to give a brief explanation of what a case study is and what the comparative method is. It explains how general and specific objectives are operationalized and which sources are employed for each of the dependent and independent variables. Finally, this chapter discusses if the method and the sources used are adequate and sufficient to tackle the research questions of the thesis.

## 3.2 Comparing case studies

A case study “is an instance of a class of events” where the purpose is to “develop theory regarding the causes of similarities or differences among instances of that class of events” according to George et al. (2005: 17-18). The term “class of events” refers to a phenomenon of scientific interest, such as revolutions, types of governmental regimes, kinds of economic systems, or personality types, etc. (Idem). “A case study is thus a well-defined aspect of a historical episode that the investigator selects for analysis, rather than a historical event itself,” (George, et al., 2005: 18). This study’s unit of analysis (class of event) is Spanish foreign policy focused on Aznar and Zapatero’s governments.

The earlier definition of a case was a single measure on any pertinent variable, and thus, case studies relied on a distinction between the study of a small versus a large number of instances (George, et al., 2005: 17). Today case studies vary in complexity – from a single unit of observation to multiple observations at different points in time and level of analysis (Gerring, 2004). The units of observation in this thesis are a) two political periods (the Aznar and Zapatero governments) b) two types of foreign policies (defense and internationalist policies).

A case study can also vary in ambition –from explanatory description to explicit hypothesis testing (Rueschemeyer, 2003). Hypothesis testing:

Can be understood in terms of a general positive test strategy. This strategy, you test a hypothesis by examining instances in which the property or event is expected to occur (to see if it does occur), or by examining instances in which it is known to have occurred” (Klayman & Won Ha, 1987:212).

Proponents of case studies argue that hypothesis testing can be used if the case is strategically selected with reference to a theory (George & Bennet; 2005). According to the research question this study should be characterized as hypothesis testing. The strategy is to test four instances or events in the Spanish foreign policy and to see if two level games and Goldmann’s theory explain those events.

According to Eisenhardt (1987: 536-537), the selection of the cases is an important aspect in hypothesis testing. George et al. (2005: 30-31) claim that case research does not aspire to select cases that are directly “representative” (of a population or class of events) but that the selection of the case should provide the strongest possible inference on a particular theory. In this thesis the selection of the two very different cases is primarily due to the fact that both are at extreme positions, hence, the theory can be both corroborated and disproved. It may also identify the other variables that could explain why certain decisions were made. In the case of this thesis the actor-based factors (apart from public opinion) that leaders act in response to. One of the cases is the most likely to prove and the other the least likely to prove two-level game theory. Another reason for selecting these cases is that they are not only useful to test the theories, but also to produce limited generalizations from their similarities and differences<sup>5</sup>.

There is potential for confusion among the terms “comparative methods” and “case study methods” (George et al., 2005: 18) since, most of the time, they have been understood as opposed. “The comparative method (the use of comparison among a small number of cases) is distinct from the case study method, which in this view involves the internal examination of singles cases”. However, there is a growing

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<sup>5</sup> According to Kalleberg (1966) the hypothesis-testing function of comparison allows the elimination of rival explanations about particular events, actors, structure in an effort to help build more general theories.

consensus that “the strongest means of drawing inferences from case studies is the use of a combination of within case analysis and cross-case comparison” (Idem). To reiterate, this research is using both methods.

On a general level, comparativists are interested in identifying the similarities and differences between macro-social units, because these are essential to the explanations that comparatives offer: interpreting diverse historical outcomes and processes and their significance for current institutional arrangements (Ragin, 1987: 6). Nevertheless, even though this macro-social unit is very important and essential to catalogue comparative methods, (according to Ragin (1987)), it would be wrong to conclude that comparatives differ from non-comparatives because of their “chosen units of analysis”. In comparative research all units of analysis can be used, all that matters is how the results of the research are understood. In fact, in comparative social analysis the examination proceeds at one level (usually the individual), and the explanation at another level (usually the macro-social) (Ragin, 1987). In this case, the individual level is the two foreign policy cases and the macro-social level is Spanish foreign politics.

As maintained by Ragin (1987: 53), the strength of a comparative study between different cases (that should provide the strongest possible inference on a theory), is mostly an evidence-oriented strategy.

Although the terms qualitative and case study are often used interchangeably, the evidence, in a case study where the aims are to provide description, to test theory and to generate theory by comparison, may be qualitative, quantitative, or both (Eisenhard, 1989). Moreover, the combination of data types can be highly synergistic (Yin, 1984). The use of a specific valuation method depends on the circumstances of the case and should be made in function of the research question and objectives. The following is a more detailed explanation of the evidence used for each of the objectives and variables as well as the manner they were interpreted.



### 3.3 Operationalization

#### 3.3.1 General Objective

To determine whether, and to what extent, Aznar and Zapatero’s foreign policy decisions (concerning Iraq and the European Constitution) were made in light of the Spanish public opinion.

- 1. Dependent variable (Y): Policy making, understood as the process in which a (foreign) policy is produced through interaction between different actor-based factors. In this interaction, leaders as the main policy makers pay either much, little or no attention to the different players that could be influencing the outcome of a policy. In this case, public opinion only is considered.
- 1. Independent variable (X): Public opinion, defined as the collection of views and attitudes towards a determined policy, which is at the same time the dominant opinion of a society regarding that policy. Public opinion is also an actor-based factor that may affect policy makers, possibly empowering or constraining them.

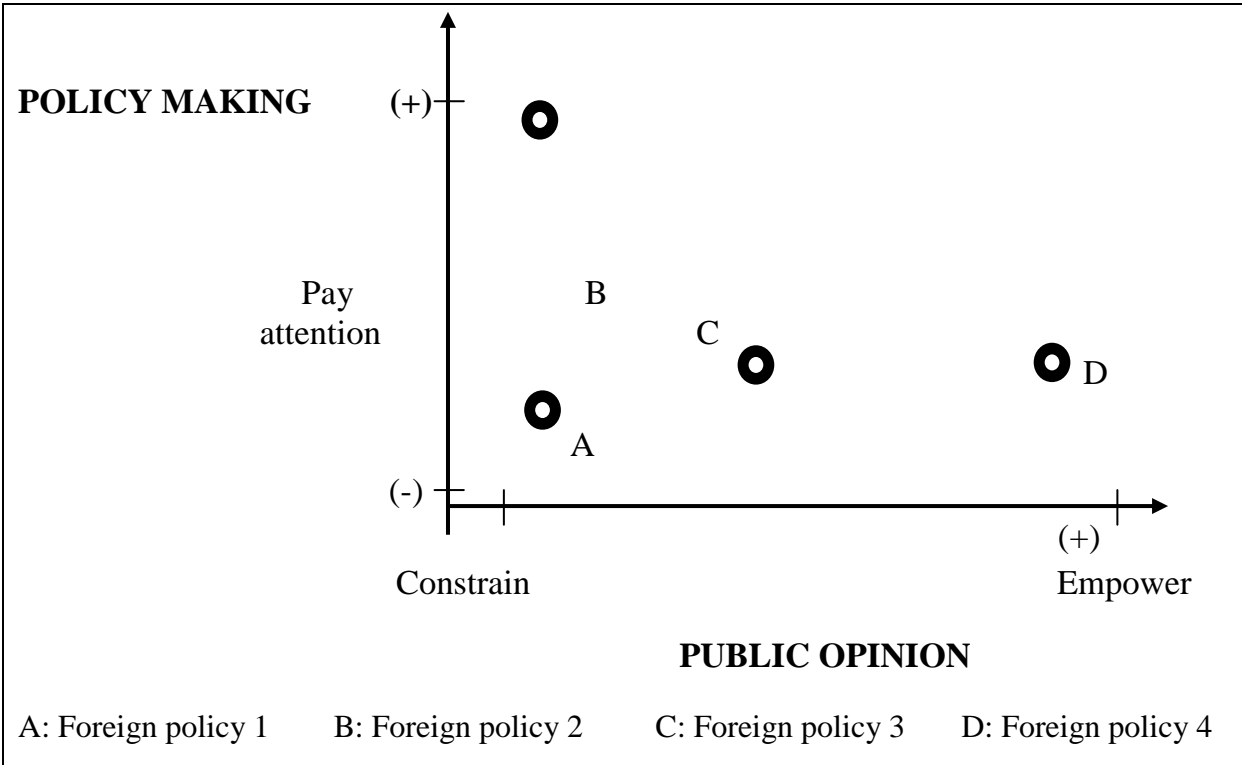


Figure 3.1: Operationalization of the dependent and independent variables

Figure 3.1 shows the operationalization of the variables. Letters A, B, C and D are hypothetically situated and correspond to each of the policies analyzed in the investigation, which are placed on the graphic depending on what extent leaders pay attention to their constituency and where the public opinion constrains or empowers leaders. Foreign policy 1 is the invasion of Iraq, 2 the rejection of the EU Constitution, 3 the removal of the troops from Iraq and 4 the approval of the EU Constitution.

### **3.3.2 Measuring the independent variable**

Independent variables are factors hypothesized to have a causal influence on the dependent variable. As mentioned in the introduction, the factors influencing policy making are 1) personal and party interests 2) bureaucracies 3) interest groups 4) public opinion. To approach the first three factors I have carried out a literature review and a brief analysis. However, since it is public opinion that I am interested in, a more intensive and detailed examination must be done using international and national public surveys.

To measure how public opinion may affect policy making two concepts are brought up: constraint and empowerment. Public opinion constraining policy makers is understood as the majority setting up limits to the leaders' ranked set of strategic preferences over actions (those strategic actions for example could vary from offensive strategies to more accommodationist and diplomatic tools). People may constrain leaders when they do not agree with them.

On the other hand, that the majority empowers policy makers indicates that leaders gain control and authority over a specific issue so they can take the initiative and make decisions. Citizens may empower leaders when both share similar thoughts regarding a specific matter.

The public might also be neutral, and have no interest in a controversy, dispute, or issue in which they are directly or indirectly involved. In this case, leaders will also gain control over the decision. However, this authority would not have been given willingly by their constituency.

The meaning of the public being against, neutral or supportive of a foreign policy is summarized in Table 3.1

**Table 3.1:** Indicators of the independent variable

Constrain	Public opinion is against	The majority is in opposition to foreign affairs policies taken by the leaders
Neutral	Public opinion is neutral	The majority is indifferent towards a foreign policy decision
Empower	Public opinion supports	The majority gives its approval towards a foreign policy decision

To determine in which position Spanish public opinion was in relation to the invasion of Iraq, the removal of the troops and the rejection and then approval of the European Constitution, I have looked at three surveys of public opinion:

1. *Barómetro del Real Instituto Elcano (BRIE)*: is a regular survey, held three times a year (November, February and June) with a sample of 1,200 people. The Barometer pays attention to the Spanish foreign policy (defense, country image, attitudes towards the European Union, perceived threats and conflicts, etc.) The surveys I examined are the general surveys of December 2002, February and November 2003, February and May 2004 and the General and Autonomic Post electoral survey 2004.
2. *Barómetro del Centro de Estudios Sociológicos*: is a survey made on a monthly basis, except for August, and measures Spanish public opinion on different topics. The sample is around 2,500 randomly selected people. The surveys examined are from March 2000 to January 2005.
3. *The Standard Eurobarometer*: is a survey that addresses the major topics concerning European citizenship: enlargement, the social situation, health, culture, information technology, the environment, the Euro, defense, etc. Each survey consists of approximately 1000 face-to-face interviews per country. The Standard Eurobarometer analyzed are N° 55 (Spring 2001), N° 56 (Autumn

2001), N°57 (Spring 2002), N° 58 (Autumn 2002), N° 59 (Spring 2003), N° 60 (Autumn 2003), N° 61 (Spring 2004) and N° 62 (Autumn 2004).

Some of the questions selected for this research are the following:

### **Questions about the invasion of Iraq:**

1. How much do you agree with the following statements? Every war is a blight on everyone/ sometimes war is unavoidable/ sometimes it is necessary to use force to maintain international security/ during war it is possible that there will be no civilian victims/ even in the case of tyrannical and dangerous regimes the international community should not intervene/ military intervention should never occur.
2. Hypothetically do you support an American invasion of Iraq?
3. How would you justify a possible invasion of Iraq? If we had knowledge that Iraq was developing nuclear weapons and/or other weapons of mass destruction/ if we had knowledge that Iraq helped the terrorist attacks of September 11<sup>th</sup> perpetrated against the US/ if we were sure Iraq planned to invade Kuwait again/ if the majority of the Iraqi population were repressed by the regime and the intervention may help liberate them/ if the supply of oil is threatened in Spain and other developed countries.
4. What do you think the military should do? They should follow the US-led coalition and stay the course; whether or not other countries enter the war/ they should stay, but only if more countries are also involved in the coalition/ they should stay but only if it is within a UN-led multinational force/ they should return to Spain under any circumstances.
5. The first decision made by José Luis Rodríguez Zapatero as Prime Minister was the withdrawal of the Spanish troops from Iraq. This decision was very good, good, fair, bad or very bad?
6. Spain has sent a military force to Iraq to engage in humanitarian missions. Do you strongly agree, somewhat agree, somewhat disagree, or strongly disagree with this decision?

7. How do you assess the actions of the Spanish government in the Iraq crisis?
8. Will the war in Iraq change your vote in the upcoming local and regional elections?
9. Do you follow closely the news about the conflict in Iraq?
10. Do you strongly agree, somewhat agree, agree a little or not agree at all with some form of international action on Iraq?
11. Do you think that the terrorist attacks in Madrid would have occurred if Spain had not supported the U.S. in Iraq?

### **Questions about the European Constitution**

1. Do you think the European Union should have a Constitution?
2. Are you in favour or against having a European Constitution?
3. Do you think that the adoption of this Constitution will be very important, somewhat important, little or not important for the future of Europe?
4. Do you know and follow the work of the European Convention that since last year 2002 is preparing a constitution for the European Union?
5. During June the final text of the European Constitution was approved, did you have knowledge of this?
6. The Prime Minister has announced the call for a referendum to approve the European Constitution. Are you in favour or against this referendum?
7. Would you say that your level of knowledge about the content of the European Constitution is very high, high, low, very low or none?
8. Why do you think your knowledge on the European Constitution is very low?
9. Do you know the views of the party you feel closer to regarding the European Constitution?
10. Do you share the point of view of the party you support regarding the European Union?
11. Why have you decided to vote affirmatively in the referendum?

### 3.3.3 Measuring the dependent variable

To pay attention to public opinion means that leaders heed the majority when making decisions in policy making. On the contrary, not to pay attention to public opinion indicates that leaders are not taking heed to majority opinion. To measure the dependent variable Prime Ministers' responses to public opinion were analyzed and it was determined whether two-level game strategies were employed and on which level. As mentioned in the previous chapter eight different strategies have been listed on the national and international levels. Table 3.1 shows to what extent leaders are employing these strategies and table 3.2 illustrates how and for what reason they are using them. Each of the cells must be filled in with "Yes" when Prime Ministers are using the strategies or a "No" when they are not.

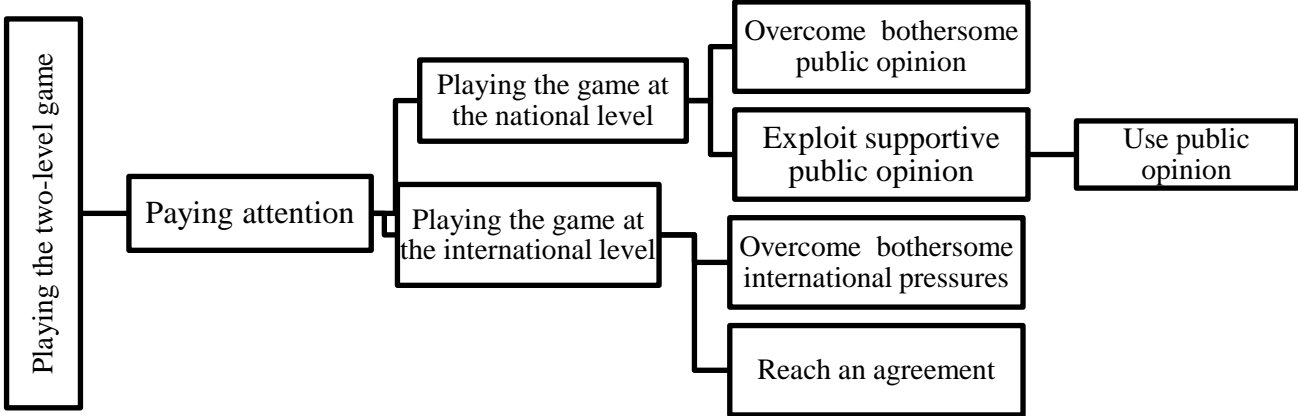
**Table 3.2:** The two-level game strategies used by Prime Ministers

TWO-LEVEL GAME STRATEGIES	<i>Aznar</i>		<i>Zapatero</i>	
	Iraq	EUC	Iraq	EUC
Rally support from one's constituency				
Ride unsupportive climate of opinion				
Convince the other side that his win-set is small				
Informed negotiators can exploit ignorance				
Use side payments to attract marginal supporters				
"Cutting slack" in the ratification process				
"Tying one's hands" on the international level				
"Tying one's hands" on the national level				

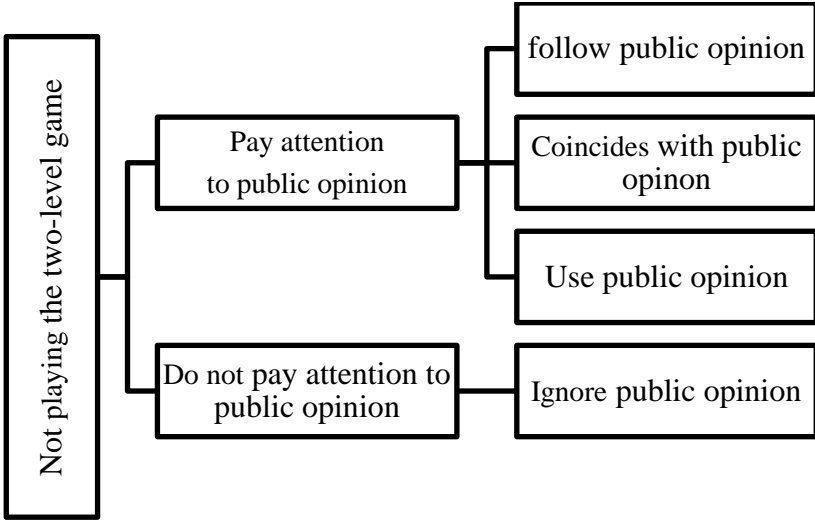
**Table 3.3:** Indicators of the reasons for using the two-level game

REASON and INDICATOR	MEANING of the INDICATOR
Follow public opinion	Policy making reflects the majority due to the fact that leaders act according to preferences of voters
Make use of public opinion	Leaders exploit and manipulate public opinion in order to achieve their party or personal goals
Ignore public opinion	Leaders refuse to take notice of public opinion and disregard it intentionally

Figures 3.2 and 3.3 summarize the relation between the two-level game strategies and the reasons for using them.



**Figure 3.2:** Implications of playing the two-level game



**Figure 3.3:** Implications of not playing the two-level game

To ascertain which of the strategies Aznar and Zapatero were using, a discourse analysis of the two-level language employed in negotiations on both, the national and the international level was carried out. According to Fairclough (2003: 124), discourse (also called discursive formation) is a “way of representing aspects of the world – the processes, relations and structures of the material world, the ‘mental world’ of thoughts, feelings, beliefs and so forth, and the social world”. According to Bosold and Oppermann (2006: 2), “within a discursive environment, social agents such as governments in foreign policy are operating, shaping the world by their utterances and

the use of language”. For the purpose of my analysis governments are perceived as social agents that are involved in several discourses and ways of acting upon a world that is shared and contested.

