The influence of domestic constraints on the implementation of international agreements: German defection and the NATO mission to Libya

TESSA DALING

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Abstract: This study examines the relationship between domestic constraints and the implementation of international agreements by concentrating on the process of ratification. Specifically, I empirically focus on the case of German defection and the NATO mission to Libya. Since the main theories of international cooperation lacked the focus on domestic factors, this study tests the role of five domestic factors. However, with respect to their relative influence, I argue that domestic constraints are influenced themselves by (historical) narratives and prominent political elites.

Contents

Introduction

In 2010 NATO adopted its new strategic concept; a consensus based guide line for the next decade. It identified and prioritized the ten capabilities that the 28 member states agreed were essential to the organization's strength, not only in today's operations but also in the future. These were, amongst others, missile defense and joint intelligence, surveillance and reconnaissance (Daalder and Stavridis 2012, 3). The durability of this agreement was soon tested because merely a year later the situation in the Arabic countries called for international help. One of these violent events was the March 2011 crisis in Libya, which was unexpected and escalated rapidly (Bellamy and Williams 2011, 838). NATO wanted to intervene in Libya by imposing a no-fly zone, Germany however abstained from voting on the UN resolution which was supported by Germany's traditional allies and NATO partners and made NATO intervention possible. By voting to abstain Germany formalized one of its most controversial foreign policy decision in many years (Brockmeier 2013, 65). On an international level, the country's abstention was perceived as a 'no' causing harm to German's international position and its status as great power. On a domestic level, German journalists pointed out a strategic shift in Germans foreign policy towards the so called BRIC-countries.[1] Anyhow, German defection on taking part in a NATO no-fly zone mission to Libya raises questions about the implementation of international commitments.

Defections from international commitments are not uncommon. But why did Germany's national leader Angela Merkel and her foreign minister Guido Westerwelle not follow up on their international agreement made in the North Atlantic Council in 2010? The study of International Relations provides three main theories to answer this question: Realism, (neo) Institutionalism and Social Constructivism.[2] A Realist scholar had argued that military intervention was not in the interest of the German state. Moreover, he would not even recognize the importance of the existence of NATO itself (Dunne and Schmidt 2008, 93-94). On the other hand, scholars within the theory of (neo) Institutionalism would have underlined the importance of an institution like NATO because they believe such an institution is deeply embedded in cultural, social, and political environments. The willingness to cooperate is often described as a response to (international) rules, laws, conventions or paradigms (Powell 2007; Lamy 2008, 131-132). To conclude, a Social Constructivist had explained defection in terms of social artifacts (Barnett 2008, 165). However, none of these theories underlines the role of domestic politics when explaining foreign policy behavior of a state. As a result of the lack of focus on the role of domestic politics, my research on the implementation of international agreements will be placed within the framework of political factors on a domestic level.

This thesis will examine the influence of German domestic constraints in the decision of military intervention in Libya, and does so by elaborating on the theory of a two-level game and the process of ratification as exposed by Jeffrey Lantis. Robert Putnam was one of the first scholars to outline a theory of two-level game, explaining the interaction between international and domestic politics. His assumptions were based on the phase of negotiating and exposed an ideal international agreement, made of preference sets in which executives had taken in to account domestic and international interests (Putnam 1988, 432). However, Putnam does not mention much on the phase thereafter; the implementation of this ideal agreement made. Jeffrey Lantis tries to bolster this 'gap' in

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[1] See for example: "Germany has marginalized itself over Libya" by Severin Weiland and Roland Nelles for Spiegel Online International; 18 March 2011.

[2] See for example: Checkel, J. 1998. "The Constructive Turn in International Relations Theory", In: World Politics. Vol. 50 (2), pp. 324-348.

the two-level game theory by elaborating on the process of ratification. Ratification is perceived as "the formal voting procedure at a domestic level that is required to endorse or implement an international agreement" (Putnam 1988, 436). Hence, it is crucial to understand which factors exactly are involved in the voting procedure on a domestic level and constrain the implementation of an international agreement during the process of ratification. Lantis worked out a model of political proximity in which five hypotheses on domestic factors determined the relative influence of these factors. Therefore the main research question for this study will be: Which domestic factors account for German defection on the ratification of NATO's strategic concept of 2010 regarding the mission to Libya?

Case selection and an introduction to the methodology

I have selected Germany as my examining case because Germany is a European great power and therefore plays an important role in international cooperation. Germany did not sustain on its initial international agreement of 2010 within NATO whilst its traditional allies did. That is why the study of Germany can be examined as a deviant case for exploration on ratification processes. This study will be conducted by research on secondary literature as well as (German) press releases, speeches, articles, official government releases and polls. I have chosen to conduct my research in this manner because it provides clarity on the motives of Germany to defect on the agreement to impose a no-fly zone in Libya. The thesis will start with a brief overview on the Libyan crisis and the response of Germany on the resolutions conducted by the international community. After that, it provides a theoretical framework in which the author elaborates on the five assumptions set out by Jeffrey Lantis. The third chapter of this study provides the reader a deeper explanation on which methodological grounds the analysis is conducted. It does so by elaborating on the operationalization of the variables under study. The fourth section analyses the case study. To conclude, this thesis summarizes the results and expires with a discussion.