The sources used are debates, statements, speeches, war plans, etc. in media and literature of the following politicians:

1. Prime Minister José María Alfredo Aznar López (5th of May, 1996 to April 17th, 2004)
2. Minister of Foreign Affairs under José Maria Aznar, Josep Piqué Camps (2000-2002)
3. Minister of Foreign Affairs under José María Aznar, Ana Isabel de Palacio y del Valle Lersundi (Ana Palacios) (2002-2004)
4. Minister of Defense under José María Aznar, Federico Trillo-Figueroa y Martínez-Conde (2000-2004)
5. Prime Minister José Luis Rodríguez Zapatero (17th of April, 2004 – 21st of December, 2011)
6. Minister of Foreign Affairs under José Luis Rodriguez Zapatero, Miguel Angel Moratinos (2004-2010)
7. Minister of Defense under José Luis Rodríguez Zapatero, José Bono Martínez (2004-2006)

For my research I have reviewed interviews, press conferences, declarations, articles and conferences in international organizations from September 2001 (after 9/11) to February 2005 (European Constitution referendum) these were found in the online archives of the Minister of Foreign Affairs, Cooperation of Spain, the Ministry of Defense and national and international newspapers. Among the sources reviewed:

1. Prime Ministers’, Ministers of Foreign Affairs’ and Defense’s declarations.
2. Prime Ministers’ press conferences held at the conclusion of each country’s official visits.
  - a. Conference with George W. Bush (President of the United States)
  - b. Conference with Tony Blair (Prime Minister of Great Britain)



- c. Conference with Jacques Chirac (President of France)
  - d. Conference with Silvio Berlusconi (Prime Minister of Italy)
  - e. Conference with José Manuel Durao Barroso (Prime Minister of Portugal)
  - f. Conference with Gerhard Schröder (Prime Minister of Germany)
  - g. Conference with Lesek Miller and Alexander Kwasniewski (Prime Ministers of Poland)
3. Press Conferences at International Organizations
    - a. Press Conference at the European Council
    - b. Press Conference at the European Commission
    - c. Press Conference at the Council of Ministers
    - d. Press Conference at NATO
    - e. Press Conference with Kofi Anan and José Maria Aznar
  4. Minister of Foreign affairs' conference with their counterpart
    - a. Press Conference with Collin Powell and Ana Palacios
    - b. Press Conference with Jack Straw and Ana Palacios
  5. Articles sent to newspapers
  6. Prime Ministers' interviews in national newspapers
    - a. El País
    - b. ABC
    - c. El Mundo
    - d. Estrategia Global
  7. Prime Minister interviews in international newspapers
    - a. El Diario de Venecia (Italy)
    - b. Frankfurter Allgemeine Zeitung (Germany)
    - c. Wirtschafts Woche (Germany)
    - d. Panorama (Mexico)
    - e. Der Spiegel (Germany)
    - f. The Wall Street Journal Europe
    - g. Delo (Slovenia)
    - h. Financial Times (UK)

### 3.3.4 Specific objectives

- Describe and analyze in detail the two different foreign policies:  
How could the nature of the policy also be affecting the policy making and what is the determining factor?

In order to describe the two foreign policy decisions and to determine how the type of the policy can affect foreign policy making, I use Kjell Goldmann’s differentiations. As mentioned in chapter two, public involvement would vary according to the type of foreign policy and whether the policy complies with the theories of bargaining with outsiders, supreme interest and remoteness. Determining the validity of such theories in the cases of the Iraq invasion and then the removal of troops from Iraq and first the rejection of the EU constitution and then approval of the EU constitution helps us to find out if the policy is imperative for leaders and for their citizens. It also informs us to what extent the policy is open to domestic constituencies. The evidence establishing the “room for the citizenry” is based mainly in previous research and literature. A review of the Spanish legislation is useful to reveal the bargaining position of the leaders. On the other hand, leaders’ discourses are also helpful to discern where the policy is in the state’s supreme interest. By revealing where a policy is supreme, remote and impermeable to outsiders will shed light on what factors are most influential in policy making.

**Table 3.4:** How to assess the three principles of the incompatibility hypothesis

Principle	Consequence	How to assess the principle
Bargaining	Determine the room for the citizenry	Have the foreign policy decisions been taken alone or together with other actor-based factors? With which ones?
Supreme interest	If it is important for leaders and the Nation	Are Prime Ministers concerned regarding the policy?
Remoteness	If it is important for citizens	Is the public very concerned regarding the policy?

To answer the questions for each of the principles in the table above, I have relied on a literature review for the first two principles and secondary sources for the third principle, particularly public opinion polls. Some of the survey questions regarding remoteness are:

- In the Iraq case: Are you concerned with the conflict?
- With regards to the European Constitution: Does the result of the referendum concern you?
  - The goal is to establish a relationship between leaders playing a two-level game and the democratic level of the policies

As mentioned, a policy is democratic to the extent that it complies with the three characteristics of representation, participation and information. By comparing two-level game strategies with the actions taken, it should be possible to determine if the policy making was democratic, seemed to be democratic or it was autocratic.

**Table 3.5:** How to determine if a policy is democratic

Follow public opinion	Use public opinion	Ignore public opinion
Not necessary to play the-two level game on the national level, but can play on the international	Play the two level game on either in national or international level	Not necessary to play any of the two-level game strategies
Democratic	Seems to be democratic	autocratic

### 3.4 Conclusion: measurement and source validity.

In its broadest definition, validity measures the integrity of conclusions that are drawn from research, including the degree to which findings can be generalized across social settings (Bryman, 2008: 32). Measurement validity refers to what extent an indicator really reflects the concept it is supposed to measure. Sources validity is whether the data analyzed is the most appropriate for measuring an indicator. The questions become do my indicators accurately represent the concepts they were supposed to measure? Is the data gathered the most suitable for measuring such indicators? I attempt to answer both questions in this research for each of the analyzed concepts.

- The independent variable of public opinion: Three concepts are brought into question: constraint, empowerment and neutrality. The question is if the three concepts measure how public opinion may affect policy making. Even though is not possible to be completely concise and able to determine exactly to what extent public opinion can constrain or empower policy makers, it is possible to measure qualitatively whether public opinion is against, supports or is neutral towards policies. The sources collected from public opinion polls are sufficient and complete to characterize public opinion and determine the Spanish citizens' attitudes towards various foreign policy decisions.
- The dependent variable of policy making: The two variables that measure policy making are whether or not policy makers pay attention to public opinion. The indicators do not reflect a quantitative value, but only a qualitative one, therefore the measurements cannot be expected to represent a level of precision of a quantitative study. The sources and method utilized would have benefited from personal interviews with policy makers; however, the difficulty obtaining such interviews precluded the use of direct interviews. Instead I have obtained information from other sources to fill in the gaps.

- Specific objectives of the type of policy: The sources used could have possibly benefited from been more direct, however, the literature adequately describes the types of policies analyzed in this research. Moreover, the method used (Goldmann's theory), is well suited to achieving the objective of this thesis.
  
- Specific objectives of the democratic level of the policy: This topic could have made an interesting thesis on its own. That being said making a correlation between the levels of democracy of a policy and two level games has enriched my thesis.

# 4 IRAQ INVASION

## 4.1 Introduction

This chapter describes the Iraq War, the legacy of the war, the most relevant Security Council (SC) resolutions and the reasons given by the international community for the invasion. Secondly, it seeks to portray the public reaction towards the invasion in detail. At the same time it explains the nature of the opposition as well as the evolution of the Spanish shift towards opposition of the war. In the last section Aznar and Zapatero's response to public opinion regarding their foreign policy objectives will be analyzed separately. To conclude, I discuss some of the differences between the PP and PSOE's governments in relation to the management of the war in Iraq.

## 4.2 Iraq Crisis and the Spanish contribution

The attacks on September 11 carried out by Al Qaeda operatives, trained and led from their bases in Afghanistan, demonstrated the threat posed by terrorists who could seek safe haven in rogue nations (Yoo, 2003: 565). Iraq as a rogue state possibly holding weapons of mass destruction became an important issue, particularly for the United States as the target of the 9/11 attacks, but also for other nations that had terrorist activity within their borders, such as Spain.

In September 2002 "Bush characterized the possible use of force against Iraq as necessary to enforce existing SC resolutions<sup>6</sup> and to eliminate the dangerous threat to

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<sup>6</sup> On April 3, 1991, the Security Council adopted Resolution 687, which required Iraq to: (1) destroy its chemical and biological weapons and ballistic missiles and agree to onsite inspections; (2) not use, develop, construct, or acquire such WMD and their delivery systems; (3) not acquire or develop nuclear weapons or nuclear-weapons-usable material or components; and (4) accept on-site inspection and destroy nuclear-related weapons or materials. To carry out the inspections, the resolution established a United Nations Special Commission (UNSCOM). Due to repeated refusal of Iraqi authorities to comply with the resolution the SC adopted Resolution 1137 which condemn [... the continued violations by Iraq of its obligations ... (and) found that the situation continued to constitute a threat to international peace and security, and warned that "serious consequences" would result if Iraq failed to comply with its international obligations. In 1998 Iraq formally halted all cooperation with UNSCOM and therefore the SC (Res. 1205) condemned Iraq decision as a flagrant violation of

international peace and security” (Yoo, 2003: 563). The SC two month later on November 2002, responding to Bush’s declaration, adopted Resolution 1441, which found Iraq to be in “material breach of previous SC resolutions” and “warned that it will face serious consequences as a result of its continued violations of its obligations”: to comply with its disarmament. Despite the warning, Iraq refused to fully comply with the resolutions. Consequently the United States, with the “coalition of the willing”, invaded Iraq on March 19, 2003.

The risk of allowing the Iraqi regime to defy the international community by possibly pursuing weapons of mass destruction (WMD) was the main reason presented by the US to attack Iraq preemptively (Taft & Buchwald, 2003: 563). In addition, two independent sources of law with authority to use force in Iraq were provided: UN SC resolutions and the right of self-defense (Yoo, 2003: 567).

The most important resolutions coming out of the SC concerning Iraq were Resolution 678 (1991) and the aforementioned Resolution 1441 (2002). Pursuant to the former, the United States could use force to impose a cease-fire and to restore "international peace and security" to the region. In Resolution 1441, the SC unanimously found that Iraq, in addition to being in material breach of this and earlier resolutions, the possible development of WMD programs, its support for terrorism and the repression of the civilian population, presented a threat to international peace and security (Idem).

Authority for the armed intervention in Iraq was also explained by the national right of self-defense, which according to the Article 51 of the UN Charter is inherent to any of its members if an armed attack occurs. So considering “the naked aggression by Iraq to its neighbors, its efforts to obtain WMD and its records of having such weapons” as a latent threat, Operation Iraqi Freedom was conducted legally under article 51 according to the US.

Spain contributed significantly militarily, helping in part to defeat Saddam Hussein. However, Aznar’s government played a much more important role in

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resolution 687... and other relevant resolutions. On December 16 United States and Britain bombed Iraq.

supporting and giving some legitimacy to the war, which could not be justified by the international law nor authorized by the SC according to many other European nations. In the beginning there were eight European countries that supported a US military intervention in Iraq: Britain, Italy, Poland, Hungary, Czech Republic, Portugal and Denmark. Some others Eastern European countries, such as Albania, Bulgaria, Croatia, Estonia, Latvia, Lithuania, Macedonia, Romania, Slovenia and Slovakia would later support the war.

In a letter the eight European countries that supported the war and signed on 30 January 2003, stated that “Europe and the US must stand together”, and expressed loyal support for the American policy. It was Jose Maria Aznar who took on the role of representative of the group of countries that defended the US viewpoint. This group additionally opposed the strategy proposed by France and Germany, which argued against the use of force and in favour of the SC’s management of the crisis (Barbé: 390). France, Germany, Russia and China’s position stalled any new resolution authorizing the use of force in Iraq in the spring of 2003. Thus, the argument that SC resolution 678’s broad authorization to restore the peace in 1991 was somewhat muted (Yoo, 2003: 567), damaging a central argument for the legality of the war.

According to Menon (2004: 634), France and Germany had a more pragmatic reason to oppose the US war against Iraq that being the French and German desire to “develop the European Security and Defense Policy<sup>7</sup> (ESDP) and to present a more unified front to Washington as the ‘war on terror’ moved forward”. The European approval and contribution to the Iraq war could undermine the desired relationship the EU wanted to have with the United States.

France pursued one single goal: “making Europe a multiplier of power for France” (Stark, 2006: 12) where the main objective was to build an autonomous and militarily powerful Europe. For Britain, (and Spain) the European project “needed to be built and run constructively with NATO (referring to the US), not as a project designed to compete with or to relegate the Alliance” (Menan, 2004: 654).

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<sup>7</sup> After the Lisbon Treaty renamed as The Common Security and Defense Policy (CSDP)



In this regard, the build-up to the war in Iraq revealed historical divisions between the European states. Furthermore, what concerned the European countries were their personal and national ambitions. Indeed, the shift in Spanish foreign policy during Jose Maria Aznar's government was aimed at fostering a privileged relationship with the US.

Aznar's desire was not only to fight against ETA internally but also to increase Spain's power both internationally and within Europe. In order to accomplish both, the Spanish leader decided to prioritize relations with the US and break from the countries that were considered by the US Secretary of Defense Ronald Rumsfeld as the old Europe. The change of government as a result of general elections on March 14, 2004 represented a transformation in the involvement of Spain in the Iraq conflict. The first relevant political decision made by the new government of José Luis Rodríguez Zapatero was, to order the withdrawal of Spanish troops from Iraq, which was successfully concluded on May 21, 2004. According to several authors, the March 11<sup>th</sup> train attacks in Madrid that killed hundreds of people, were a clearly and unquestionable catalysts in the change of government in Spain and the election of the Socialist Party.

It would be difficult to characterize Spain as a clear example of public opinion forcing government action. However, in the following section I will analyze Spanish attitudes towards the war on Iraq as well as the effects that it had on the general elections of March 2004.

### **4.3 Spanish Public Opinion on the Iraq War**

According to Juan Díez Nicolás, the Spanish public has been characterized as being neutral and pacifist (Diez, 1986: 13). Generally, "the Spanish have not been in favour of Spain participating in military interventions to resolve conflicts," (Barbé and Mestres, 2006: 58). In 1986 Juan Díez (1986: 16) stated that about three out of four Spanish felt that there was no value or ideal to justify a war, even in cases of necessity. However, since the democratic transition the Spanish public has progressively accepted a new international role and the increasing contribution to multinational

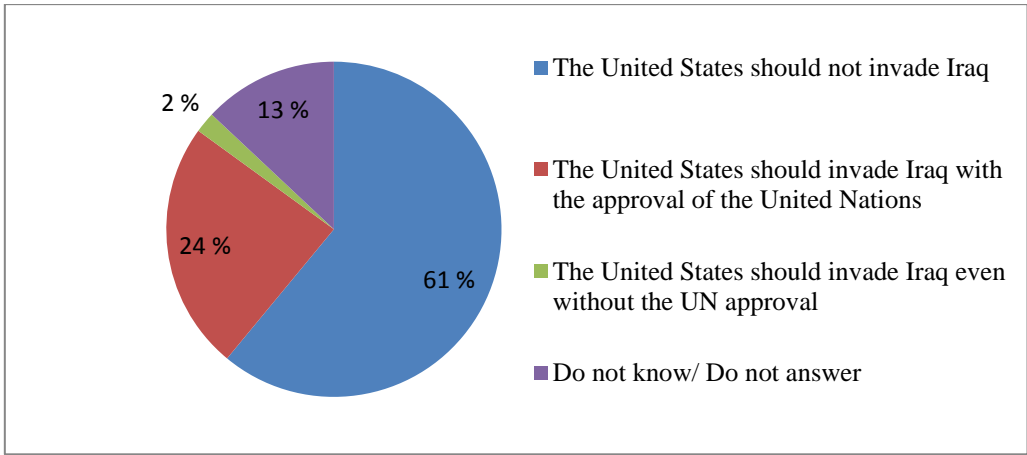
missions (Barbé and Mestres, 2006: 58). In spite of this evolution public opinion remains opposed to war, and Spanish citizens in November 2004 could be characterized as doves. However in some specific circumstances<sup>8</sup>, the public accepts interventions and believes they can be justified. This is very well illustrated by the criticism the Spanish government received for its decision to participate in the 2003 U.S-led intervention in Iraq, in contrasted to the support for the use of military force in humanitarian missions in Iraq after the invasion (See figures 4.2 and 4.3).

Public opinion rejected the attack on the initial terms, but could justify the intervention in Iraq if certain criteria were met: first, that it is for humanitarian reasons and second, that it is undertaken by non-military means.

Spanish opposition to the war in Iraq has been strong and stable over time. The Spanish people's general opinion was against a hypothetical invasion of Iraq. In November 2002, 61 percent of Spaniards were against a U.S invasion of Iraq, and 24 percent mentioned that any US invasion should have the support of the US's allies and the United Nations (Brie, November 2002). Only 2 percent supported a unilateral attack. According to another opinion poll conducted by Pulsómetro Cadena Ser, up to 65 percent opposed a military strike against Iraq even if the war had been backed by the UN (Noya, 2003:3).

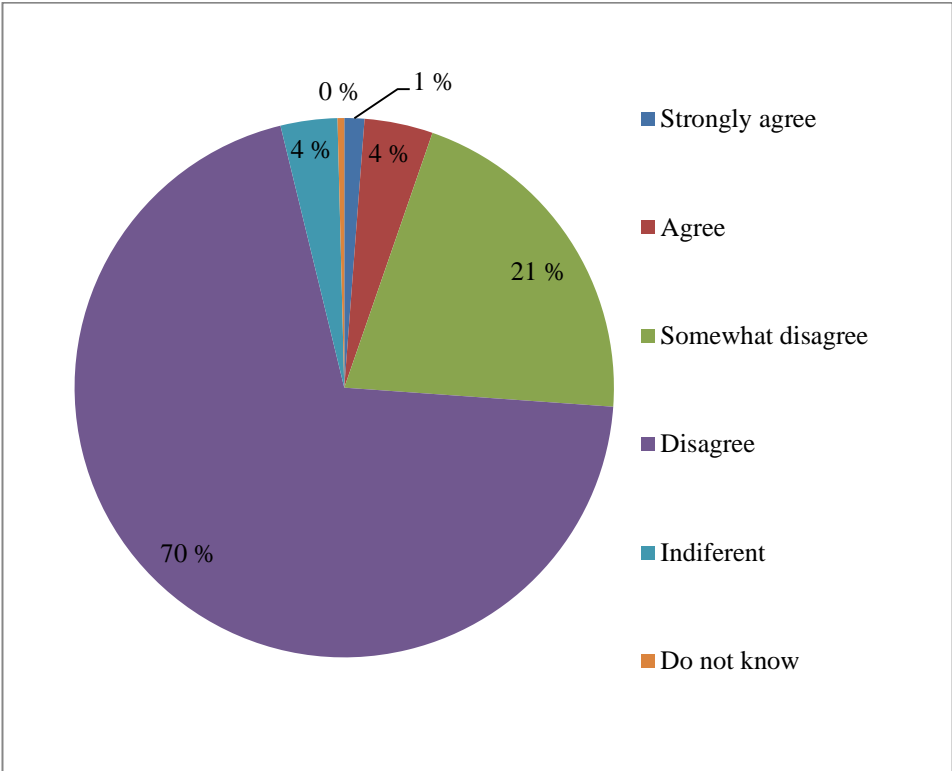
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<sup>8</sup> The vast majority, two-thirds of Spanish people(66%) are "**doves**", that is, they believe that economic power is more important than the military and in any case reject the use of war. It is, by far, the highest percentage in Europe (the European average is 42%) and more than six times that of the United States (10%). • The "**pragmatic**", those who believe that economic power is more important than the military, but also that war is sometimes necessary, are also markedly less numerous in Spain than in other countries: 22% in Spain compared with 43% in Europe and 65% in the USA. • "**isolationists**", who believe that war is unnecessary but give priority to military power over economic, makeup 11%, somewhat higher than the European average (8%) • Finally, only 2% of "**hawks**"(who believe that military power is still the key and that war is justified), compared to Europe (7%) and much less than in the U.S. (22%). Barómetro Del Real Instituto Elcano (BRIE) 4ª oleada resultados de octubre-noviembre de2003.