Libyan crisis and the German response

The 2011 conflict in Libya can be linked to the political upheavals of the 'Arab Spring' protests that spread throughout North-Africa at the time (Bellamy and Williams 2011, 838). Therefore the character of the protests was unexpected and violent, which caused the rapidly escalated situation. The aim of the protests was to expel president Qadhafi and initially the rebels succeeded. They established a firm hold over the cities of Benghazi and Tobruk and declared they had taken control of most of the country's other major cities (2011, 838). Spokesmen of the National Transitional Council of Libya –the political division of the Libyan resistance– declared at a press conference in Paris that the rebels want to establish a secular democracy in Libya.[3] However, in early March Qadhafi's troops retook much of the country crushing every protest in its way. Qadhafi threatened his civilians by saying that "any Libyan who takes arms against Libya will be executed".[4] Because of the clear threat of the security of Libyan civilians, UN officials framed the problem as an international case of human protection. Warnings on the 22th of February of UN's High Commissioner for Human Rights to "stop using violence against demonstrators which may amount to crimes against humanity" did not stop the bloodshed (Bellamy and Williams

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[3] See for example: "Wie is de Libische Rebel?", 24 March. 2011, in: de Volkskrant. As quoted by the New York Times; http://www.volkskrant.nl/vk/nl/2844/Archief/archief/article/detail/1864342/2011/03/24/Wie-is-de-Libische-rebel.dhtml

[4] Defiant Gaddafi issues chilling call', ABC (Australia), 23 Feb. 2011, in: 2. Bellamy, A. and Williams, P. 2011. "The new politics of protection? Côte d'Ivoire, Libya and the responsibility to protect", In: International Affairs. Vol. 87 (4), pp. 825-850.

2011, 839). Official sanctions from the international community followed. The Arab League suspended Libyan delegations from its meetings whilst declaring its support to the rebels.[5] The UN Security Council passed Resolution 1970 and recalled the Libyan authorities responsibility to protect the rights of Libyan civilians. The Council condemned the use of force against civilians and imposed sanctions which included asset freezes, travel bans, and an arms embargo (Brockmeier 2013, 76). Nevertheless, the situation on the ground continued escalating. Further actions were proposed by France and the United Kingdom leading to the eventual adoption of UN Resolution 1973 on March 17th.

Towards NATO intervention; A no-fly zone

Potential intervention in Libya by NATO was first submitted to the UN Security Council. In case of severe violation of human rights, the call for military intervention is likely heard (Hellema and Reiding 2004, 128). Executives from the United Kingdom and France publicly considered a no-fly zone as a next step and imitated military planning for that purpose (Brockmeier 2013, 78). The official declaration on the no-fly zone in Resolution 1973 was that "[the Security Council] decides to establish a ban on all flights in the airspace of the Libyan Arab Jamahiriya in order to help protect civilians".[6] EU-member states within the UN disagreed strongly on the execution of Resolution 1973. Whereas France and the UK took a diplomatic leadership role, Germany did not. This led to a split in the European Union (regarding a unified reaction) and as a result, the EU became sidelined instead of promoting and enforcing its neighborhood policy (Bucher, Engel et al. 2013, 524).

The German position on a no-fly zone underwent a crucial change in March (Brockmeier 2013, 78). In February German Minister of Defense, Christian Schmidt, stated in a press conference that "EU members have to participate in implementation of the no-fly zone mission if the no-fly zone leads to rapid pacification and the saving of human lives".[7] Foreign minister Westerwelle, however, attributed a different opinion. On March 11th, barely a week before the adoption of Resolution 1973, he stated that Germany would only consider a no fly zone if there was a "demonstrable need, a clear legal basis and support from the region" (Brockmeier 2013, 78). Two days after this statement, Westerwelle and Germany's Permanent Representative to the UN Peter Wittig, emphasized Germany reticence by stressing the importance of strengthening sanctions instead of armed intervention.[8]

On March 27th, Peter Wittig eventually made one of Germany's most controversial foreign policy decisions: he voted to abstain concerning the adoption of UN Resolution 1973 (Rinke 2011, 44). The abstention of Germany was not only a UN matter; it was also a concern of Germany's partnership within NATO. As previous mentioned in the introduction, in 2010 NATO adopted its new strategic concept at the Lisbon summit. Germany, amongst other member states, agreed on an enhanced focus on crisis prevention. One of the statements NATO

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[5] Press office Reuters, London – UK; "Arab League suspends Libya delegation." February 22, 2011.

[6] Point 6 of 'No Fly Zone' in the official declaration on the adoption of Resolution 1973 by the U.N. Security Council, 17 March 2011. As quoted by NATO; http://www.nato.int/nato_static/assets/pdf/pdf_2011_03/20110927_110311-UNSCR-1973.pdf.

[7] Christian-Schmidt.de. "Pressemitteilung: Staatssekretär Christian Schmidt beim informellen Treffen der EU Verteidigungsminister". February 25, 2011.

[8] Permanent Mission of Germany to the United Nations New York. "Foreign Minister Westerwelle on Libya." March 13, 2011; Permanent Mission of Germany to the United Nations New York. "Remarks by Ambassador Wittig to the UN Press Corps on Libya." March 14, 2011.

representatives made, was that "allies will need to share more and better intelligence earlier and [NATO member states] will need to be prepared to consult quickly" (Witmann 2011, 28). Nowadays non-Article 5 tasks are setting the NATO agenda, causing tension between collective defense and crisis response operations. The Allies agreed that further capability development and force transformation are imperative to underpin their means to conduct the full range of NATO missions, including collective defense and crisis response operations on and beyond Alliance territory (Yost 2009, 35). Germany did not follow up on this agreement, when it was asked to support the no-fly zone to Libya.

For getting international agreements to work in practice, some scholars argue that the ratification process at a domestic level needs to be taken in consideration (Kaarbo 2012, 219). Merkel and Westerwelle had to take in account a lot of domestic factors when NATO asked him to deliver on the agreement made in Lisbon concerning the enforcement of the no-fly zone in Libya. For example, the fear of overstretching in light of the financial and economic crisis had damaged German public support for missions like the one to Libya (Keller 2012, 102). But besides public support, other domestic factors can influence foreign policy as well. The assumption that domestic politics can leverage international politics during the negotiation phase as much as the process of ratification thereafter, can well be captured within two level game theory.

Two level game theory: exposing the interaction between international and domestic politics

Robert Putnam was the first scholar to introduce a framework of a two-level game to explain the interaction between international and domestic politics (Putnam 1988, 434). As Lantis states, Putnam drew on ideas from game theory literature with scholars like Robert Axelrod who suggested that "cooperation under anarchy was possible in certain circumstances" (Lantis 1997, 2). Putnam recognized the work of game theory scholars but he departed from their original work by adding a new domestic politics dimension to the negotiation framework. Therefore, Putnam stated that negotiating on a deal with a foreign country is played by an executive on two levels. Level I of this two-level game is the international level, where national governments seek to maximize their own ability to satisfy domestic pressures, while minimizing the adverse consequences of foreign developments. Level II is the domestic level where domestic groups pursue their interests by pressuring the government to adopt favorable policies. Politicians seek power by constructing coalitions among these groups (Putnam 1988, 433-434). As long as a state remains interdependent, neither of these two games can be ignored. Therefore, the states executive seeks to manipulate domestic and international politics simultaneously. Diplomatic strategies and tactics are constrained both by what other states will accept and by what domestic constituencies will ratify (Evans, Jacobson et al. 1993, 15).

Because the need for ratification at level II is certain to affect the level I bargaining, Putnam calculated the likelihood for successful negotiating (Putnam 1988, 436-437). This so called 'win-set' for the given level II constituency is defined as "the set of all possible level I agreements that could 'win' –that is gain the necessary majority among the constituents– when simply voted up or down" (Putnam 1988, 437). Therefore, his first assumption is that larger win-sets make level I agreements more likely, *ceteris paribus*. In an international organization, where several member states all have their own win-set, reaching an agreement is possible only when win-sets overlap. Conversely, the smaller the win-sets the greater the risk that negotiations will break down (Putnam 1988, 438). The possibility of a break down lead Putnam to distinguish between two different types of defection at the negotiation table: voluntary and involuntary defection (Fearon 1998, 278). Elaborating on

rational game theory, voluntary defection refers to egoistic reasons of a (rational) executive to defect on the agreement whilst involuntary defection appears when the executive lacks the ability to ratify the agreement at home.[9] Involuntary defection constrains the eventual implementation of the international agreement since the process of ratification is essential to cooperation as Lantis assumes.

Putnam acknowledged the fact that involuntary defection can be just as fatal to prospects for cooperation as voluntary defection (1988, 439). An executive's credibility at level I, he states, is therefore enhanced by his' or hers capability to 'deliver' at level II. The capability to deliver at a level II is considered as the starting point of the process of ratification. Putnam recognizes the importance of the ratification process at a domestic level, as he argues that "level II imposes a crucial link between the international and domestic politics" (Putnam 1988, 436). However, his theoretical elaboration on ratification and the process of ratification is limited. It concerns "the formal voting procedure at level II that is required to endorse or implement a level I agreement" (1988, 436). Putnam names specific domestic factors. For example, he states that ratification can be seen as a parliamentary function, but also confirms that this is not essential. He mentions that actors at level II may also concern "bureaucratic agencies, interest groups, social classes, or even public opinion" (1988, 436).

The impact of domestic factors on the process of ratification

German Finance Minister Stoltenberg once mentioned the importance of the impact of domestic factors on foreign policy decisions by saying that: "the limitation of cooperation lies in the fact that we are democracies, and we need to secure electoral majorities at home".[10] Previous studies have shown how domestic factors can influence the process of ratification. For example, Richard Eigenberg[11] and colleagues conducted research (1987) on domestic constraints within NATO member states on security issues. They focused on four European countries' public opinion in relationship with support for NATO. It appeared that the presence of support for NATO did not automatically lead to support for defense spending. Without support for defense spending, the states concerning this study could not deliver on their promises made within NATO. This raised the question of whether commitment and support for NATO is merely symbolic, or perhaps even reflecting the 'free-riding' logic which is often discussed in relation with the security organization (Domke et al 1987, 389).

It appears that there is no scholarly consensus on how different domestic factors relatively influence the ratification of an international agreement. Given the focus on one domestic factor in previous research (as mentioned above), it is not surprising that empirical evidence is heterogeneous mixed. This means that previous research generates competing assertions about the likelihood of cooperation as opposed to defection behavior. To develop a more generalizable theory, Jeffrey Lantis identified five domestic factors which he claims are all crucial to explain behavior on cooperation or defection. His comparative case study (1997) of eight German foreign policy cases during the Cold War exposed three systemic conditions: interest, pressure and threats (Lantis

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[9] See for example: Sion, Maya. 2004. "The Politics of Opt-Out in the European Union: Voluntary or Involuntary Defection?" In: Thinking Together. Proceedings of the IWM Junior Fellows' Conference, Winter 2003, ed. A. Cashin and J. Jirsa, Vienna: IWM Junior Visiting Fellows' Conferences, Vol. 16.

[10] Gerhardt Stoltenberg, Wall Street Journal Europe, 2 October 1986, as cited in C. Randall Henning, Macroeconomic Diplomacy in the 1980s: Domestic Politics and International Conflict Among the United States, Japan, and Europe, Atlantic Paper No. 65 (New York: Croom Helm, for the Atlantic Institute for International Affairs, 1987), p. 1.

[11] Richard Eichenberg has held grants and fellowships from the Mellon Foundation, the Ford Foundation, the Center for International Affairs at Harvard University, and the Social Science Research Council. Professor Eichenberg's research focuses on public opinion, foreign policy, European integration, and gender politics.