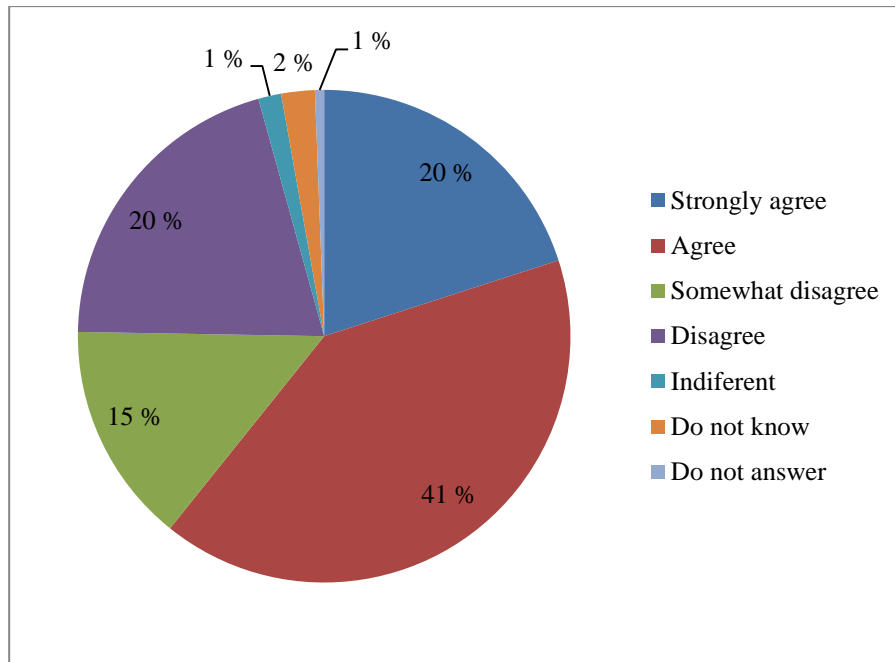
**Figure 4.1:** Public opinion regarding a hypothetical American attack on Iraq

Source: BRIE report from November 2002



**Figure 4.2:** Do you strongly agree, somewhat, little or nothing with the military intervention

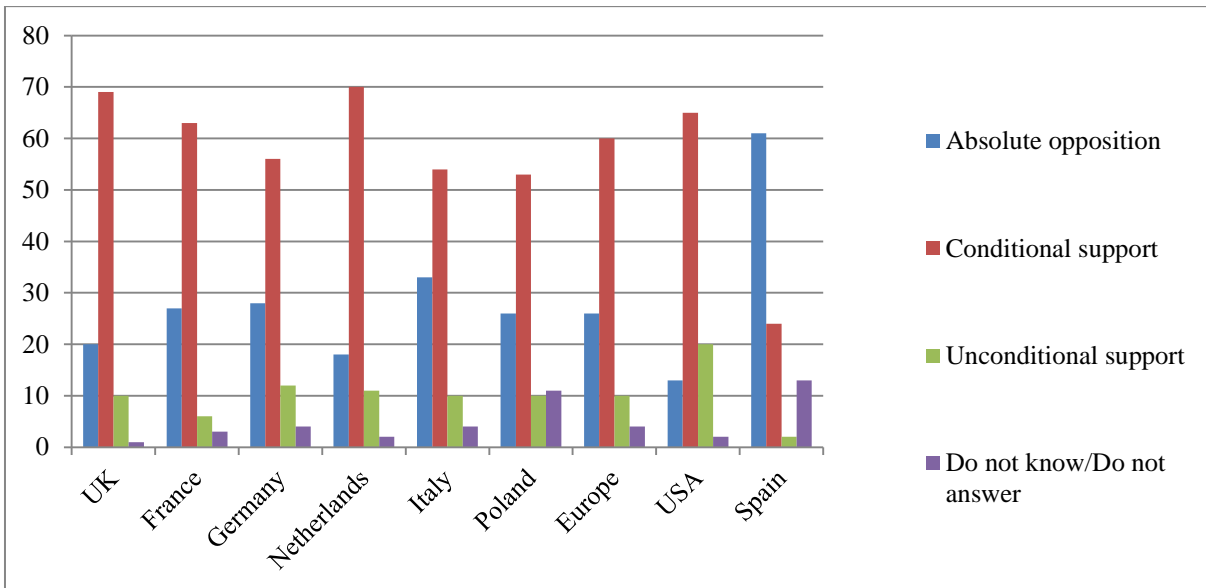
Source: CIS opinion poll February 2003



**Figure 4.3:** Do you strongly agree, somewhat, little or nothing with the humanitarian intervention?

Source: CIS opinion poll April 2003

Comparing Spanish public opinion to other European countries and the United States, Spanish citizens are the most opposed to war (see figure 4.4). 13 percent of the Americans were in absolute opposition to an invasion of Iraq, in Europe the percentage doubled to 26 percent. The largest absolute opposition (33 percent) occurred in Italy and the lowest in the UK and the Netherlands (20 and 18 percent respectively). Regarding conditional support, that is an attack under UN mandate, 65 percent of Americans would have supported it while 60 percent of the Europeans would have done so. On the other hand, UK and the Netherlands had the highest percentage of conditional support (70 percent). Finally, we note that the lowest unconditional support in Europe occurred in France (6 percent), the highest in Germany (12 percent) while in the United States was double at 20 percent. Spaniards fall outside standard European public opinion with regards to tolerance of military action.

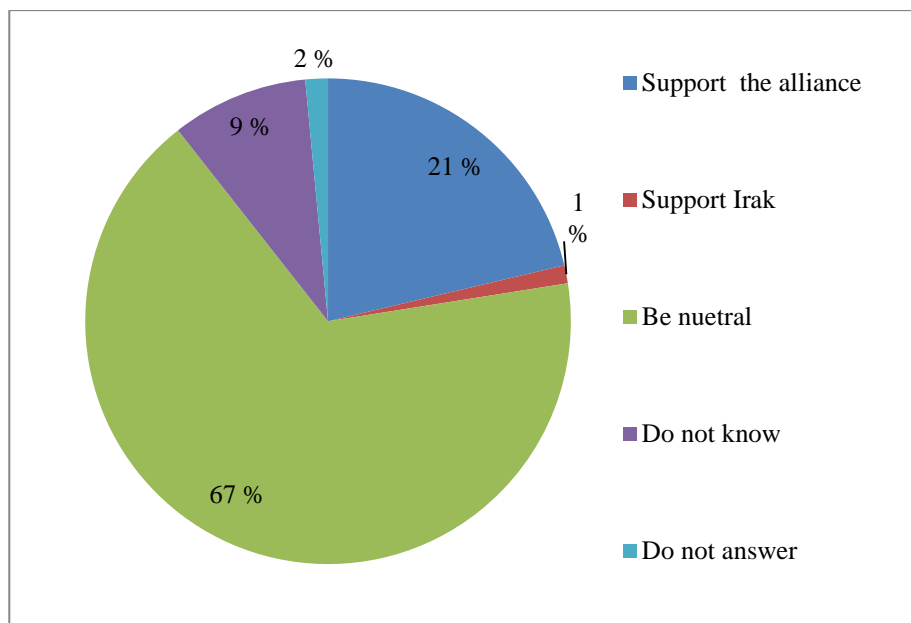


**Figure 4.4:** Comparison of support to a hypothetical American attack to Iraq

Source: BRIE report from November 2002.

It is interesting to note that Spanish public opinion is not more supportive of an attack against Iraq with or without a UN mandate. According to Mestres and Barbé it seems that there is no reason to assume that Spanish public opinion is more favorable to a concrete mission lead by a multilateral organization. Rather, the determining factor is the perceived degree of violence and danger where the mission takes place (2006: 59). Iraq was seen as very dangerous. José María Aznar made it clear to the newspapers when he mentioned that the mission with around 1,300 Spanish soldiers participating, was “very dangerous” and had “risks” (El Mundo, 23 of July 2003)

The reluctance to use force, even with the approval of the international community, is expressed by the fact that Spanish people preferred Spain to be neutral (67 percent) in the conflict. Only 21 percent mentioned that Spain should support the Alliance. The massive demonstrations on February 15<sup>th</sup> against a war in Iraq also revealed Spanish opposition to a war.

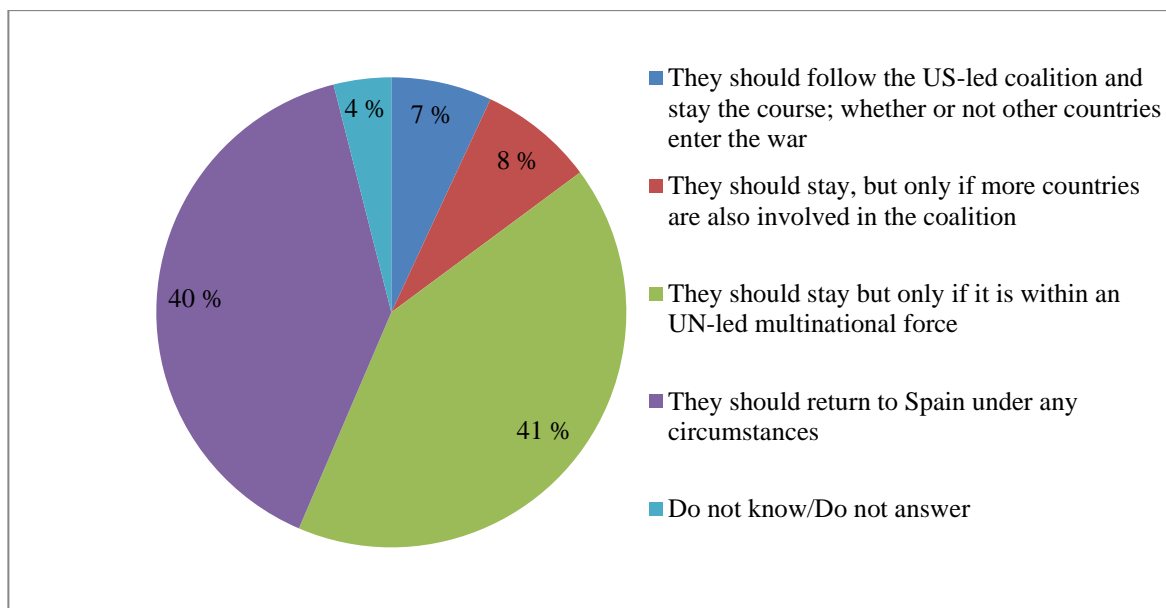


**Figure 4.5:** What should Spain do if there is a military intervention in Iraq?

Source: CIS opinion poll February 2003

When Spaniards were asked if the international community should intervene in the case of tyrannical and dangerous regimes, 24 percent opposed the attack (CIS opinion poll April 2003). Therefore it can be inferred that the public is less averse when there are “altruistic” reasons to justify the intervention. 61 percent agreed with the idea of Spain being a humanitarian troop contributor (Idem), however, only if it was within an UN-led multilateral force (BRIE report from November 2003-February 2004). Very few believed that the troops should stay even if more countries were involved in the Coalition (8 percent in average) (see figure 4.6). Even fewer (7 percent on average) believed that the Spanish military should stay and continue as long as the US-led Coalition stayed.

Public opinion indicates that even if a military involvement was endorsed by the United Nations, the Spanish people would still massively reject the mission. But in the event that Iraq became a humanitarian intervention, the UN's approval was extremely important for public opinion. “Most people (53 percent) supported the UN resolution 1511 and considered that it was a major advance for the reconstruction of Iraq” (BRIE Nov. 2003).



**Figure 4.6:** What do you think the military troops should do?

Source: BRIE report from November 2003-February 2004

Based on the above analysis there seems to be a clear inconsistency: an intervention is justified in some cases, but an attack is rejected. The key to this apparent contradiction according to Noya could be based in the fear of the United States (2003: 1)<sup>9</sup>. However, according to the data analyzed in this paper, this contradiction could be better explained by a lack of humanitarian reasons when giving a justification to attack Iraq.

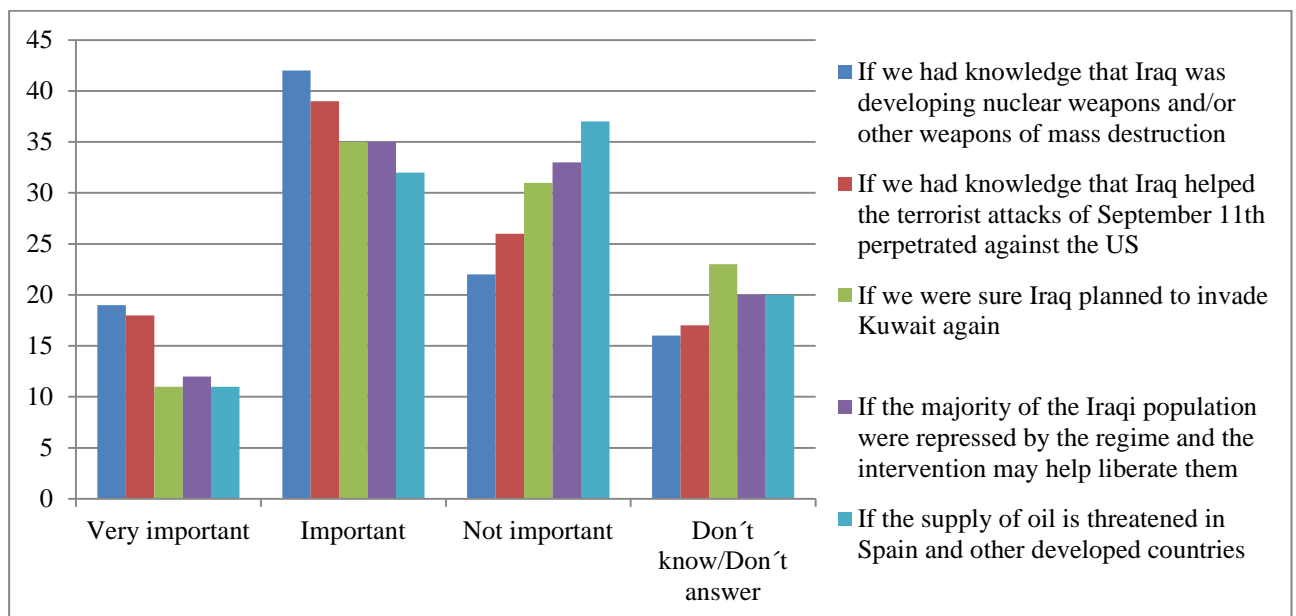
The pacifism of the Spanish public, the support given to humanitarian intervention and the necessity of the UN's approval, are characteristics also seen in public reaction to Spain's participation in NATO's invasion of Yugoslavia. Spanish soldiers invaded the territory controlled by Slobodan Milosevic without the authorization of the SC. A majority (56 percent)<sup>10</sup> of the Spanish considered that the military intervention in Yugoslavia should have had UN's consent (El País, 18 of January 1999). However, for 57 percent of the respondents the intervention could be

<sup>9</sup> Even though a considerable 85 percent of Spanish public opinion mentioned that United States' attitude against Iraq was regular, bad or very bad.

<sup>10</sup> At the same time, seven out of ten Spanish, that is 69% of respondents, thought that the bombing of the allied forces should immediately cease (El Pais-05.06.1999).

justified by serious human rights violations by Milosevic's<sup>11</sup> forces against Kosovo (El País, 05 of June 1999).

In contrast to the War in Yugoslavia, the intervention of Iraq was explained either by economic or unfounded or vague rational, such as: the oil supply that would be extremely threatened, the fact that Iraq had developed nuclear weapons and/or weapons of mass destruction and that Iraq aided terrorism. The Spanish public found the risk to oil supply to be the least important reason to invade Iraq (37 percent). The possibility that Iraq was developing WMD was considered significant (19 percent said it was very important and 42 said it was important). The motive may perhaps be that the threat also could affect the interviewee.



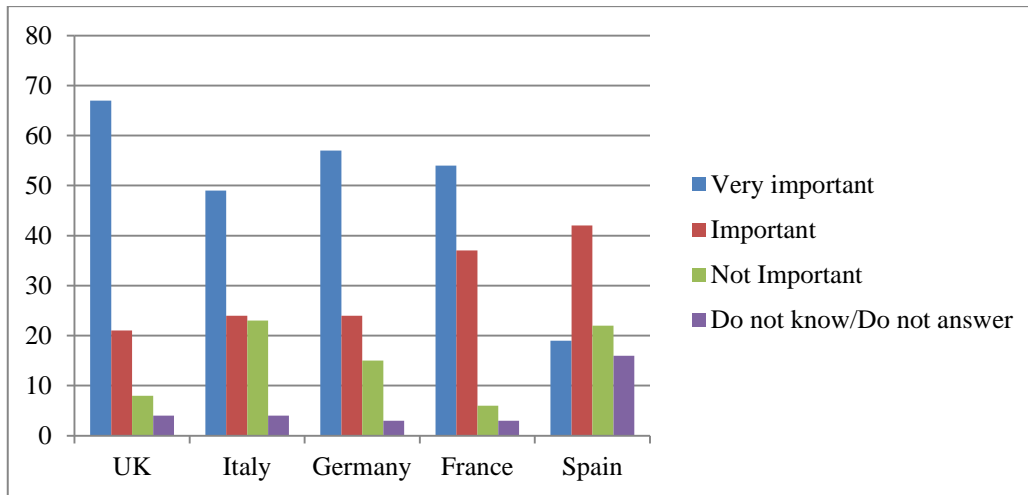
**Figure 4.7:** Justifications for a possible attack on Iraq

Source: BRIE Report from February 2003.

Considering the reasons to justify the invasion of Iraq, the UK, Italy, Germany and France, gave high importance to the fact that Iraq was possibly developing WMD (67, 49, 57, 54 percent respectively). In Spain on the other hand, percentages tend to be less than the half of Europe's average (19 percent).

<sup>11</sup> 83 percent believed that Milosevic should be tried for war crimes before the International Court in The Hague (El País-05.06.1999).

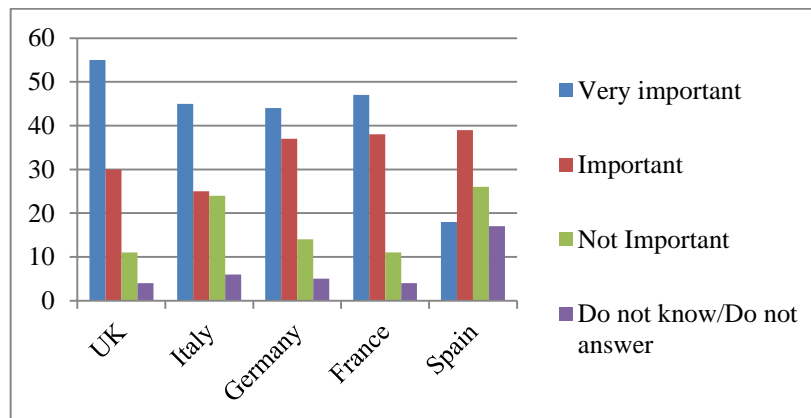




**Figure 4.8:** Importance of WMD to justify the invasion in Iraq by country

Source: BRIE Report from February 2003

Concerning 9/11 as a justification for the invasion, Spain was again far more reluctant to support war than its neighbors (18 percent said that was very important). Public opinion in the UK, France, Italy and Germany ranked the attacks in New York also as an important reason to justify the war (55, 47, 45 and 44 percent respectively).