1997, 10). Whilst the elite decision already confirmed cooperation on a level I, Lantis states that because of interest, pressure and threats five domestic factors can constrain the eventual outcome. These are: major party unity, ruling coalition consensus, symmetry of effects, election results and public support (1997, 10-17). By breaking down the complex process of foreign policy decisions into phases, one can examine how domestic factors can "unravel previously reached agreements" in what Lantis refers to as the post commitment phase (Lantis 1997, 5).

To address the problem of "unraveled agreements", Lantis proposes a post commitment politics framework based on three arguments: international cooperation is the product of a sequential process; five domestic political conditions can influence the durability of a leader's prior international agreement to cooperate and the proximity of these domestic political conditions to the ruling elite determines their relative impact (Lantis 1997, 6-7). Political proximity means that every domestic factor has a relative impact on the behavior to the center which is in this case, the behavior of the ruling elite to defect or cooperate. The role of political proximity will be discussed at the end of this chapter and will be clarified by means of a model. International cooperation is seen as a product of a least four sequential stages (1997, 7). The stages as Lantis identifies them are: The leader seeks international cooperation and calculates domestic support (T1); The leader makes an initial commitment to cooperate with other member states within the context of an international organization by setting the agenda (T2); There are subsequent elite efforts to ratify the commitment (T3); There is a final foreign policy decision to sustain or defect from the commitment (T4). Each of these stages are more or less influenced by domestic constraints. For this study, I will focus on the stages of T3 and T4.

Hypotheses on domestic impact

First, major party unity is important for implementing foreign policy decisions since factionalism within the party can undermine a predominant leader's position (Rousseau et al. 2012, 353). Factionalism is defined as formal or informal divisions among elites within a party organization based on different beliefs about the proper conduct of policy (Lantis 1997, 11). Scholars like Duverger, Rose and DeSwaan have argued that elites can have direct and personal impact on policy decisions (Lantis 2009, 387). Control of the policy process can therefore be seen as a function of elite political maneuvering (1997, 11). Lantis formulates the following assumption regarding major party unity: *An initial commitment to cooperate with other states in the context of an international organization is less likely to be sustained in the post commitment phase, ceteris paribus, when the leaders of the major party in government are divided over the issue.*

Secondly, maintenance of coalition consensus and the party elites in coalition governments is of critical concern since the major party in government needs the other parties (junior parties) to assure a majority in control of parliament (1997, 12). In proportional systems, junior parties can gain influence over foreign policy decisions by using their leverage of continued participation in the coalition. In extreme cases coalitions can be 'hijacked' by these junior parties (Kaarbo and Beasley 2008, 77). As a result inter-party can affect the leader's earlier commitment to an international organization (Kaarbo and Kenealy 2014). Hence, the next assumption made is: *An initial commitment to cooperate with other states in the context of an international organization is less likely to be sustained in the post commitment phase, ceteris paribus, when leaders of different parties in the coalition government are divided over the issue.*

The third domestic factor Lantis exposed, draws away from political institutions. Decision makers, he argues, must also consider "the satisfaction of domestic interest groups when approaching decision made over foreign policy" (1997, 13). Therefore he integrates literature on corporatism with studies on foreign policy decision making. He bases his argument on Karns and Mingst (1995) by stating that "the larger the number of competing groups the more likely it is that (…) the policy outcome will reflect the least common denominator among policy options favored by the different interest groups". The least common denominator refers to defect on controversial decisions of international organizations (Kesign and Kaarbo 2010, 26). Mostly these controversial decisions concern economic/developmental issues as Lantis states that "military/security issues have more of a symmetrical potential impact on the populace and will therefore have less of a tendency to attract a devise debate about policy resource distribution (1997, 14). As a result his hypothesis on the third factor is: *An initial commitment to cooperate with other states in the context of an international organization is less likely to be sustained in the post commitment phase, ceteris paribus, when it involves economic/developmental issues rather than military/security issues.*

The last two factors Lantis accounts for in his conceptual framework are electoral performance and public support. These factors overlap in several ways. For example, Lantis builds his argument of the impact of electoral performance on earlier work of Kant and Bentham by arguing that democratic elections serve as the key mediating institution which link popular opinion to policy choice (1997, 15). Besides the outcome of electoral performance, Lantis emphasizes the importance of timing of elections. Results and timing affect the leader's ability to uphold on earlier commitments to international organizations (1997, 15). Therefore the fourth hypothesis under study is: *An initial commitment to cooperate with other states in the context of an international organization is less likely to be sustained in the post commitment phase, ceteris paribus, when the major party loses support in national or regional elections.* To conclude, the last domestic factor examined is public support. Lantis underscores the change in public opinion toward ruling parties in the period leading up to the implementation of the decision (1997, 16). This is an important intervening variable in parliamentary systems like Germany, because these states deal with rotational regional elections schedules. Therefore leaders are always concerned with their party electoral performance and public support for the next election. As a result, the last hypothesis under study is: *An initial commitment to cooperate with other states in the context of an international organization is less likely to be sustained in the post commitment phase, ceteris paribus, when the major party loses support in public opinion polls.* Lantis found that by combing the relative influence of these five factors, a conceptual framework of the impact on cooperation or defect behavior on an international commitment can be formed. This conceptual framework is called the role of political proximity and will be explained in the last section of this chapter.

The role of political proximity

To conclude the theoretical part of this thesis, Lantis assumes that the proximity of the domestic political conditions to the power center is important. This means that ruling coalition consensus has a much higher degree of impact than, for example, election performance. It can be interpreted as a framework composed of concentric circles (Lantis 1997, 18). This has been exposed in Figure 1.

Figure 1. The role of political proximity
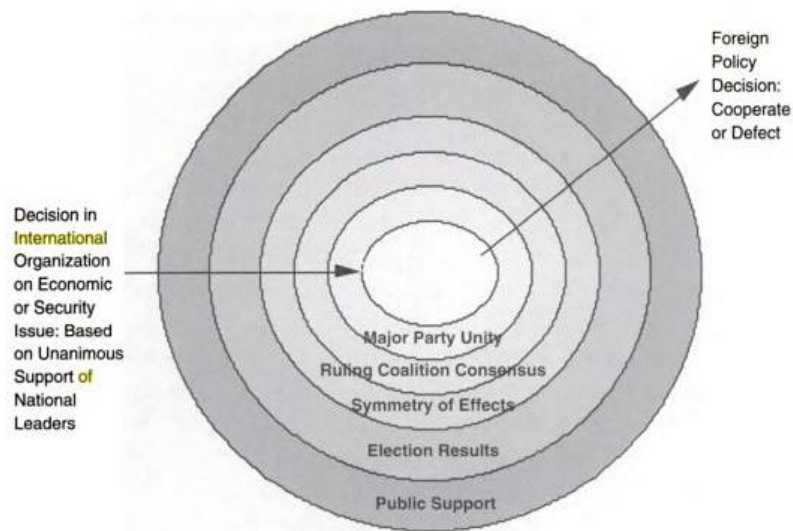
Source: Lantis, J. 1997. Domestic Constraints and the Breakdown of International Agreements. New York: Praeger, pp. 19

The justification for this model is derived from two fields of proximity and its intensity, namely public policy and comparative foreign policy studies. Scholars on comparative foreign policy studies have stated that "the more proximate the condition is to the center [the behavior of the ruling elite], the bigger its influence will be" (Andriole et al. 1975, 175). Major party unity is considered to be the most important intervening condition for the cadre of party elite. There are two main reasons Lantis accounts for this. First, he states that major party unity represents a variable that is 'inside the system'. Since intraparty political maneuvering occurs daily within parliamentary democracies, he assumes that this "represents a challenge to the power base of key actors". Secondly, the same cause can also challenge the personal position of a key actor with respect to his authority (1997, 19). Next to intraparty politics, interparty politics "is a concern that develops from inside the government and is a factor that has a direct impact on the decision-making structure and further process" (1997, 19). Therefore it is considered as the second most important factor to influence the foreign policy decision to cooperate or defect.

The three remaining factors represents variables 'outside the system'. Of these three factors, symmetry of effects accounts for the biggest influence. Symmetry of effects is interpreted as 'more effective' than public support since domestic interest groups are "well-organized, goal-driven and well-funded" (1997, 20). The remaining variables, election results and public support, represent only an indirect impact on the behavior of political leaders. It is included in the model of domestic politics since "there is evidence of a linkage between electoral cycles, public attitudes and foreign policy decisions" (1997, 20). On the other hand, these factors are 'downgraded' by Lantis since he addresses their limitations. Election results are less significant [than major party unity and ruling coalition consensus, red.] because of their cyclical character. The impact of public support is assumed to be limited since public interests are "diffuse, non-goal directed and are outside the political system"

(1997, 20). However, the argument of political proximity is presented as a foundation of Lantis' theory for a systematic review on how different conditions of domestic politics can affect foreign policy behavior.

Methodology and operationalization of variables

To address the role of political proximity within the theory of a two level game, this study examines all five hypotheses by Lantis for the case of German defection in taking part in NATO's no-fly zone mission to Libya. As a result, in the upcoming sections this study seeks an answer to the initial research question: "Which domestic factors account for German defection on the ratification of NATO's strategic concept of 2010 regarding the mission to Libya?"

This study's dependent variable is German defection. I defined German defection as the formal voting procedure in which German domestic political institutions are required to not implement the strategic guidelines of NATO as set out in NATO's strategic concept of 2010: Active Engagement, Modern Defence by taking part in a no-fly zone to Libya. I have chosen to measure defection in this manner, as opposed to considering Germany's initial agreement to the strategic guideline, because a strategic guideline cannot be executed by Germany unless it is ratified by German domestic political institutions. In addition to the dependent variable I will examine the following five independent variables for my case: (1) major party unity, (2) ruling coalition consensus, (3) the symmetry of effects of foreign policy decisions, (4) election performance, (5) public support.

Major party unity is measured by data from comparative political studies (amongst others Kaarbo; 2008, Lantis; 1996, Rousseau; 2012 and Kesgin; 2010) as well as German press releases, speeches and interviews. Factionalism in the major party, regarding to policy making, is defined as formal or informal divisions among elites within a party organization based on different beliefs about the proper conduct of policy (Lantis 1997, 11). Ruling coalition consensus is measured by data from comparative political studies, as well as German press releases, speeches and interviews. Coalition consensus is defined as consensus among party elites in coalition governments (Kaarbo and Beasley 2008, 74). Symmetry of effects of foreign policy decisions is measured by secondary literature study on foreign policy analyses as well as comparative, historic German foreign policy studies (amongst others Lantis; Lantis and Kaarbo). Symmetry of effects is defined as a large number of competing groups whom reflect the least common denominator among the policy outcomes favored by these different groups (Martin 1992, 770). Election performance is measured by using statistics on German voting outcomes during the elections between 2009 and 2011. These includes regional elections (2011) as well as parliamentary elections (2009). The measurement will account for the coalition parties in the German parliament during the time period of 2010-2011. Election performance is then defined as 'strong' and 'weak' relative to previous elections, if applicable. Public support is measured by using public opinion polls of TNS EMNID as published by German newspapers, articles and official government releases during the year of the U.N. resolution on the NATO mission to Libya was conducted (2011). I categorized public opinion into two categories: 'low' and 'strong' support. Public support of 30 percent or less was categorized as 'low' public support. Public support of 60 percent and more was categorized as 'strong' support.