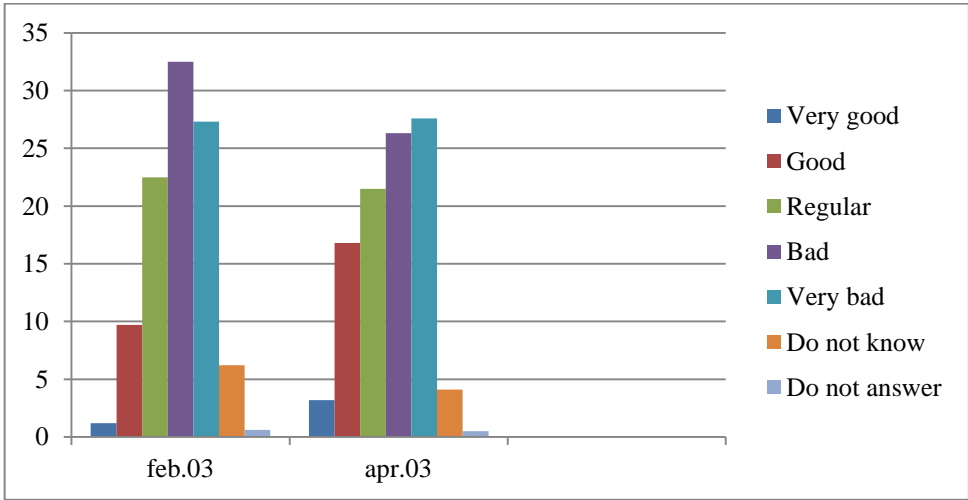
**Figure 4.9:** 9/11 to justify the invasion in Iraq by country

Source: BRIE Report from February 2003

Analyzing two of the justifications for the invasion of Iraq (19% WMD and 18% 9/11), one cannot categorize the Spanish public as indifferent because the category "important" obtained 42 and 39 percent of respondents respectively. This means the

Spanish people could justify the attack on these terms, although not with the intensity of other nations as the conflict is considered an American problem.

Despite the great public opposition to the invasion of Iraq, Aznar along with the rest of the “coalition of the willing” decided on March 20<sup>th</sup> of 2003 to invade. Because of this, the Spanish Government was viewed mostly negatively by the public a month after the invasion. What it is interesting is the increase in popularity of the government’s position towards the crisis from February to April 2003. While in February 11 percent perceived as very good or good (1,2 and 9,7) the way the government was carrying out the conflict, in April this percentage almost doubled to 20 percent<sup>12</sup>. (Figure 4.10) This may be explained by the fact that the war’s outcome seemed to be positive in the beginning. But as soon as the specter of returning body-bags appeared, public opinion expressed a desire for Spain to limit its involvement in the conflict. On February 2004, almost a year after the initial invasion, the number of people who wanted the military troops to stay (as part of a UN multilateral force) decreased to 39 percent. 75 percent evaluated the government performance in Iraq as average, bad or very bad.



**Figure 4.10:** How people assessed the position of the Spanish government in the Iraq crisis

Source: Compilation based on CIS opinion polls of February and April 2003

<sup>12</sup> When the Spanish government invaded Iraq with the “coalition of the wiling”, the political situation was considered as one of the worst of Aznar’s administration See Figure 1 in the appendix

The bombings in Madrid on 11<sup>th</sup> of March (11-M), 2004 galvanized opposition to the permanence of the troops in Iraq. According to the results of the sixth BRIE survey (May 2004), 64 percent of the Spanish public believed that 11-M would have not occurred if Spain had not supported the US in the Iraq conflict, against 23 percent that though it would have happened in any case. According to Noya, Spain was the target of the terrorist attacks due to the fact that it was the weakest country of the Coalition (2004:3).

Spain's left mobilized against the PP government punishing Aznar for and making him seem directly responsible for the 11-M killings as the result of his support for the US in the war against Iraq (Idem). This could have contributed to the results of the post electoral CIS survey that showed that almost 30<sup>13</sup> percent of the Spanish electorate claimed that the 11-M influenced their vote to some extent (22 percent were very much influenced or influenced, another 18 percent were mobilized to vote and 12 percent changed their votes).

Another survey by Gallup asked the same question, concluding that for 84 percent of the Socialists (PSOE) voters, 91 percent of the Populares (PP) and 80 percent of the United Left (IU) the bombings did not influence them. The CIS survey from March 2004 noted that almost 10 percent of the Socialists voters elected Rodriguez Zapatero's party PSOE due to 11-M and its consequences, while less than 1 percent of PP voters were influenced by these circumstances. The terrorist attacks in Madrid had repercussions in the voters' decision to switch their votes from the party they had planned. In fact, 4,5 percent of the voters who voted for the Socialist party had not planned to do so before, the same is true of 10 percent of Popular Party's voters (see figure 1 in the Appendix).

The attack and deaths of 11-M caused the delegitimation of the PP's government and in the elections on March 14 (14-M), the voters chose Rodriguez Zapatero of the Socialist Party, who from the beginning, was opposed to the invasion of Iraq. The first decision made by the new PSOE's government was to withdraw the

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<sup>13</sup> In April 2003 when Spanish citizens were asked if the Iraq War could change their votes in the upcoming local and regional election in May 2003, 19 per cent answer yes, that is 10 percent fewer than after the 11-M.

Spanish troops from Iraq. Public opinion was very favorable to this decision and only 10 percent of people were against it.

Since the beginning of the war in Iraq, political ideology emerged as the most significant variable in analyzing the differences in public opinion. The leftists were the most openly opposed to the attack 76 percent of the PSOE's voters were in absolute opposition to attack Iraq in November of 2002, while 42 percent of PP's supporters were against it. 21 percent of leftist agreed with a conditional support versus 37 percent of the rightists supported a UN led intervention.

The “most striking aspect is that there is no difference between those who are more or less informed”<sup>14</sup> (BRIE February 2003). It was not a matter of knowledge but of ideology. Even though the right was more inclined to support the war, in general Spanish public opinion is still pacifistic and rejects the use of force.

A very important aspect to highlight is the fact that Zapatero adopted the same ideological position as the Spanish constituency.

#### **4.4 Phase 1: Aznar “shooting ” in Iraq to become the “Great Spain”**

The transition to democracy after General Franco's death was characterized by a traditional, almost blind, pro-European stance, based on consensual politics. Nevertheless, the Spanish policy guidelines were altered by PP's main figure José María Aznar, who was the driving force behind sweeping policy shifts, both at home and abroad. During his second administration Aznar forged strong ties with the US, leaving Spain more deeply divided than at any time since dictatorship (Woodworth, 2004: 8). This was most evident in Aznar's decision to take Spain into the war against Iraq despite strong opposition that wanted European states to find a solution together.

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<sup>14</sup> 31 percent of the Spanish population followed the news about the conflict with great interest, while 46, 6 followed it somewhat closely and 19 percent followed it less closely. Therefore, it can be inferred that almost everyone was very or somewhat informed about the conflict and thus interested or concerned about the events. In fact, 29 percent said to be very concerned and 53,7 percent somewhat worried.

Even though it might be conceivable that Aznar's foreign policy was influenced by the attacks on 9/11, his desire to forge a close alliance with the US predated the attacks of September 11th. This was particularly noticeable in both the fight against the Basque terrorism group Euskadi Ta Askatasuna (ETA) and the role that he considered the European Union should play in international relations, with Spain "visible" in the forefront of its international presence.

Europe was extremely important for Aznar's foreign policy objectives of defending liberty, democracy and fighting against nationalist exclusion, ethnic tyranny and terrorism (Aznar, 2000). In Aznar's point of view however, Europe needed organizations and allies on both sides of the Atlantic, particularly from the United States<sup>15</sup> (Idem). At the Azores meeting (March 16, 2003) he expressed the importance of this transatlantic link: "the solidarity between Europe and the U.S. has always been, is, and should continue to be, a great European commitment; and today's Europe could not be understood without that commitment" (The Guardian, 16 of March 2003). In January 2003, Minister of Foreign Affairs, Ana Palacios, made a noteworthy statement: "Europe needs the U.S. in the same extent that the U.S. needs us" (El País, 17 of February 2003).

The Basque problem, conflated with terrorism, had lasted many years in Spain; therefore, according to Aznar it was time to solve the problem. In this it was he who had to convince Bush that the US should support Spain and that it was necessary to coordinate international action against all types of terror, against nationalist groups like ETA and against international ones like the Islamists (Ekaizer cited in Woodworth, 2004: 13). In May 2001 both the United States and Spain signed a joint declaration to fight against terrorism together. Even though Spanish Prime Minister found the US to be somewhat disengaged, Bush fully committed to Aznar's point of view after the attacks on the Twin Towers (Woodworth, 2004).

On September 11<sup>th</sup> Prime Minister Aznar (2001a) made a remarkable declaration:

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<sup>15</sup> In the Conference of the Prime Minister, José María Aznar, at Johns Hopkins a month after the Invasion in Iraq he mentioned that after the events of terrorism the cooperation between Washington with the European Union should strengthen and deepen.

“ETA and bin Laden are the same (...) no distinction should be made between terrorists”. Based on this statement it seems that Aznar felt that the attacks in New York directly affected his country, It seems that for Aznar the fight against ETA was reason enough to justify Spanish involvement in the Iraq War” (Ordeix, 2005: 610).

In an article published in the Financial Times, Aznar said

The Spanish people cannot be neutral bystanders when confronted with the consequences of an act of terrorism. Not only because of the scale of the attacks, or by the fact that they were especially heinous. But because our own experience, the frequency and intensity with which we have experienced death and destruction caused by terrorism, makes us also feel victims and to share the pain of those who suffered directly” ((Financial Times 21 of September 2001).

The day after the attacks, Aznar (2001b) gave the US unconditional support expressing his commitment to fight terrorism, being the second, after Tony Blair, in his pledging of unequivocal support for whatever response the Bush administration thought appropriate (Woodworth, 2004: 12). This position finally propelled Aznar to be up front with the larger powers as he always wanted to be. The famous picture in Azores of Aznar with Bush and Blair captured this moment.

The main argument expressed by Aznar to justify the Spanish involvement in the Iraq war was:

The threat posed by Saddam and the use of chemical or biological weapons by terrorist groups encouraged by the dictator". In any of his declarations, PP's Prime Minister referred to humanitarian reasons to invade. On the other hand, he didn't take into consideration Spanish public opinion, given that in his view, credible leaders "cannot be influenced by the flow of public opinion"<sup>16</sup> (Le Monde 8 of March 2004).

Instead, added Palacios (Izvestia 20 of February 2003), "government policies should be solely designed based on the responsibility the leaders have taken (internationally) and never on public opinion polls".

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<sup>16</sup> During the Interview with the French Newspaper Le Monde, Aznar was asked how was it possible that he could take decision alone even though the great majority was against of getting Spain into the War. Then he answered that "to run a country, there are two prerequisites: decisiveness and conviction. Leaders cannot be swayed by every wind or float like a cork drifting with the tide. Those who are carried away by wind or tide, they cannot be called leaders but vane. I for each decision, each reform taken by my government, I have never been swayed by the wind of time. I have always been at the forefront.

Even though Aznar indicated the danger that terrorist groups embodied, he was unable to effectively justify the Iraq War in the public's eyes. Hence, people did not understand the motives to participate in a war that was not theirs. In fact, Minister Palacios mentioned it to the Slovenian newspaper "Delo": "I have the impression that not everyone understood well enough why the government adopted the position taken" (Delo, 3 of September 2003).

Aznar on the other hand, (ABC, 16 of February 2003) said that he "attempted, as far as he could, to explain to the Spanish people the Government's view". Despite these good intentions, the Prime Minister also assumed that the government knew what was best for Spain and the world. In his own words: "Believe me when I say that I will continue to explain the people that the Government's position is, exactly, the one we should keep: the best for their safety, the best for peace" (ABC, 16 of February 2003).

The drive to go to war in Spain was not one party's fight, but one man's fight. The President, at that time Prime Minister designate, Mariano Rajoy said so on the day of elections in 2004: "Aznar, you and your war"<sup>17</sup> This indicates that more than the party being punished, the "Aznar factor" weighted the most on the elections of March 2004.

## **4.5 Phase 2: Zapatero-"booting out" the war of Iraq and strengthening the European Union**

The dozen bombs that ripped through three Madrid commuter trains and which killed almost 200 people and injured more than a thousand, destroyed PP's elections chances. The government of Aznar built the election around its campaign against Basque terrorism, and there were signs that public opinion was with them (Torcal & Rico, 2004: 114). Therefore, if the attack had been the work of ETA, the PP would probably have been elected. However, since it was proven that the attack was the work of an Islamic group, and that the government was manipulating the news erroneously

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<sup>17</sup> (Woodworth, 2004: 7). A senior member of the Spanish judiciary and an astute observer of the Spanish affairs assured Woodworth that what Rajoy said to Aznar was true.

blaming the Basques, the electorate punished the Popular Party electing José Luis Zapatero of the center-left party. In what was seen as a surprise result, the PSOE gained a five point victory over the PP.

Prior to taking up office, Zapatero had announced that Spanish troops would be withdrawn from Iraq and that he would take:

Spain out of that photography in the Azores” (El País, 15 of April 2004). Even though he mentioned he would wait for the UN to pass a resolution modifying the legal status of foreign troops in Iraq, on the 18<sup>th</sup> April “Zapatero decided to remove the troop immediately, without waiting for the adoption of the UN SC resolution 1546 on 8 of June 2004, which was construed by some as having provided the invading troops with a modicum of legal cover, (Powell, 2011:146; Zapatero, 2004a).

Zapatero’s decision could be explained on two fronts: first, because Spanish public opinion supported the withdrawal, and second, because he wanted to recover the traditional foreign policy of Spain as a country linked to France and Germany. In fact, Spanish Prime Minister wasted no time in visiting Paris and Berlin in April 2004. Meeting them again in September in Madrid, the three leaders provided their host this time with an opportunity to snub US Defense Secretary Donald Rumsfeld by proclaiming that old Europe was as good as ever (Powell, 2011:149).

It has been largely noted that Aznar’s government appears to have paid more for misleading the public than for its policy on Iraq<sup>18</sup>. However, despite the fact that the attacks mobilized 1,700,000 voters who had not planned to vote and discouraged another 300,000 voters from voting (Michavila, 2005: 31), a significant segment was no longer willing to support Aznar’s war policy.

For one reason or another, according to Zapatero, following public opinion was the most relevant factor in ordering the troops home. José Bono, PSOE’s Defense Minister in an interview stressed this urgency claiming that “Spain should not wait from a resolution to come (from the UNSC), given that the president on the one hand made a commitment to the Spanish people; while the United Nations on the other, will

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<sup>18</sup> See for example: Javier Jordán and Robert Wesley, “The Madrid Attacks: results of investigations two years later,” *Terrorism Monitor*, Vol. 4, No. 5 (March 9, 2006), pp. 1–4. Michavila, Narciso, “War, Terror and Elections: electoral impact of the Islamist terror attacks on Madrid,” *Public Opinion Working Paper*, No. 13 (Madrid: Real Instituto Elcano April 6, 2005),



never take charge of the situation in Iraq” (El País, 21 of April 2004). Furthermore, Zapatero told a local newspaper that withdrawing the troops from Iraq was a result of the will of the electorate, reflected by 75-80% of the Spanish voting public. In a democratic country, he added, it is important to respond to the aspirations of the majority, the general feeling of the public and the society (Time, 27 of September 2004).

Overall, the relationship between the government and the public opinion at least during the first year of Zapatero’s mandate was close. The government, encouraged not only by democratic convictions but also by the fear of the harshness of public opinion after 14-M. The government was unable either to act against the will of the Spanish citizens nor to conspire behind their backs. Zapatero therefore had to respect the promises of his campaign, which was the withdrawal of troops from Iraq.

It is important to mention that while the public was not in favour of Spain participating in military interventions to resolve conflicts, the government limited their international involvement to peacekeeping and peace building operations. Spain indeed, became a significant supporter of the development of the Security and Defense Policy in the EU (ESDP). Under Zapatero the Spanish military contributed in nine different interventions, all of them localized in three different continents where the ESDP intervened. As a final point, the famous quote from the Spanish philosopher Ortega y Gasset –“Spain as the problem and Europe as the solution- perfectly summarizes the Spanish position on the European construction and also on the Spanish participation in the ESDP” (Barbe & Mestres, 2007: 50).

## **4.6 Conclusion**

The differences between the Governments of Aznar and Zapatero regarding their foreign policies towards Iraq and their relation with public opinion are vast. The “style” of the PP government was characterized by its tendency to ignore public opinion, its lack of transparency, and a systematic scorn for opponents. On the other hand the way Zapatero approached public opinion was characterized by both obedience and compromise. Aznar always pursued one single goal: “making Iraq a

multiplier of power for Spain”. Active cooperation in the War, in NATO and with the United States occurred therefore, just in order to “reinforce the national grandeur and its role in world politics”. For Zapatero on the contrary, multilateralism was the best manner to act in those places where the use of force was required. In fact, despite the pacifist nature of the Spanish public, the importance given to humanitarian interventions by the government was enormous. The main reason for doing it, even though Zapatero also sought for a greater international projection, was that the influence abroad might be transformed into internal prestige.

# 5 THE EU CONSTITUTION

## 5.1 Introduction

This chapter is divided into three sections. The first section analyses the historical background of the constitution, briefly in Europe, and with more detail with regards to Spain. The second section explores Spanish public opinion towards the constitution in both political phases. The final section examines the characteristics of the domestic policy making. This includes the various actors that were involved in the formation of the Spanish policy during both administrations, as well as the arguments and issues of contention regarding the various positions taken by Aznar and Zapatero. Their positions will be divided into two main parts: the constitutional negotiations between the drafting of the European Union in December 2001 and December 2003 when Jose Maria Aznar rejected the Draft Constitution; and the negotiations between March 2004 when José Luis Zapatero was elected and February 2005 when the constitution was ratified via referendum.

## 5.2 The European Constitution

The Laeken Declaration of December 2001 started the Convention on the Future of the European Union and was the first step towards a European Constitution. “The Convention was provided with an open mandate to review the key reform issues arising for the EU’s future development” (Koning et al., 2006: 24). The results of the Convention chaired by Valery Giscard d’Estaing, were a draft Constitution for the EU. The main idea behind the European Constitution was to bring European institutions closer to their citizens.

According to Tesebelis the majority of governments praised the final text as a good compromise, however, even though their delegates had participated in the drafting of the constitutional text, some member states immediately called the proposal of the Convention into question (Koning et al., 2006:25).

“Faced with a possible loss of decision-making power within the Union, Spain and Poland used their power of veto during the Brussels meetings of December 2003 against the apparent absolute power of Germany and France, thereby halting the approval of the text,” (Chanona, 2004: 2). Both countries rejected the Draft Treaty due to the fact that the decision method of double majority advanced in the constitution would reduce Spain and Poland’s “weight” in European decision making and the budget process.

In spite of this initial failure, the Constitution was renegotiated in an Intergovernmental Conference undergoing some small modifications in a period of six months. But despite the changes, the delay seriously affected the process of ratification. The Draft was approved on 17<sup>th</sup> and 18<sup>th</sup> of June 2004 by the European Council in Brussels, then signed on 29<sup>th</sup> of October 2004 by representatives of the then 25 member states of the European Union and ratified by the European Parliament on 12<sup>th</sup> of January 2005. There were 500 votes in favor of the constitution, 137 against with 40 abstentions (Aldecoa, 2006: 12). Later, the Treaty was ratified by 18 member states, which included referendums in some countries such as Spain, Netherland and France. However, the rejection by French and Dutch voters in May and June 2005 respectively, brought the ratification process to a standstill.