Examining the effect of domestic factors on German defection; testing the predictions

To understand German decision making and the effect of domestic factors, it is important to know which political actors were involved during the time. In 2011, the *Bundesregierung* was a coalition of three parties: the CDU, CSU and FDP. Head of government was Angela Merkel, leader of the biggest party in Germany: the Christian Democrats (CDU). One of the coalition partners in Merkel-II was the conservative part of the CDU, the Christian Socialists (CSU). Together they form the so called *Union*. The CSU delivered the minister of defense, Karl-Theodor zu Guttenberg. However, he was replaced by Thomas de Maizière (also a member of the CSU) at the beginning of March 2011 (because Zu Guttenberg was accused of plagiarism in his dissertation.) More important is the position of German foreign minister Guido Westerwelle, a crucial actor in this context. Westerwelle is part of the *Freie Demokratische Partei* (FDP), the German liberal party. This junior party was relevant to the continuation of Merkel-II since it held crucial positions. Besides the position of foreign minister in *das Kabinett,* Westerwelle was also vice chancellor which meant he was Merkel's surrogate when she was absent. Moreover, Westerwelle was also leader of the FDP and his actions therefore turned out as crucial with regards to the impact of domestic factors.

Public opinion

First, this study tests the hypothesis that an initial commitment to cooperate with other states in the context of an international organization is less likely to be sustained in the post commitment phase, *ceteris paribus*, when the major party loses support in public opinion polls. As the German newspaper der Spiegel already predicted in 2010, it looked like the CDU was losing support in public opinion polls. A series of seven state elections in 2011 could turn into a nightmare for chancellor Angela Merkel, as opinion polls suggested the elections would reflect a dramatic slump in support for her coalition. The government would be ousted by a center-left alliance of Social Democrats and Greens, according to opinion polls which put support for Merkel's government at just 37 percent.[12]

Moreover, TNS EMNID conducted a 'Umfrage' in which they asked the German people whether they would support intervention in Libya by international forces. [13]62 Percent of the respondents said military action against Ghadaffi was a 'justified and correct course of action', while just 30 percent of the respondents were against it. However, only 30 percent of the Germans was in favor of direct involvement of German forces in Libya whereas 65 percent of them was against.[14] This means that there was 'strong' public support for international intervention but 'low' public support for German intervention. This is shown in Table 1.

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[12] Der Spiegel. "Letter from Berlin: Merkel Braces for Election Debacles in 2011. " December 28, 2010. http://www.spiegel.de/international/germany/letter-from-berlin-merkel-braces-for-election-debacles-in-2011-a-736816.html

[13] TNS EMNID is one of the biggest and most leading research agencies in Germany. With their expertise and their broad range of studies, they conduct polls on approximately every subject concerning German politics.

[14] Welt Online. "62 Prozent der Deutschen für einen Militärschlag. " March 20, 2011. http://www.welt.de/politik/deutschland/article12893939/62-Prozent-der-Deutschen-fuer-Militaerschlag.html#disqus_

Table 1. Public support for mission to Libya

◆ Support %	International intervention	German intervention
Support %	62	30
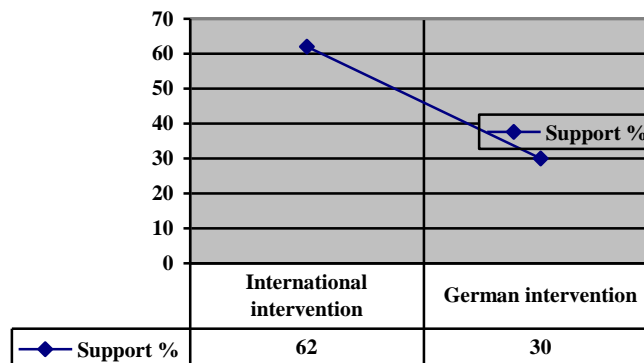
Source: Based on an opinion poll by TNS EMNID. Accessed on July 21, 2011. As published by German newspaper 'die Welt'; http://www.welt.de/politik/deutschland/article12893939/62-Prozent-der-Deutschen-fuer-Militaerschlag.html#disqus_thread

The survey of TNS EMNID indicates a rejection of Germany taking part in NATO action in Libya. Some scholars argue that the government's position reflected the public opinion but the German government already made clear in February that it did not believe in the effectiveness of any kind of military means and actions. It was in favor of enforcing the sanctions made in UN Resolution 1970. The government's position never conflicted with the public opinion on a German part in the mission to Libya since it was never even an advocate of intervention in the first place. Support (or a lack of) for Merkel and the CDU party can therefore not be seen as a derivative of its point of view on German intervention in Libya. If public support had had an (indirect) impact it can be marked as a reinforcement of Merkel's position and the position already held by the CDU and its coalition members on this matter. The results of the impact on public support confirm the hypothesis as set out by Lantis.

Electoral performance

The second hypothesis under study is that an initial commitment to cooperate with other states in the context of an international organization is less likely to be sustained in the post commitment phase, *ceteris paribus*, when the major party loses support in national or regional elections. On the 14th of October 2009, the Federal Returning Officer announced the official result of the 17th German Bundestag elections on 27 September 2009. With a voter turnout of 70.8 percent, the CDU remained the biggest party in the German Bundestag (27.3 percent against 27.8 percent in 2005, red.)[15] Merkel choose to form a coalition with daughter party CSU (6.5 percent) and the FDP (14.6 percent). The electoral results for the FDP were remarkable. The FDP received almost 15 percent against 9.8 percent in 2005. This is a growth of 67.12 percent. However, in the following regional elections of 2011 (seen as a bearing for the national government's popularity) the results tempered the success of Merkel-II. Seven of Germany's 16 states held elections in 2011. On February 20, the results from Hamburg showed that the CDU was swept from power in the federal state of Hamburg with their worst result since World

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[15] Official result for the 2009 Bundestag election; https://www.bundestag.de/htdocs_e/bundestag/elections/results/.thread

War II, plunging 20.7 percentage points from the last election to 21.9 percent (Brockmeier 2013, 73). On March 20, just seven days before Germany voted to abstain on Resolution 1973, the results coming from the federal state of Saxony-Anhalt were damaging the position of the CDU as well as the FDP. The CDU fell 3.7 points to 32.5 percent in the poor eastern state of Saxony-Anhalt but held onto power in a grand coalition with the SPD, who won 21.5 percent. The FDP won only 3.8 percent of the vote and were ejected from the state assembly in Magdeburg, which party chief Westerwelle, called a "bitter defeat".[16]As mentioned above in this study, besides the major party foreign minister Westerwelle also had a great interest in a strong electoral result for his junior party since he held crucial positions in the government of Merkel-II. Moreover, it is unclear whether he would be able to hold on to his post as FDP leader if the party were to suffer another humiliation during the next round. Figure two shows an overview of the electoral performance of Merkel-II until the end of March.

Figure 2. Electoral performance Merkel-II at the regional elections of 2011 (February-March)

	CDU	FDP
Hamburg (February 20th)	21.9 percent (-20.7 percent)	n.a.
Saxony-Anhalt (March 20th)	32.5 percent (-3.7 percent)	3.8 percent (lost power to the SPD)
Baden-Wuerttemberg (March 27th)	39.0 percent (lost power to centre left coalition of the SPD/Greens)	5.3 percent (n.a.)

The decision to cooperate on Resolution 1973 became indeed less likely since Merkel already experienced two regional losses for the CDU. However, the questions arises whether this can be blamed on the tensions in Libya or other issues which seemed to have mobilized the German public opinion more. For example, Merkel seemed to be punished by the German voter for her mishandling of nuclear issues during the elections in Baden-Wuerttemberg on March 27th, where anti-nuclear sentiment was mobilized by events in Japan.[17]

Symmetry of effects

The third hypothesis under study, namely that an initial commitment to cooperate with other states in the context of an international organization is less likely to be sustained in the post commitment phase, *ceteris paribus*, when it involves economic/developmental issues rather than military/security issues highlights the assumption about the traditional German reluctance against the use of any kind of force. Why did German military intervention in Libya not become a politicized subject in the public debate or in the upcoming elections, if the public opinion was indeed against such a military intervention? At the time of the intervention in Libya, German military forces were already involved in ten missions abroad (Brockmeier 2013, 74). But one crucial factor can be that the public support and the issue on military and security matters are influenced by a historical narrative. Since the end of World War II, the Germans have a traditional reluctance against the use of any kind of force (Noetzel and Schreer 2008, 217). Evidence show the sensitive of German military participation in the post-cold war era and

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[16]   Press office Reuters. "Factbox: German state elections in 2011", September 18th 2011. As seen on: http://www.reuters.com/article/2011/09/18/us-germany-states-factbox-idUSTRE78H1S520110918

[17]   BBC. "Germany: Angela Merkel loses key state elections", March 27th 2011. As seen on: http://www.bbc.co.uk/news/world-europe-12876083

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cases like Yugoslavia when domestic interests groups had been protesting against the German government (Lantis 1996, 24). In 2011, the decision against military action in Libya may be reinforced by the dissatisfaction of the German military presence in Afghanistan. Not only the public, but also politicians (like foreign minister Westerwelle) were dissatisfied with military participation in Afghanistan. One of them noticed that "the country has been dragged into an unpopular, prolonged war"[18].

The general German skepticism is not sufficient to explain German defection in participating in the Libya intervention, but it is crucial for analyzing the impact of domestic factors. The reluctance against military involvement did affect the public opinion, but moreover, this effect of symmetry is also important when looking to factors within the system. As the analysis turns to the factors within the system, this study shows that in released German press statements and other official documents, the role and anti-involvement rhetoric of Guido Westerwelle played an important role in the decision to defect on Resolution 1973.

Ruling coalition consensus and major party unity

As one of the factors 'within the system', ruling coalition consensus is considered to be one of the biggest influence on the eventual decision to cooperate or defect on an initial agreement. Therefore, the fourth assumption under study is that an initial commitment to cooperate with other states in the context of an international organization is less likely to be sustained in the post commitment phase, *ceteris paribus*, when leaders of different parties in the coalition government are divided over the issue. For this case, the leaders of the parties in the coalition government are the same actors who conducted (or co-conducted) the controversial decision on voting to abstain on Resolution 1973. The reluctance on military intervention gave the impression of an united feeling amongst all domestic actors involved to vote to abstain on the resolution. However, actors 'within the system' had their doubts about this. For example, Peter Wittig the German senior diplomat at the United Nations who eventually raised his hand within the Security Council, was actually an advocate of a 'yes' vote. As an expert on foreign policy, he feared the consequences of German isolation if the country voted together with the BRIC countries. It appeared that the same fears were also present within the coalition, causing serious dissension in the German parliament about whether to cooperate or defect on its duties within NATO.

Foreign minister Guido Westerwelle was inexperienced (Brockmeier 2013, 82). Academics and experts argue that Westerwelle may not fully grasped the signal he disposed to the world by the abstention in the Security Council. His media performance and comments on the German position on Resolution 1973 (he frequently compared intervention in Libya to Afghanistan and Iraq) lead to conversations with opposition leaders in parliament. The decision to participate in the Iraq mission was highly unpopular (Lantis and Kaarbo 2003, 223). This made it a good case for Westerwelle to compare Iraq to a potential non-intervention in Libya. Officials at the Foreign Office asked why Westerwelle did not have the same conversations with the office, since the decision was also considered a NATO matter. But for Westerwelle all that mattered was the question whether the parliamentary party leaders agreed with him on the question of non-participation. If party leaders would agree with him on the non-participation and the traditional point of view on military reluctance, than they would also agree with voting to abstain he assumed. A few days after the decision, rumours appeared in the German media stating that Merkel had pressured the foreign minister to agree on abstention since his first intention was to vote

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[18]   Statement based on the article: "Wir gingen davon aus, in zwei Jahren wäre das erledigt." Loyal-Magazin für Sicherheitspolitik, Nr. 8, 2011: 28-29.