The ratification procedure in Spain “was implemented through a nonbinding referendum followed by parliamentary ratification by an absolute majority of the members of the Spanish Parliament” (Torreblanca & Sorroza; 2005; 1). The democratic consultation was carried out on February 20, 2005 and on April 2005, in accordance with article 93 of the Spanish Constitution. The Spanish Parliament ratified the Treaty establishing a Constitution for Europe by 337 votes in favor, 19 against with no abstentions (Torreblanca & Sorroza; 2006: 1).

The main national parties (PSOE and PP) voted in favour, along with the centre-right Basque, Catalan and Canary Island Nationalists (PNV, CIU and CCD). The left-wing nationalist parties in Catalonia (ERC), Galicia (BNG), the Basque Country (EAS and NA-BAI) and the nation-wide left-wing coalition (IU-ICV) voted against (Idem).

In the senate the Treaty was also approved by a wide majority (225 in favour, 6 against and 1 abstention) (Idem). Finally the European Constitution was ratified in Parliament on May the 20<sup>th</sup> of 2005.

There was no required turn out for the vote to ratify the Referendum. Under the electoral rules in Spain, the government could not campaign for any position, not even encouraging citizens to participate in the process (Torreblanca et al., 2005: 5). Despite this, the government of Zapatero warned the public about the risks of rejecting the constitution for the future of Spain in the European Union.

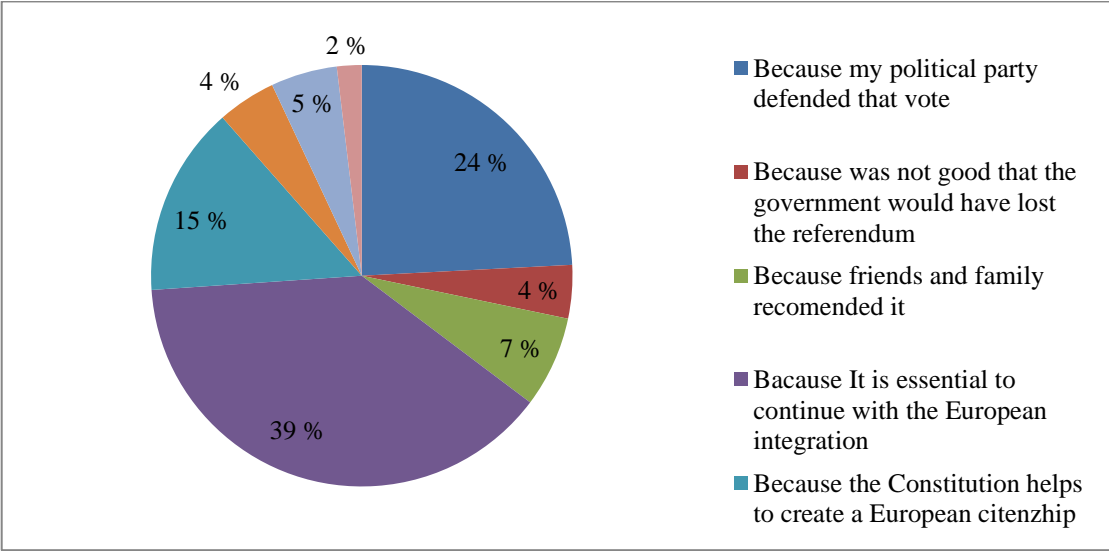
During the Presidency of Aznar the approval of the constitution was presented in unattractive terms since it “would relegate Spain from the "grown-ups' table" to the "children's table, where no decisions are taken” (Woodworth, 2004: 24), lessening Spain’s power in blocking coalitions. In the draft approved by Zapatero the reduction of power was bigger for Spain. How could this be explained? Which preferences or factors are important in explaining the change of position? Who prevailed: public opinion, personal ambitions or political parties?

### **5.3 Spanish Public Opinion toward a European Constitution**

Since the proposal of the constitution in 2003, until it was approved by a referendum in February 2005, questions were raised concerning public opinion towards the European Constitution. The result of the opinion polls, before and after the referendum, underlines principally two facts. First, there was general support towards the European integration process, and the Constitution is part of this process, reflected by the 77 and 73 percent of voters that backed these processes. Second, there was little interest and/or knowledge about the Constitution.

In general, Spain supports of many of the European initiatives, and the Constitution had not been an exception. The fundamental reason to agree with the text was the fact that they considered it essential to continue European integration. The creation of a European citizenship was, to a lesser extent, also one of the main reason

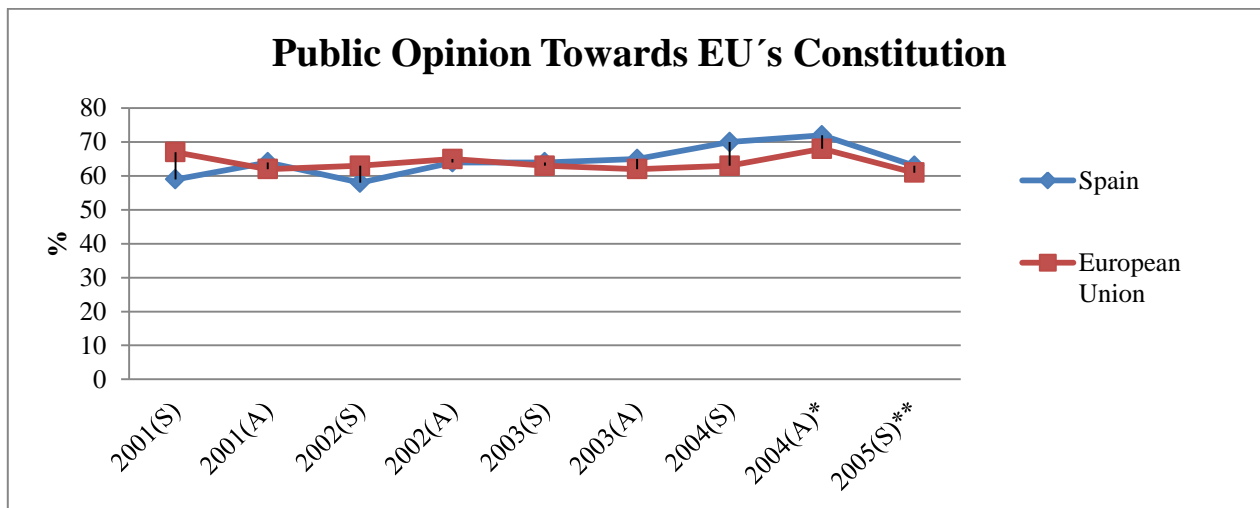
that led Spaniards to vote for the Constitution in the referendum (Figure 4.1). 20 percent of people answered that it was very important, 48 percent important and 10 percent somewhat important (CIS opinion poll October and December 2004 and January 2005).



**Figure 5.1:** Reasons given to vote in the referendum in Spain

Source: Compilation based on CIS opinion poll (February-March).

Since the Laeken conference, where the preparation of the draft began, more than half of the population considered the constitution positive and necessary for Europe. In autumn of 2004 (Eurobarometer opinion poll), 72 percent thought the European Union should have a constitution, putting Spain among the most supportive countries. Half a year before in the spring of 2004, Spain occupied the fourth place, after Italy, Luxemburg and Belgium, as the countries with highest level of support. In general, Spain has also ranked above the EU average (Figure 4.2.) in support for the constitution.



**Figure 5.2:** Comparison between Spain and European Union's public opinion towards the EU Constitution

Source: Compilation based on Eurobarometer opinion poll

Considering regionalism, even though with less strength, the constitution was also supported, in the Basque Country 62,6 percent agreed with the Constitution, while 64,6 percent in Cataluña and 65,3 percent in Navarra voted yes (Ministry of Interior of Spain). These three autonomous regions had the highest percentages of no votes. Madrid (76, 5) and the Canary Islands (76) had the highest percentages of yes votes (Del Campo and Camacho, 2003: 93). The main reason explaining these results is that the European Commission, despite a heated debate in Parliament to give greater attention to the autonomous regions of Europe in the Constitution, decided to maintain the status quo; assuming a state-centric doctrine (Morata & Ramon, 2005). At the same time, it was not clear what practical effects the constitution would have had on the cultural and linguistic diversity of the different regions within the union (Sampedro et al., 2005). Spanish newspapers, ABC and El País depicted these claims: Ibarretxe<sup>19</sup> thinks it is "unacceptable" that the European Constitution "does not recognize the

<sup>19</sup> Juan Jose Ibarretxe Markuartu is a Spanish politician of Basque nationalist origin. He belongs to the Basque Nationalist Party (EAJ-PNV). He is recognized because of The Plan Ibarretxe which proposed a new statute of autonomy, based on three pillars: The Basque people of Europe are a people with their own identity, the right of the Basque people to decide their future, the right to self-determination, the decisions of the citizens of each region of the Basque Country (Basque Country, Navarra and Basque Country or Northern Basque Country, Basque Country see) must be respected by others and the other peoples of Europe.

oldest language in Europe, the Basque, and the other languages of the Pyrenees" (ABC, 18 of September 2004). Catalan nationalists disliked the role reserved for the regions in the draft of the Constitution (El País, 10 of June 2003).

In 2002 Spanish public opinion ranked the creation of a European Constitution in sixth place after the necessity of assisting the fight against terrorism (ETA), the establishment of a Euro-order, a European legislature, a Judicial System and the homogenization of the education system (Diéz, 2006:142). Therefore, the European Constitution was not considered as one of Spain's principal aspirations. The low attention reflected both in the elections as well as in knowledge of the constitution, illustrates that it was not considered a priority.

On the 20<sup>th</sup> of February 2005, Spain held a referendum. The turnout was relatively low, being the constitution referendum with the lowest participation compared with the referendum of the Spanish Constitution of 1978 (67%) and the membership of NATO (60%). Only 42,3 percent of the population voted, even though during November 2004 and April 2005 more than 60 percent of the citizens were fairly sure about going to the polls (between 15 and 25 percent were possibly going to vote) (see table 2.1.). The polling results of January 2005, a month before the referendum, were not substantially different. Only about 30 percent were not very likely to vote or did not want to vote. When asking if the referendum of the Constitution were held tomorrow 16,4 percent would have abstained from voting. In February 2005, this percentage increased around 26 points (see table 2.2.). Despite that the vast majority of people were in agreement with having a referendum for the constitution many undecided voters chose to stay home. In November 2004 only 4 percent were against it while 83 percent were in favour.



**Table 5.1:** Spanish people that think they would vote in the referendum of the European Constitution

	Oct.04	Nov.04	Apr. 05	Jan.05
Yes, sure	43,1	62,7	60,1	46,3
Yes, maybe	26,7	16,2	15,3	22
Do not know	14,8	13,5	13	14,5
Probably, no	6,8	3,1	4,3	7,3
No, sure	8,5	4,3	6,9	9,6
Did not answer	0,2	0,2	0,3	0,4

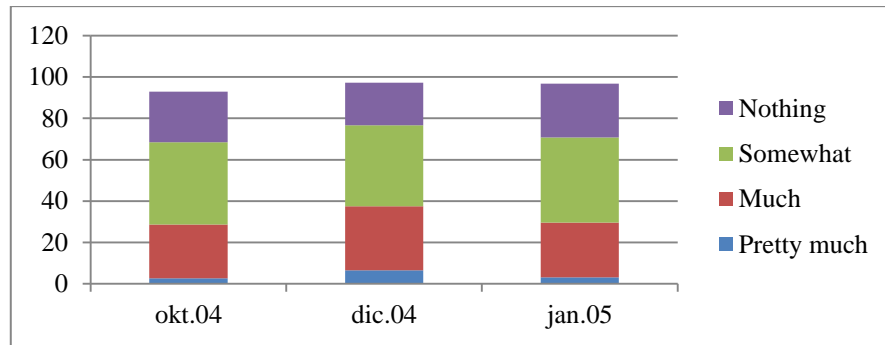
Source: Compilation based on CIS opinion poll (October, November 2004 and April January 2005).

**Table 5.2:** Spanish people that thinks he/she would vote if the referendum on the European Constitution would be held tomorrow

	feb.03	dic.04	nov.04	jan.05
In favor	44,6	42,7	41,6	51,2
Against	4	4,1	6	5,7
Blank	5,2	6,9	5,1	4,6
Abstention	13,6	22,6	9,7	16,4
Do not know	30,4	22,5	35,6	20,9
Did not answer	2,2	1,2	2	1,2

Source: Compilation based on CIS opinion poll (February 2003, December -November 2004 and January 2005).

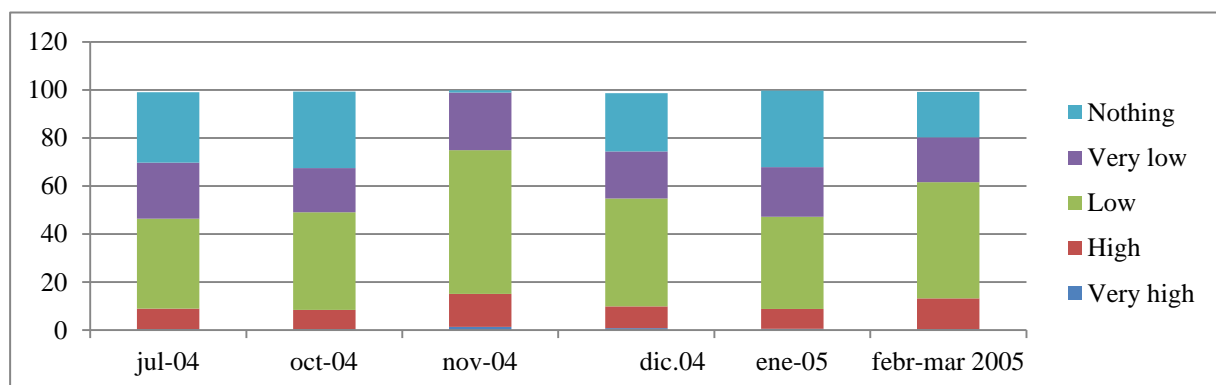
When they were asked if the results of the referendum concerned them, few answered that they did not care at all. These facts point out a big gap between words and actions as well as the low level of motivation the government and political parties managed to illicit from their supporters.



**Figure 5.3:** Does the result of the referendum concerns you?

Compilation based on CIS opinion polls from October 2004, December 2004 and January 2005

The low level of participation was coupled with a lack of knowledge of the details and the process of creation of the Constitution. In 2002, when the Convention was preparing a Constitution for the European Union, on average, only 8 percent of respondents knew and followed the work of the Convention and 63 percent did not know anything (CIS opinion poll from July 2003 and April 2004). However, three month later (CIS opinion poll from July 2004) when the final text was approved, these percentages were reversed and 62 percent of the public knew about the European Constitution. Nevertheless, they did not know much about the content of the text itself. When asked about their level of knowledge of the essence of the Constitution, most people had a low, very low or no knowledge of the constitution's contents. Those who reported a high level of understanding of the constitution were only around 9 percent.

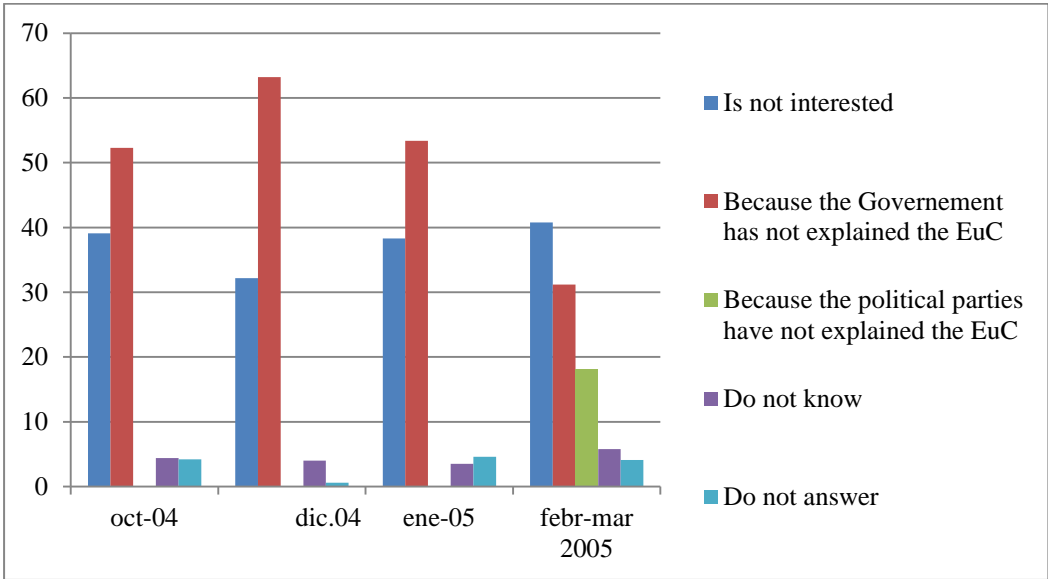


**Figure 5.4:** Level of Knowledge of the EU Constitution

Source: Compilation based on CIS opinion poll (from July 2004 to February-March 2005).

Published in “El País” on December 11, 2004: “The Spanish support the Constitution, but they barely know it”. Another report from the same newspaper said that “89 percent admit to be unaware of the European Constitution, but 75 percent are sure that they will vote” (El País, 30 of December 2004).

The fact that there was a huge level of abstention and ignorance towards the European Constitution could be explained by two reasons mainly: the lack of interest and the lack of information; considered both outcomes as the results of a government and political parties that did not try to elaborate about the text (see figure 5.5).



**Figure 5.5:** Level of Knowledge of the EU Constitution

Source: Compilation based on CIS opinion poll (from July 2004 to February-March 2005)

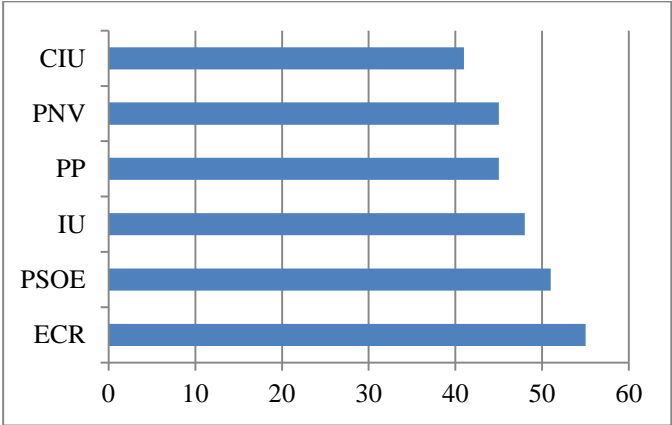
The Real Instituto Elcano conducted a research analyzing the coverage that the Constitution had in the Spanish media and concluded that there was no effort to educate the population from either the government or the political parties. On the contrary, the treatment of the information was very elitist<sup>20</sup> (Sampedro, Ruiz, Carrico, 2005). According to the research, at least two factors reflected this, first, the inter-institutional dependency of the Spanish media to partisan alignments that is for or against the government and second, the informants played a role in securing the flow

<sup>20</sup> The research analysed the three main Spanish newspapers: El País, El Mundo and ABC,

of information as prescribed and approved by official sources. For this reason, the debate on the European constitution did not appeal to the average citizen's everyday concerns (Idem).

Knowledge about the Constitution was not better among people with higher education: 16 percent of educated people assumed to be knowledgeable about the Constitution while 10 percent with low education were (BRIE 2004).

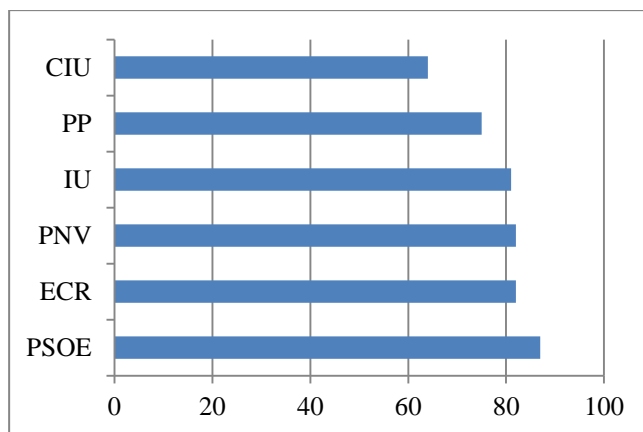
Regarding the political parties, 44 percent (CIS; January 2005) said they ignored the opinion of the party they supported in the last elections. Although supporters of Catalonia Party (ERC) had a greater degree of knowledge (55 percent), the adherents from the other parties are not very far from this percentage.



**Figure 5.6:** Percentage of voters who acknowledges their party's position on the issue of the European Constitution.

Source: BRIE Report, December 2004

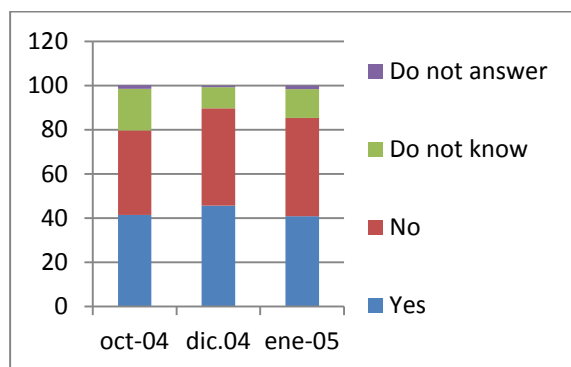
In general, those who knew the position of their party shared it (see figure 5.7). This occurred in 80% of the cases. The PSOE got the most support from their voters with 87 percent and Convergence and Union from Catalonia (CIU) got the least with 64 percent. The PP received less support than PSOE, which obtained 74 percent. PSOE and PP obtained from their bases greater legitimacy than the rest of the parties.



**Figure 5.7:** Percentage of voters that shares the position of the party they support

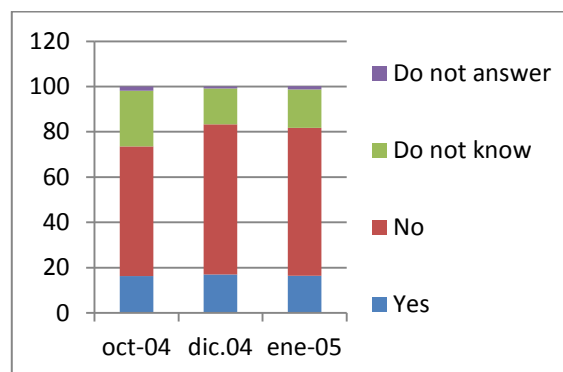
Source: BRIE Report, December 2004

Even though most voters shared the vision with their party, the support was not completely loyal. If the political party which they identified with would have asked them to vote for the Constitution, 42 percent would have done it. On the contrary, if they had asked to vote against it, 63 percent would not have followed their indications.



**Figure 5.8:** If the Political Party which you feel more identified with ask you to vote for the Constitution, would you follow their indications?

Source: Compilation based on CIS opinion poll.



**Figure 5.9:** If they ask you to vote against the European constitution, would you continue to follow their indication?

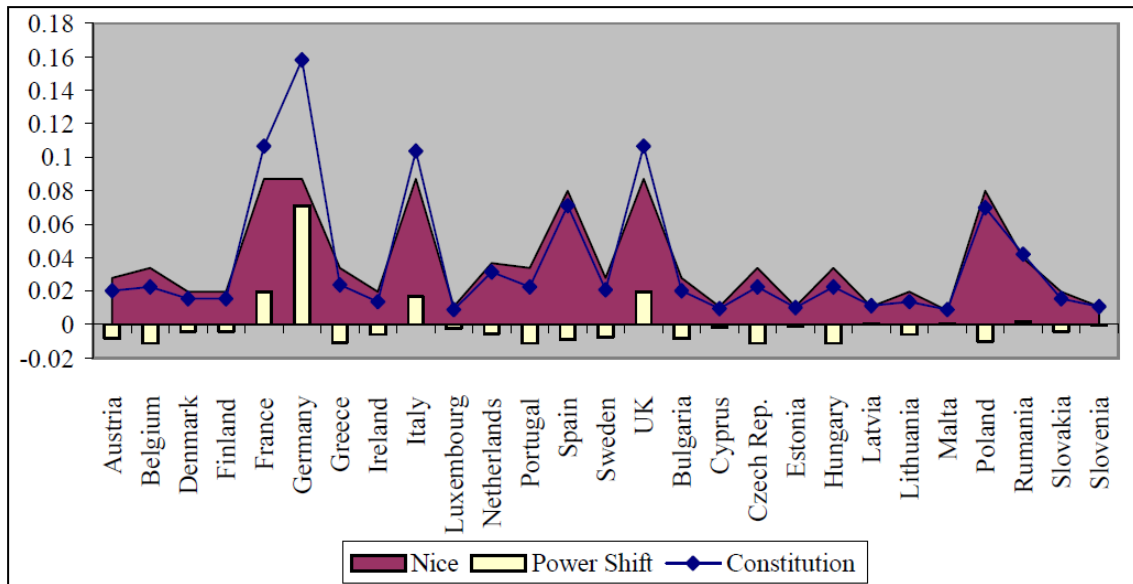
The general support for the Constitution combined with a low interest, participation and knowledge of the Text denotes a passive acceptance rather than an active involvement of the Spanish citizens.

## **5.4 Aznar: blocking the Negotiations and bringing Nice back**

The PP's rejection of the EU Draft due to a new criterion of the voting system in the Council of Minister resulted in a debacle at the Rome Intergovernmental Conference in December 2003. The Nice Treaty's voting system was meant to improve decision rules for the enlargement of the European Union and to give every member state the same power. The degressive proportionality system meant that small and medium-sized countries were over-represented in relation to their population under qualified majority votes (QMV)<sup>21</sup>, while larger countries were somewhat under-represented (Moberg, 2002: 262). Spain was slightly over-represented and becoming a significant EU player as much as states like France and Germany. The new voting system proposed by European Constitution would have changed this to and granted France and Germany the power to potentially block Council proposals (See graphic below).

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<sup>21</sup> The vote threshold was set in Nice is to 74% (255 of 345 votes). Moreover, a simple majority of member states (14 members in EU-27) and countries representing 62% of the EU population were required for the acceptance of a proposal.



**Figure 5.10:** Power Index to Form a Majority in the Council of Ministers

(Source: Chari et al., 2004; 5)

With the Nice Treaty, Spain had almost the same blocking power that the larger countries had, making it the fifth biggest power in the EU-27. The new rules could have officially codified the dominance of member states with larger populations like, Germany, Great Britain, France and Italy. The key explanation is that population counts more under the Constitutional Treaty and a winning coalition must represent at least 55% of the EU members and 65% of the EU population (Kauppi, 2007: 700). In addition, the minimum number of countries to block a proposal was four and the abstentions were not counted (Algaba, Bilbao, Fernández, 2007: 1753).

The objective of Spain's rejection of the Constitution was obviously to protect its power within an enlarging EU (Moberg, 2002: 266). Since Spain had a substantial difference in population compared with the four largest EU countries, its privileged position would be removed if the Constitutional Draft came into force. PP's reluctance to approve the Constitutional rules steamed from this possibility. The above analysis should be considered however within the context that: Aznar aspired to make Spain a great Power and one of the most significant players in the integrated European Union.

Carlos Closa (2004) has argued that the PP established over the last four years of governance (2000-2004) a new 'paradigm' for Spanish foreign policy where the traditional, almost blind, pro-European stance was altered. First, the party sought to make Spain 'more visible' at the international level by forging ties with the US. Secondly, the PP wished to make Spain 'more respected' at the EU level. In doing so it "was only interested in pursuing EU policy options that would 'strengthen' the Spanish position vis-à-vis other European superpowers such as Germany and France" (Chari et al., 2004: 12). The Constitutional Text however would call into question these assumptions since a victorious Franco-German axis would have distanced itself from US policy.

Aznar's thinking was rooted in the conviction that Spain was one of the greatest nations in Europe's history (Closa, 2011: 126), so his sense of duty was in his own words "not only to be in Europe, but to participate, to decide and take responsibility" (Aznar, September 16, 2000). Both aphorisms: "We are a big" and "we are going to be a giant in the enlarged Europe" (Aznar cited in Marin 2003: 111) were set as PP's the main goal, and the best way to achieved them, according to Josep Piqué, was to reverse the traditionally close alliance with France and Germany (Closa, 2011: 126). It is in this respect that Minister Piqué (2001) in one of his articles mentioned: "Spain has no doubt that Europe is built by all. Not just two". Aznar (2000) in a similar vein reflecting his antagonism towards the dominance of France and Germany mentioned that "Spain and not just France have a special responsibility in Europe".

The aforementioned coincided with the new strengthening of bilateral relations with Britain and especially with the United States. According to Closa (2011: 126), Aznar's favoritism towards UK and the U.S. was mainly extended to socioeconomic models. In Aznar's (2000a) own words "Europe was fool if loses its competitive conditions, notably with the United States", "it is extremely necessary for us to advance towards a Europe that is needed in our relationship with the U.S." (Aznar 2000b)



As it is possible to envision, Aznar perceived international politics as a competition, whose outcomes depended exclusively on the strength of each player (Closa, 2011: 126). His negotiation style reflected these beliefs while he adopted a tough and intransigent attitude, where the veto was the main negotiating tool (Idem). Aznar at both the Convention and the Conference tried to impose Spain's interests, and earning the title of the ugly European given by the German Press (Die Woche, 22 of March, 2001).

Woodworth also highlights (2004; 8) that Aznar "believed that those who were not with him were against him and came close to saying that those who were against him could not be democrats". This "democratic fundamentalism" (Cebrián, 2004) it is also found in the way he dealt with the Spanish people. First, he was reluctant to include regionalism in the Constitutional debate, but he included Christianity. Second, in almost every speech, interview he gave, article or book he wrote, there was little to no reference to the public. In the Conference held in Rome however, Aznar (2003a) said:

"as I have argued many times when speaking of the European Council, if someone has a direct democratic legitimacy are those who sit on the European Council, the ones who represent our citizens. I also said that the ones who will be submitted to elections or to a European referendum will be us, (...) will be us in Spain".

Aznar refused to consider including regional languages in a debate of the Constitutional Text. For him, Spain had only one language that is Castellano (Spanish). In the Press Conference (2003a) when Aznar was asked about a possible inclusion of minority languages, he actually said: "Spain has a common language which is the official language of all: Spanish".

Aznar policy style, coordination, and decision making strategy regarding the European Constitution during his second administration could be characterized as the following: first the President exploited democracy as a function of his own power (Cebrián, 2004). Second he instrumentalized the Constitution to achieve more power in Europe and to turn Spain into a big power that would be able to compete with the US. Third to do so, his strategy was to walk away from the traditional alliance with the

Franco-German axis and to come ally himself with Great Britain. Fourth and finally he only took citizens into account to justify his actions.

## **5.5 Zapatero: Preferring a European Constitution**

When the new Spanish Prime Minister, José Luis Rodríguez Zapatero of the center-left Socialist Party was elected, he tried to separate himself from Aznar policies. Consequently, he dramatically reversed some of the foreign policy decisions of the prior government, particularly Aznar's attempt to forge a special relationship with the US but also regarding the Mediterranean European Union policy (Field, 2011: 11). Concerning the EU Constitutional debate agenda, the main focus of Zapatero was to restart negotiations and set up a referendum.

The reasoning that was used to prompt adoption of the EU Constitution was the “absolute priority to return to Europe and with Europe” (Moratinos, ABC, 27 of July 2004). In his inaugural address, Zapatero declared that the recovery of a pro-Europe consensus was a main priority of his foreign policy and the European constitution was to be considered a means to achieve this goal. A new closer relationship to France and Germany was also considered important and to be at the heart of his European strategy (Moratinos, Catalunya, 19 of April 2004). Considering this the Minister of Foreign Affairs under Zapatero, Miguel Angel Moratinos stated that it was not necessary for Spain to maintain the power which the Nice Treaty conferred upon it three years ago (Idem).

Chari and Gwiazda (2005) stated that even though the PSOE was concerned about the blocking minority, they preferred to use in their discourse “influence capacity” and omitted from Zapatero's speeches both the Nice Treaty and Spain's loss of power. During the referendum campaign the issues related with Christian heritage and tradition of the European Union also vanished. The areas on which the PP based its criticism against a European Constitution were removed (Sampedro et al., 2005). At the press conference in Brussels, Zapatero (2004b) observed “that in Europe, People's Party was the only who spoke about Nice, and I can assure that in the two days of

discussions we've been here (Brussels) I have not heard anyone making reference to the Nice Treaty”.

The new issues that replaced the Nice Treaty and Christianity, were: nationalism and “Spain’s responsibility towards Europe”. Both were topics that Zapatero consistently referred to in his speeches.

The recognition of regional languages was a demand that appeared simultaneously with the change of government in Spain, probably linked to the support that Zapatero received from national parties in the general election (Sampedro et al., 2005). The government in response gave its assurances that it would defend linguistic and cultural development, as well as recognize the official languages of Catalan that is the one with the highest population density (Moratinos, La Stampa, 24 of April 2004). However, once the Constitution was approved and the demand for greater self-government was excluded from the treaty, nationalism became an important argument for some regional parties to seek the vote against the Constitution. The issue of recognition of regional languages, which had been a traditional subject of domestic politics in Spain filtered into the European Constitution debate.

PSOE’s motto to get the Constitution approved was that “Spain has responsibility for Europe”. According to Sampedro et al. (2005) this was an abstract argument to warn about the dire consequences of a rejection of the referendum. In fact, former Prime Minister Felipe Gonzalez before the elections alerted citizens of a serious crisis if the Constitution did not pass (El País, 1 of February 2005). Spanish voters would become responsible for the failure of the European Union project, which was precisely what the Deputy Prime Minister Maria Teresa Fernandez, lead the voters to believe. Fernandez addressed the Spanish citizens that could vote against or abstain from voting the Constitution, alerting them that their attitude could have "a high price", because "the possibility to have a better Constitution was void” (El País, 14 of November 2004).

On the other hand, the reasons the government gave to attract people to the polls and garner support were mainly based on the benefits that citizens could gain with the

Constitution. Zapatero (2004c) largely remarked that with the constitution “citizens of every EU countries, with no doubt, will have a better future, greater security, liberties and rights” (...) as well as will serve to feel closer and involved in the great European project”.

However, even though the government assumed a democratic stance towards the EU constitution, Zapatero’s commitment to the referendum appeared to be more a continuation of previous consensus rather a radical departure from former policies. This is made clear by the government’s rush to vote on the Constitution rather than taking some time to inform and explain to its citizens the content and the relevance of the text. Zapatero in an interview with the German newspaper *Frankfurter* (of September 2004) hoped that Spain would be one of the first countries to ratify the constitution through a referendum. Moreover, when he was asked in Rome for the motives to carry out the vote so quickly, even if most of the Spanish people did not know or had not even heard about the Constitution, he answered that “Spain should fulfill their duties with Europe as soon as possible” and that a “strong campaign of information about the content of the constitution and what it represent in historical terms, would be convened to society” (Zapatero, 2004c).

During the first period of Zapatero’s government he had an interesting relationship with Spanish citizens concerning the European Union. It was based on a compatibility of a similar vision about Europe and the role that Spain should play in the integration progress. Even though the government urged citizens to be informed and interested, the promotion was mainly meant to accentuate the negative consequences of a rejection, rather than to explain the content and why “with the constitution citizens would ensured their rights”, as Zapatero often stated. While the issue of recognition of languages could have changed the course of the Constitution attracting a large segment of society, it did not happen most likely because of the exclusion of the demand of greater self-government. The PSOE was not able to motivate a large part of the Spanish society mainly because it viewed the public was nothing but a tool to achieve its own partisan interests: to restore good relations in Europe.

## 5.6 Conclusion

In first place it is possible to note a change on how governments dealt with public opinion. The evidence suggests that this transformation is of high value when explaining both the position and the relationship with the public. This could be explained on the one hand due to the negotiation styles (consensus versus steadfastness), and on the other also because of the dissimilarity in political party interests. While PP's desire was to become one of the most significant players within the EU, regardless the cost, Spain under the Socialists was to "return to Europe and with Europe". However, even if the PSOE had a more inclusive discourse with the citizenry, the evidence suggest that the negotiations towards a EU constitution were largely based on the parties' ideological pre-disposition to favour deeper integration in the EU, rather than to satisfy public opinion. Therefore, it seems there is significant difference between both Prime Ministers.

# 6 FINDINGS

## 6.1 Introduction

This chapter aims to put the theory into practice by analyzing the cases in the light of both Kjell Goldmann's theory of reconsideration of the incompatible hypothesis and Putman's two-level game theory. The chapter is divided in three sections. The first measures the two different types of foreign policies with respect of their democratic level and the second reviews the policies in terms of two-level game strategies. Finally, we establish the relation between the process of policy making and the way that governments avoid national and international constrains.

## 6.2 The Invasion of Iraq and the removal of the troops

Both decisions, first to invade Iraq and then to withdraw troops from the conflict, were resolved individually by the then ruling executive powers. Even though these actions were in accordance with the Spanish legal framework, neither of them included a democratic allocation of values. In contrast, the process of bargaining was behind closed doors and left entirely up to partisan hands. Therefore, at first glance, both decisions would have fulfilled the first *principle of bargaining with outsiders*.

The most obvious implication of the bargaining was that the planning was done in great secrecy and restricted to the Ministry of Foreign Affairs. Even though the Spanish people opposed the attack, they only know on the 20<sup>th</sup> of March of 2003 whether the attack would even take place. The same problem applies to Zapatero's decision to remove the troops. According to Carlos Ruiz Miguel (2004: 3) the resolution of the new Prime Minister was surprising because he did not express publicly a final decision to remove troops with the main opposition party or the general public (the decision however was taken considering PSOE's interest and consulting this party).

Concerning *access to information* the information available regarding the conflict in Iraq, even though the amount of information was substantial, determining the degree of truth was very difficult. In a sensitive issue like Iraq, all the information could not be communicated to voters and to politicians. Notwithstanding this, the Spanish public -as it was stated in previous chapters- had a very strong and independent opinion.

A second implication of the bargaining stance was that the opposition was put in a very awkward position. Both the PP and PSOE's governments tried to delegitimize against each other and deprive their adversary of any foreign decision with governments. While the Socialists constantly questioned and publicly dismissed the legitimacy of the war, the Socialist were in turn accused of acting contrary to Spain's national interests. It is important to remember that Spanish Foreign policy under Aznar and Zapatero differed completely from each other. Aznar made a radical shift in foreign policy and initiated a new international era moving away from continental Europe and toward Britain and the United States. In these moves towards Atlanticism the Socialist Party was never considered or consulted as its foreign policy agenda was anathema to these objectives. When Zapatero came into office he threw the radical PP's foreign policy decisions "out the window" and never discussed foreign policy with them, even though the PSOE repeatedly mentioned that any eventuality regarding national defense should be discussed with parliament prior to its implementation (Herranz, 2008: 5).

A third consequence was the difficulty for legislatures to exercise influence over the outcomes. It is important to remember that "Spain is a parliamentary monarchy where the Constitution reserves foreign and defense policy to the Prime Minister" (Michavila, 2005: 7). Therefore the ability of Congress to make foreign policy is subject to the executive's capacity given by the Constitution to make decisions on this matter regardless of parliament. Consequently, to deploy or withdraw the forces from Iraq<sup>22</sup> required no parliamentary approval. In fact, in none of these

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<sup>22</sup>Among the EU member states, there have been huge differences in regards to parliaments' competencies in security and defense policy. For example, no parliamentary approval is required in Spain, Belgium or Greece. In contrast, the consent of parliament prior to any deployment of troops is

policies the parliament played an important role. In the words of Brownlie (1980: 4) the parliamentary debate “normally involves only retrospective examination of the consequences of irrevocable decisions already implemented” (cited in Goldmann, 1986: 6).

As a consequence the first principle underlying the incompatibility hypothesis is met. Neither Aznar nor Zapatero consulted parliament to authorize or ratify the use of or withdrawal of Spanish Armed Forces in Iraq. As a consequence, the bargaining position assumed by the executives resulted in very small minorities implementing their attitudes towards defense policy. They were undermined by either the position of the opposition or the break in continuity of Spanish foreign policy. Furthermore, the assertion that foreign policy cannot be made by the legislature suggest that bureaucratic participation in policy making is limited to implementation.

After Iraq however, according to Ortega (2004: 28), sending any further peacekeepers underwent subsequent approval by the Congress of Deputies. By virtue of this ratification, the principle of bargaining loses some relevance because defense [foreign] policy under Zapatero became slightly more democratic. The choice to remove the troops was perceived as a response of the initiatives of activists and the opinion of the general public. This also reveals that the making of defense policy became more *participative*.

Recalling the principle of the *supreme interest*, Aznar’s philosophy towards defense foreign policy may well be characterized along the lines of realism and the principle of the supreme interest. This is embodied in three ways: first, as Aznar considered national and international terrorism to be the main threat to the nation’s existence and integrity, he thought these foreign policy questions were too central to the survival of the state to be beholden to them. Secondly, security and defense became the driving force of the Spanish foreign policy as well as the main means to achieve Aznar’s major goal: to be at the forefront of Europe. Thirdly, as a consequence

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required in Germany, Austria, Denmark, Sweden, Ireland, and many of the new member states from Central and Eastern Europe. In Hungary, even two-thirds of the Members of Parliament must vote in favor of a deployment. (Wagner, 2006; 204)



of the two previous points, he also assumed that the public would stand united behind him.

Unlike Aznar, Rodriguez Zapatero did not consider the war against terrorism (international) as a supreme state interest; he instead seemed to follow the will of the electorate. In contrast, for Zapatero the war on Iraq was not compulsory but optional and opposed by domestic actors. Once again, defense [foreign] policy under Zapatero appears to be more democratic.

With regard to the *principle of remoteness*, today's defense policy cannot be considered as remote and apart from bread and butter issues anymore. Wars have very obvious implications for everybody since they imply casualties and high financial costs. Security is expensive; this money could have been used for other purposes such as dealing with unemployment, education, regional development, etc. (Goldmann, 1985: 30). Hence, this principle is not applicable neither to Aznar's decision to "shoot out" in Iraq or to Zapatero's policy to "boot out" the war.

As shown in table 6.1, the difference between Aznar and Zapatero is clear. Even though the three principles analyzed fail to operate jointly the PP policy style is much more in accordance with the incompatibility hypothesis than the PSOE's is. Zapatero's prompt decision to bring the Spanish military back home was a *representative* decision of voter's demands. The fact that after Iraq, parliament's approval was needed for further military and humanitarian action meant that defense policy became a policy almost like standard domestic policy.

**Table 6.1:** The three principles of the incompatibility hypothesis applied to defense policy

	<b>Bargaining</b>	<b>Supreme interest</b>	<b>Remoteness</b>
	<i>PP's Government</i>		
<b>Invasion of Iraq</b>	Yes	Yes	No
	<i>PSOE's Government</i>		
<b>Removal of the troops</b>	Open to Parliament debate after Iraq invasion	No Subject to pressures and not central to the survival of Spain	No

**Table 6.2:** The three principles of democracy applied to defense policy

	<b>Invasion of Iraq</b>	<b>Troop's removal</b>
<b>Representation</b>	malfunctions, no consensus	Relatively well functioning
<b>Participation</b>	primarily bureaucratic	Political policy making
<b>Information</b>	Rich/ Incomplete?	Rich/ Incomplete?

### 6.3 The European Constitution

The policy making of the European Constitution during both the administration of Aznar and Zapatero, was according to Chari et al. (2004: 11) highly centralized around three principal actors: “the Ministry of Foreign Affairs, the Prime Minister Office, and the Ministry of Economy (MEH). The first played a key role in terms of coordinating the position, while the other two players informed, guided, supervised or supported the actions of Foreign Affairs at various stages of the process” (See the figure 6.1). Other potential participants, including opposition parties, regional interests and other social actors, were excluded from the process. The Parliament on the other hand, was not taken into account either. In this sense, *the principle of bargaining* is also applicable to the process of the European Constitution.

Notwithstanding the negotiating behind closed doors, the low *participation* in the process of negotiation was outdone by higher involvement of both parliament and citizens in the post-choice<sup>23</sup> evaluation stage of foreign policy making. Spain held a consultative referendum and passed legislation through parliament in order to be approved with a qualified majority. In this sense the measure was also representative.

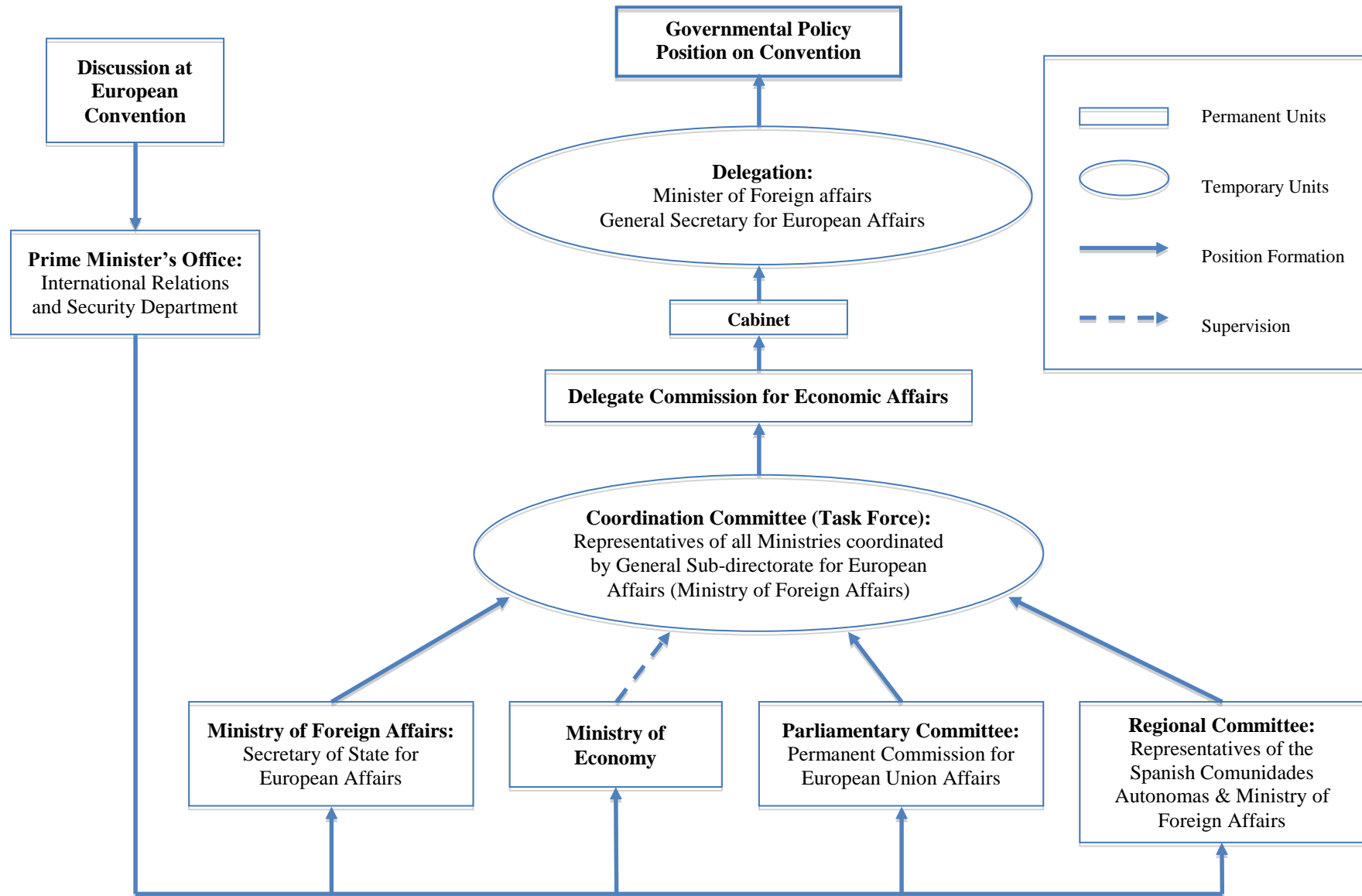
The reason for maintaining a closed-bargaining stance seemed to be explained mainly by the high level of complexity and technicality of the negotiation, rather than considering the EU Constitution as a sensitive issue, as was the case with the War in Iraq.

Because of the elevated level of specificity and knowledge required for negotiations, the amount of *information* the government had was far greater than the average citizen. As shown in chapter four, there was a very low level of knowledge about the content of the constitution which was not due to the level of education, but because both the government and the parties failed or refused to transmit the information. This was clearly illustrated by the elitist way that the information concerning the European Constitution was treated in the three biggest Spanish newspapers.

One of the foreign policy principles explaining the poor flow of information in the making of the EU constitution may be the principle of supreme interest. This means evoking the premise of the common interest, when the continuity and survival of the nation is at risk in foreign policy. Regarding the EU Constitution, even though the existence of Spain was not at stake per say, personal and political party interests of Socialist and Popular Party as well as and their leaders were in danger.

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<sup>23</sup> According to Goldmann (1986: 20) post-choice stage consist in implementation but it may also encompass evaluation.



**Figure 6.1:** Spain Domestic policy coordination in the European Constitution negotiation

(Source: Chari & Egea; 2006)

For the Popular Party the Constitution might have given Spain more weight in Europe. However, accepting a constitution in terms of the Convention would have relegated Spain from the "grown-ups' table" to the "children's table" and also taken Aznar out of the picture of the Azores. This was the reason why it was so important for him to keep the public uninformed. The fact that Zapatero attempted to carry out a non-binding referendum as soon as possible, proved that Prime Minister chose to ride the supportive climate of public opinion to get the Constitution legitimized and did not try to educate the electorate about the pros and cons of the text.

As analyzed in previous chapters, even though there was general support expressed by 78 percent of voters that backed the Constitution, the public accepted the EU Constitution passively rather than actively. Only 42 percent of the electorate went to vote. This can be explained because of the low level of knowledge but also because the implications of the constitution were seen as remote, indirect and less immediate. The low interest for the constitution could be explained by the third notion accounting for the incompatibility hypothesis: *the principle of remoteness*.

An important consequence of the bargaining position is that the opposition is isolated from the policy making. Regarding the negotiation of the EU Constitution, even though both parties agreed to rally support for the constitution the months before the referendum, during the preliminary<sup>24</sup> negotiations both the PP and PSOE weakened their political opponent's standing. Neither of the political parties considered the possibility that it may itself form the next government and that continuity in foreign policy is an asset for every country. Even though opposition parties as well as regional governments were willing to compromise on the EU Constitution in order to attain consensus between all member states, the PP centralized the process and did what they deemed convenient for Spain. Zapatero strove at all costs to get a European Constitution

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<sup>24</sup> Known as well as the agenda setting and denotes introducing new issues into the decision-making process.

for Spain even if it reduced Spain’s blocking capacity; leaving aside the PP’s efforts to achieve a text that benefits the country bargaining position among the European Union members. This called into question PP’s legitimacy and party program in the eyes of Zapatero’s government.

As in the case of Iraq, Zapatero unlike Aznar seemed to follow the will of the electorate. The new Socialist Prime Minister approved the European Constitution due to the fact that it would have meant more integration and a common European citizenship; both aspects were highly desirable among Spanish. Zapatero also submitted the constitution to referendum making the process more *representative* and participatory. However the fact that he avoided informing the citizens and conducted the popular consultation hastily, shows that the new government rather than democratizing a foreign policy was taking advantage of the favorable context to achieve PSOE’s goal: the recovery of a pro-European consensus.

As a consequence, Zapatero exploited democracy as a function of the party power and as Aznar did, instrumentalized the constitution. He took citizens into account to legitimize the party’s program and to show his government as being democratic. In the table below the small differences between Aznar and Zapatero confirm that despite the change in government there was stability in the process. In this respect, there was not much difference between the positions taken by both the PP and PSOE administrations.

**Table 6.3:** The three principles of the incompatibility hypothesis applied to internationalist policy

	<b>Bargaining</b>	<b>Supreme interest</b>	<b>Remoteness</b>
<b>Rejection of the Constitution</b>	<i>PP’s Government</i>		
	Yes	No	Yes
<b>Approval of the</b>	<i>PSOE’s Government</i>		
	Yes, but open to Parliament and	No	Yes

<b>Constitution</b>	public debate after approval
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**Table 6.4:** The three principles of democracy applied to internationalist policy

	<b>Rejection of the Constitution</b>	<b>Approval of the Constitution</b>
<b>Representation</b>	malfunctions, no consensus	malfunctions
<b>Participation</b>	primarily bureaucratic	bureaucratic during the pre-choice/ Tripartite during the post-choice
<b>Information</b>	Incomplete	Incomplete

In this section we have tried to determine the democratic level of two different types of foreign policies as well as the principles of the incompatibility hypothesis and where they are encountered. In the following section, on the individual level, the policies are reviewed in terms of two-level game strategies and to what extent leaders play them.

## 6.4 José Maria Aznar

Prime Minister José Maria Aznar played a two-level game in two instances when negotiating the European Union Constitution. Concerning the war in Iraq however, he did not try to maximize his degree of freedom or to satisfy domestic pressures or limit the harmful impact of the war.

Aznar did not seem to be afraid of being evicted from his seat even if he was threatened by great opposition which condemned the invasion of Iraq. He was convinced that the war against terrorism was Spain's responsibility and was therefore impossible to avoid and unnecessary to justify. In this sense, he could not and did not try to explain the reasons for invading Iraq.

With regard to the bargaining of the European Constitution, Aznar's government expanded his own level II win-set. While on the one hand he wisely *exploited public ignorance*, on the other he *tied his hands on the national level*.

It was well known that the Spanish public was supportive of many European Union initiatives and that the constitution was not an exception. From the perspective of Putnam's two-level framework a level I negotiator will deny any concession if there is supportive public opinion with the other level I negotiator. However, by keeping the public misinformed they gained some level of control over the public and rejected any of the ideas that ran against Aznar's ambitions. That is why in the constitutional debate there was not an important political issues put forth such as regionalism which could have mobilized many citizens.

It is clear that Aznar played a two-level game so as to subvert supportive public opinion towards the European Constitution and to walk away from Spain's traditional alliance with the Franco-German axis. The paradox is that Aznar used the public as an excuse when he discarded the constitution, arguing that he could not accept a constitutional project that in a popular referendum could be rejected. Regarding the invasion of Iraq, Aznar, rather than trying to convince the Spanish public about the necessity of the war or to find others ways to change their perceptions, he disregarded Spain's citizenry. He did not even try to link the international with the national level.

## **6.5 Jose Luis Rodriguez Zapatero**

When discussing and making foreign policy decisions Zapatero took advantage of both the domestic and the international level. The Socialist Leader constantly sought to maximize his degree of freedom and satisfy domestic pressures. The former occurred mainly in the approval of the European Constitution while the latter case of the removal of Spanish troops from Iraq.

Concerning the European Constitution, Zapatero used several two-level game strategies. As a clever player he harnessed the general support that public opinion had for the Constitution. He recognized the benefits that supportive opinion would have in expanding a level II win-set and thus, approved the



constitution without demanding many *concessions* from the other negotiating parties. In fact, nearly three months later he was satisfied with the outcomes of the Intergovernmental Conference and gave the “go-ahead” for the text to be approved by the European Council.

He also took advantage of positive opinion and *exploited public ignorance* as did Aznar; this enhanced flexibility on the International level by “cutting slack” in the ratification process.

The way in which Zapatero explained the Constitution was confined exclusively to inform about the benefits that citizens gained rather than giving information about the content. The justifications given by Zapatero to his constituency to get the sufficient votes were transmitted mainly through a negative approach. The fact that the PSOE alerted the public to the adverse consequences of rejection and blamed them for a possible failure of the European Union project showed the government played the game to both, *rally support from the public* and *avert the unsupportive climate*. Blaming and censuring was, thus, the means through which the party enhanced its flexibility with public opinion.

The reason why the government chose to call a referendum (and then submitted to ratification) could also be explained by the two-level game theory. The government knowing that the public backed the constitution and that this support did not depend on political parties, exploited democracy to confer legitimacy to its adoption and strengthen<sup>25</sup> its powers not just domestically but also internationally. In fact, by “cutting slack,” loosening binding domestic constraints in the ratification process (Moravcsik, 1994: 2), the governments could improve the prospects of intergovernmental cooperation. This is due to, as

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<sup>25</sup> In words of Bogdanor: “In general, where the government has discretion as to whether to call a referendum, the referendum will strengthen the government... Where the power to call a referendum lies in the hands of government, it is likely to prove a tactical weapon in strengthening its powers” (1994: 31).

mentioned in chapter three, the larger the Level II win-sets the greater the chance of a Level I agreement.

The two-level game played by Zapatero for the removal of the troops was diametrically opposed to the strategies used during the making of the European Constitution. While in the latter instance, the government constantly tried to extend its room for maneuver on the domestic level and sought to widen the scope of foreign policy decisions. In the former, Zapatero used the reduced domestic leeway in order to strengthen or at least maintain the respective government's international bargaining position.

Zapatero mentioned that the general public was a crucial audience on which his "Iraq win-set" depended. It was the high level of opposition against the military operation in Iraq, and the bombings in Madrid that were linked to Spanish foreign policy, that influenced Zapatero's behavior towards the two levels actors.

The newly elected Prime Minister feared to displease the public and to be removed from office, as was Aznar. Thus, he adopted the same ideological position as his domestic fellow players. However and at the same time, in order to limit the harmful impact on Spain's international bargaining position Zapatero repetitively made mention that his hands were tied on the domestic level.

Finally, the last strategy was to use side payments to attract marginal supporters. The fact that the recognition of languages was included in the debate of the constitution was, in fact, just to catch the attention of a larger segment to the election and to increase positive opinion.

In overall, it is clear that Zapatero played a two-level game so as to limit international pressures. He took advantage of both supportive and obstructive public opinion, however in different ways. While he tied his hands on the national level to deliberately reduce Spain's international leeway, concerning the Constitution the Prime Minister cut some slack in the ratification process to seek

international cooperation. Zapatero, therefore, consistently tried to link the international with the national level.

### 6.5.1 Comparison between Aznar and Zapatero

Comparing both the governments of Aznar and Zapatero, shown in table 6.5, it is evident that PP’s Prime Minister did not play the two-level game that his Socialist successor did. Aznar, in fact, did not even try to justify or reduce the harmful consequences of his actions when invading Iraq. Zapatero in contrast, followed level II actors when withdrawing the troops from Iraq.

When rejecting and approving the EU Constitution, Aznar and Zapatero, respectively, tried to convince players on level I that their win set was small. Additionally, both prime Ministers exploited the Spanish people’s ignorance. However, Zapatero rallied support from his constituency and cut slack in the ratification process.

**Table 6.5:** Comparing two-level game strategies between Aznar and Zapatero in the Iraq and the EU Constitution cases

TWO-LEVEL GAME STRATEGIES	<i>Aznar</i>		<i>Zapatero</i>	
	Iraq	EUC	Iraq	EUC
Rally support from one’s constituency	No	No	No	Yes
Ride unsupportive climate of opinion	No	No	No	No
Convince the other that his win-set is small	No	Yes	Yes	No
Informed negotiators can exploit ignorance	No	Yes	No	Yes
Use side payments to attract marginal supporters	No	No	No	Yes
“Cutting slack” in the ratification process	No	No	No	Yes
“Tying one’s hands” on the international level	No	No	Yes	No
“Tying one’s hands” on the national level	No	No	Yes	No

## 6.6 Conclusion

Putnam's general model suggested that governments on the one hand seek international self-binding when they are weak at home and want to strengthen their international bargaining position. Then on the other hand they search for national self-binding when they are weak in the international level and want to strengthen their national bargaining position.

The first supposition does not seem to be fulfilled in any of the cases analyzed. Even though Aznar lacked domestic approval he did not want to have any second level for political risk and burden sharing. Zapatero in contrast, enjoyed public approval for both foreign policies and still he sought international cooperation in the European Union.

In connection with the second assumption, while Aznar considered his constituency very little, Zapatero searched for national self-binding in the case of Iraq to justify his position at the international level, primarily to the United States and the UK as those most affected by its decision.

Summarizing, while Aznar used the two-level game only for rejecting the Constitution, Zapatero to achieve what he wanted nationally used both the international and national level. The latter confirms that Zapatero on the one hand mindful of the harshness of public opinion, followed the will of Spanish citizens; in relation to the EU Constitution he and Aznar used the context to accomplish party and personal goals.

The comparative analysis of the two foreign political decisions during the administrations of Aznar and Zapatero reveal, first, that an executive who plays at first level more than at the second level appears to make the process of foreign policy making more democratic. In contrast to this, executives who play at the second level more than at the first level appear to make the process less democratic. Executives who do not use any two-level game strategies play their own game.

# 7 CHAPTER 7: CONCLUSIONS

## 7.1 Leaders can use or ignore public opinion

The liberal school's argument was that public opinion shapes foreign policy decisions by setting and identifying a range of policies in which decision makers could choose (Russett, 1990; Risse-Kappen, 1991). Contrary to this assumption and consistent with the analysis conducted in this paper it has been found that at times public opinion can fail to effectively rein in foreign policy decisions due to the fact that elites either might disregard the majority and refuse to pay attention to their preferences; or that they manipulate and make use of them. While Jose Maria Aznar greatly ignored the majority when invading Iraq, he as well as Rodriguez Zapatero used and exploited Spanish public opinion to get the European Constitution first rejected and then approved in a national referendum.

Even if the Spanish public was highly opposed to sending troops to Iraq, Aznar regardless of the cost, overlooked the popular and prevailing sentiment and made the decision to invade based solely on his personal desire; that being to make Spain one of the most significant players within the EU. He acted as if he had authority over defense policy decisions and was not compelled by majority opinion. Consequently he did not care either to seek a second level agreement to share risk or to engage in blame avoidance and credit claiming exercises to selectively mobilize domestic support for his policy. Aznar in other words, did what he considered was the best for himself and for his party. For this reason he did not play the two-level game either in diverting the attention of the public or to persuading them.

Regarding the rejection of and then the approval of the European Constitution the Spanish citizens were by a large majority indifferent, reflected in both low participation in the referendum and a lack of knowledge about the

content of the text. However, even though the public was apathetic, Zapatero and Aznar to a lesser extent, used the public to justify their positions.

The most striking strategy Zapatero used was to utilize side payments to attract marginal supporters and introducing themes of national interest like regionalism. Including the recognition of regional languages as a demand Zapatero intended the Spanish voters to feel that their concerns were reflected and made them think he followed their wishes. Nonetheless, he only gave an appearance of responsiveness, he instead manipulated supportive public opinion to achieve party ambitions: to reverse some Aznar's foreign policies and to realign Spain with the European Union.

Aznar used two-level game strategies mainly to exploit ignorance and to expand his level II win-set. However, the paradox is that he also, depending on the circumstances, tried to convince the other parties' negotiators that his level II win-set was small by arguing that the constitution could not be accepted by his constituency. Accordingly, Aznar, unlike Zapatero, used the international level more than the national to justify his action and to minimize negative implications.

The ability of public opinion to affect and shape foreign policy decision can still be questioned as it has been proven that leaders sometimes simply ignore the majority or make use of different strategies to either exploit supportive public opinion or overcome bothersome public opinion.

## **7.2 Public opinion is responsive to elite manipulation**

According to the realist school's argument public opinion is a volatile mood that lacks in structure, is incoherent and irrational (Lippmann, 1955; Almond, 1956), and is therefore, notoriously fickle and responsive to elite manipulation (Foyle, 1983). Even though it has not been possible to conclude when public opinion is rational, coherent and structured, through this

investigation it was feasible to identify that the attitude at least towards the conflict in Iraq was stable, strong and citizens gave an active judgment against the war. Concerning the European Constitution it was also observed that the public opinion was constant and stable over time.

Notwithstanding the aforesaid, people were receptive to manipulation specifically in regards to the European Constitution referendum. In fact, due to the growing demand to recognize regional languages, Zapatero regardless of the difficulty to include the claim in the Constitutional text, promised to embrace and defend this petition for greater self-government. He unfortunately managed by artful and unfair means (through the game of two-level) to gain advantage and serves his own, but mainly his party's interests.

In the case of the EU Constitution the public was nothing but a tool for Zapatero to achieve PSOE's policy ends, we might conclude that he increasingly made use of the public to create an appearance of responsiveness rather than actually respond to their wishes. In other words Payne (2007) is right when saying that elites can simply manipulate rhetoric to assure wider support for their desired policies.

### **7.3 The removal of the troops from Iraq is the exception**

Among the cases, the removal of the troops is the exception, one, because public opinion exerts a substantial influence on the policy. Two because public officials respond to the will of the people when formulating the policy, and three due to the fact that Prime Minister Zapatero was empowered by public opinion.

The explanation as to why Aznar and Zapatero were affected differently by the same public opinion might largely be found in the fact that the parties had divergent and opposing foreign policy agendas. However, the decisive factor is might be that PP's Prime Minister was removed from his seat.

Based on the analysis of survey data it is possible to presume that the Madrid attacks had an impact on the voting conduct of the Spanish electorate. Because the government was blamed for the attacks and also condemned as self-interested for involving Spain in a war that it was not theirs, a new government with a different vision was chosen. Zapatero in order not to suffer the same fate as his predecessor had no other option than to pay attention to public opinion. This meant removing the troops from Iraq as soon as possible. This rapid decision, even though could have had a negative impact with allies, received wide approval among the Spanish citizenry empowering Zapatero and elevating his popularity.

Overall, Zapatero was compelled to respond to the will of the people when it was impossible to ignore or manipulate their preferences. Even if he “tied his hands” with the international level to reduce Spain’s international leeway, at the national level he did not use any of the two-level game strategies to justify any of his actions. In other words, Zapatero did not attempt to deny or minimize the negative implication of the events.

## **7.4 Generally speaking, foreign policy is undemocratic**

According to the definition of democracy, which is citizens’ right to have their opinion heard, generally speaking, foreign policy is undemocratic. Apart from Zapatero’s decision to remove the troops from Iraq none of the foreign policies analyzed followed the preferences of the voters.

Kjell Goldmann mentioned that foreign policy making is concerned with democratic issues depending on the type and substance of the policy. In line with his classification, the invasion of and withdrawal from Iraq characterized as a defense policy should have concerned ordinary people and therefore tended to be more democratic. The European Constitution in contrast, defined as an internationalist policy, the public should not have been strongly concerned with



the consequences of the policy, being consequently less attentive to policy making.

Goldmann is correct in this concern regarding defense policy. The invasion of Iraq and then the removal of the troops were important to Spanish citizens and they were active in the making of the policy. Even though Aznar was able to deploy forces in Iraq without consulting the public and despite the great opposition, the people were able to sanction him and to stop this measure through protest and elections. In fact, Aznar's policy against terrorism caused him to step down from power and that Zapatero with quickly removed the Spanish military from the war in Iraq.

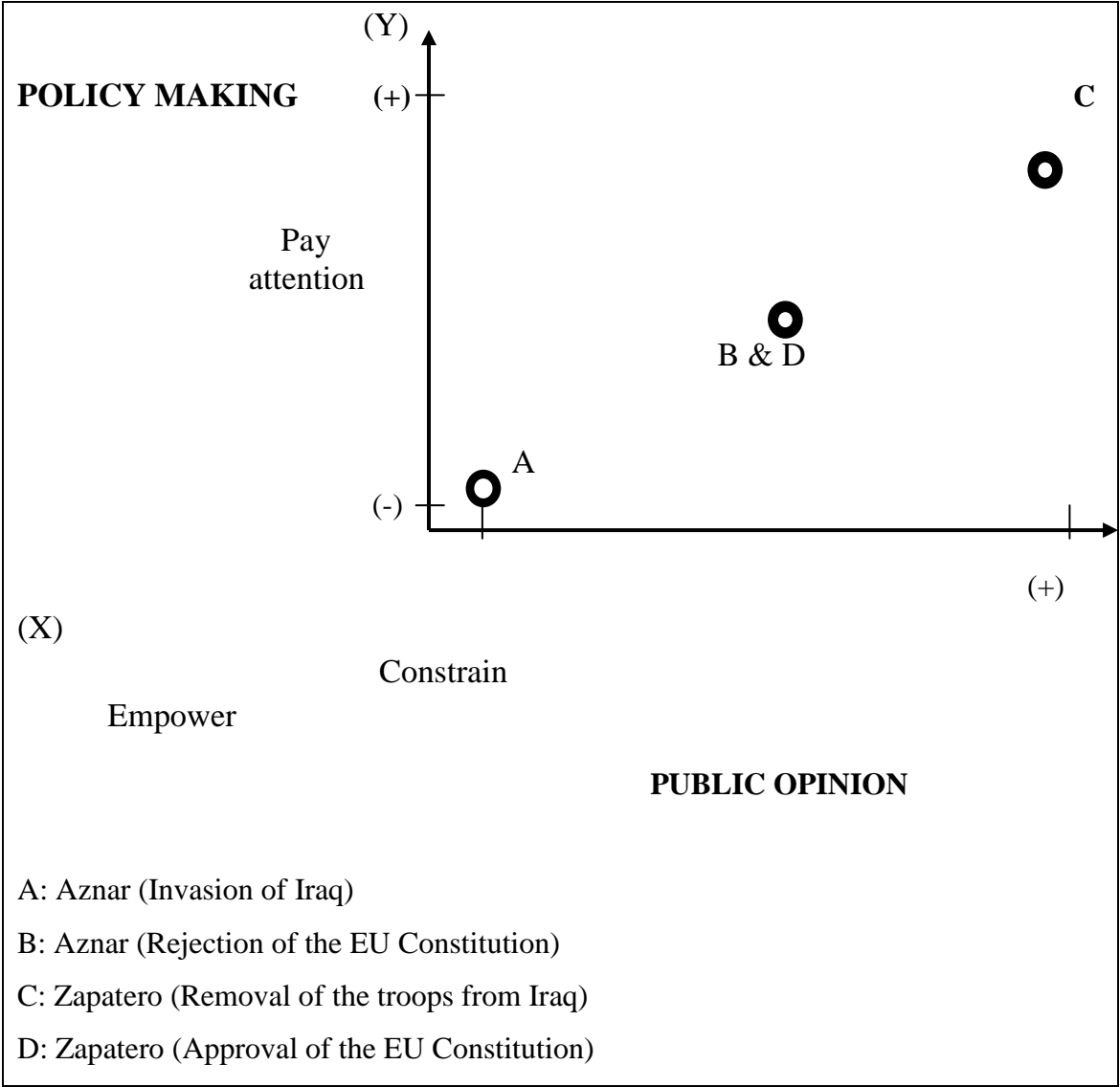
Goldman stated that the internationalist policy was the least democratic and, in fact, it was. The Prime Ministers did not encourage people to be informed nor did they struggle for the inclusion of issues that were important to the Spanish citizens. Even though Zapatero submitted the constitution to referendum making the process more participatory, setting up elections was more a continuation of former policies. Zapatero and Aznar therefore do not appear to be very different in this aspect since both exploited democracy as a function of the party power and personal interests, respectively.

## **7.5 In conclusion**

Spanish policy making is a result of both bottom up processes wherein leaders are responsive to public opinion; and of bottom down process wherein leaders ignore public opinion; as well as a process in which leaders managed to manipulate the public opinion to ensure that policies that they supported were pursued. Consequently, rather than a simple unidirectional causal flow between leaders and their constituency in policy making, the relation moves in both directions whereas the public provides the basis for elite strategies.

As shown in the figure below, Aznar and Zapatero had both opposing reactions to public opinion and very similar ones. The reason can be given by the

room foreign policy permits the public to participate, the importance that the policy could have for the government and the level the citizens are concerned about the policy. The relation between policy makers and public opinion is provided by both the type of the policy and the two-level game strategies.



**Figure 7.1:** Policy making versus public opinion in Spain

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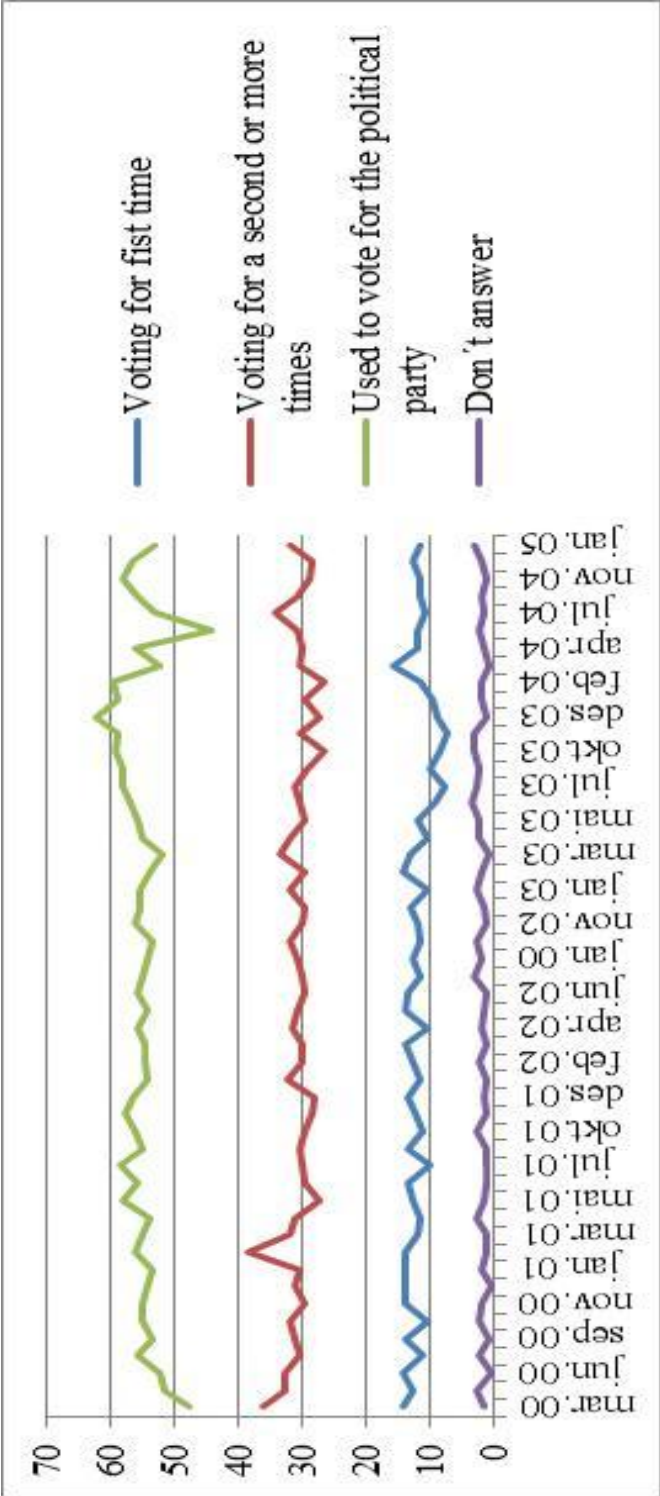
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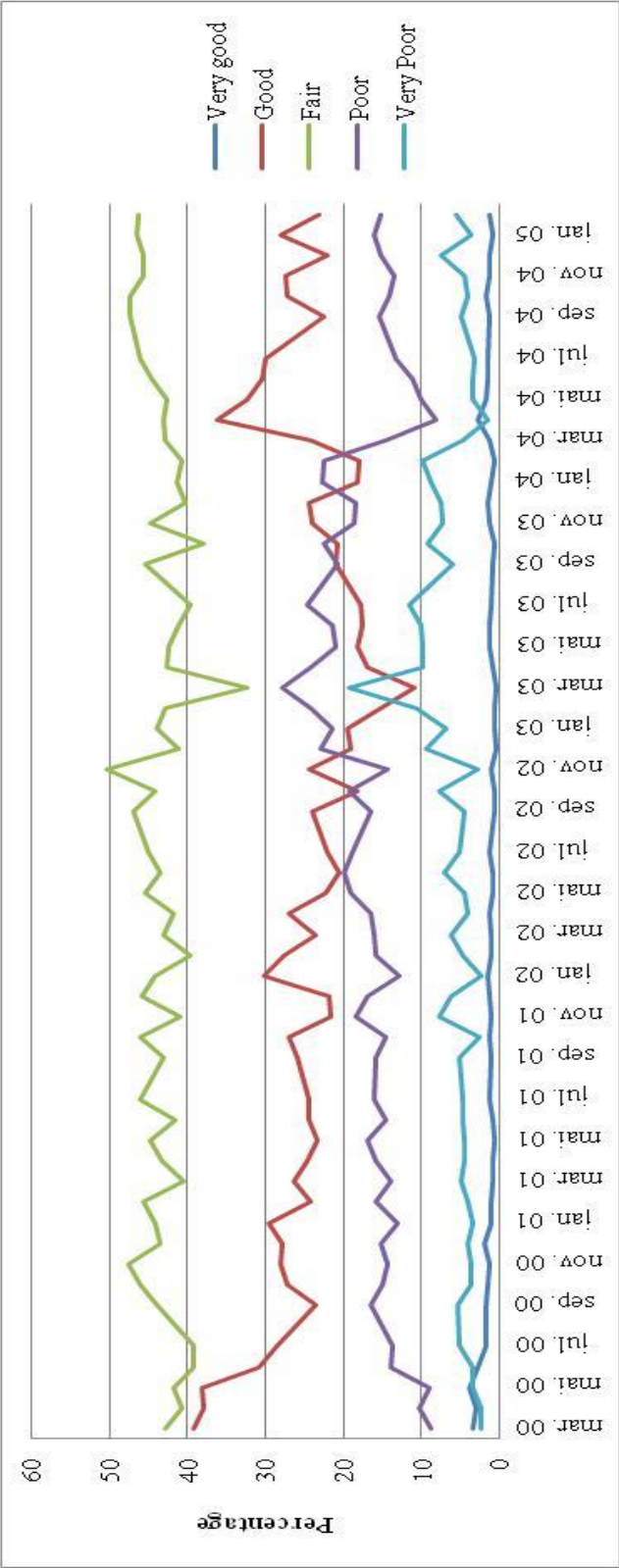
# APPENDIX

Figure 1: New voters in the general elections of 2000/2004



Source: Compilation based on CIS opinion polls

**Figure 2: Perception of Spain's Political Situation**



Source: Compilation based on CIS opinion polls