'no' on the resolution. Merkel and officials quickly responded to the rumour, saying it was "completely made up". But later that year, in October 2011, the story was repeated based on "serious sources in well informed government circles" (Brockmeier 2013, 77). To conclude, this study tests the hypothesis of an initial commitment to cooperate with other states in the context of an international organization is less likely to be sustained in the post commitment phase, *ceteris paribus*, when the leaders of the major party in government are divided over the issue. Elites within the CDU were concerned with involvement in the NATO mission. They formed the conviction that France (initiator of Resolution 1973) was seeking NATO structures in order to achieve its own national goals. Moreover, they believed that activity within crisis management benefited France as a counterweight to its diminishing political and economic influence in the EU.[19] As a result, the chancellor and her minister of defense were unanimous in their decision to contribute to involvement in Libya. Merkel and other elites within the CDU wanted to achieve this with a bigger shared contribution to the CSDP [the Common Security and Defense Policy of the EU, red.].[20] Yet because the German government has to operate within a coalition government, the implications of these changes had not been adequately recognized during the time of the voting on Resolution 1973. The CDU-CSU-FDP coalition was contaminated with the prevailing view of military reluctance, as mentioned in the analysis of the symmetry of effects, and as a result defense spending overall was poor.[21]

Exposing mechanisms

When examining domestic factors like public opinion and electoral results the position of Merkel's right-hand and foreign minister, Guido Westerwelle, seems to account for an important part in the decision to defect. This becomes even more clear when examining the factors within the system. At this point, one can argue the applicability of the role of political proximity on coalition governments. It appeared that the junior party, and especially the leader of the junior party played a crucial role in this case. Westerwelle covered three important positions in Merkel-II: he was the leader of the FDP, he was foreign minister and moreover he was vice chancellor. As a result, Westerwelle had to deal with several actors within the system. One of the main critics on his policy was that he was inexperienced. As a result, his points of view divided the coalition. Senior diplomats like Wittig were advocates of a 'yes' vote on Resolution 1973. Instead of talking to the Foreign Office, Westerwelle tried to convince the parliament of his ideas on how to deal with voting on Resolution 1973 (at the time he wanted a 'no' vote). This caused tension within the system and according to the rumors in the German media, Merkel had to pressure the foreign minister to -at least- vote to abstain. Within Merkel's party, the CDU, there were never such tensions and therefore it seems that the junior party had a greater influence on the decision to defect then the model on the role of political proximity suggests.

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[19] Gotkowska, Justyna. "More engagement? German security policy of the CDU/CSU-SPD coalition. May 2th, 2014. As seen on: http://www.osw.waw.pl/en/publikacje/analyses/2014-02-05/more-engagement-german-security-policy-cdu/csu-spd-coalition

[20] See for example the electoral programm of the CDU at http://www.cdu.de/

[21] Dyson, Tom. "The reluctance of German politicians to take a strong line on defence policy poses a security risk for Europe". September 5th, 2013. As seen on: http://blogs.lse.ac.uk/europpblog/2013/09/05/the-reluctance-of-german-politicians-to-take-a-strong-line-on-defence-policy-poses-a-security-risk-for-europe/

Conclusion and discussion

The results of this study point to the fact that the relative influence of domestic factors indeed effect the eventual decision to defect or cooperate. The factors analyzed here show however that domestic politics are also influenced themselves and social constructed by historic narratives and prominent individuals within a junior party.

First, there was never a lack of public support in Germany to defect on Resolution 1973. The public supported international intervention but agreed with the government's position to not involve in military action itself. Moreover, German elites never really tried to convince the public of the 'good' of a military intervention since they believed themselves that sanctions were 'more effective'. If public support had had an indirect impact, it can be seen as a reinforcement of the position already held by the government. However, the public opinion had an influence on the regional elections at the time. The coalition partners both experienced losses in respectively the state of Hamburg on February 20th (reported as the worst result in this state for the CDU since World War Two) and the state of Saxony-Anhalt on March 20th (which was a 'bitter defeat' for the FDP according to Westerwelle himself) just weeks before the eventual decision to vote to abstain. With the next election due just ten days after the decision, it seems plausible that Merkel did not want to upset her voters by taking unpopular decisions even though such decisions would perhaps be in the state's interest. A side note on this argument for the case of German defection in the NATO mission to Libya, is that it appears that other issues had a bigger impact on Merkel's unpopularity at that time. For example, the Greens won the elections in Baden-Wuerttemberg at the expense of the CDU since Merkel became unpopular because of her statements on nuclear issues. The nuclear issue was more politicized at the time because of the nuclear catastrophe in Fukushima. To conclude, the factors of public support and electoral performance are influenced by a historical narrative. With a tradition of military reluctance since the end of World War II, it is not surprising that the German citizen nor the German government was against German military intervention in the Libya conflict.

Other studies (like Kaarbo and Beasley; 2008) already underscored the scenario of a 'hijacked' coalition at the hands of a junior party. Moreover, it appears that if prominent elites within such a junior party also occupy crucial positions in a coalition, this undermines the biggest impact of a major party unity. For specific cases, historical narratives and views, also influence a standardized set of factors. On the other side, this study was a one-case study in which the role of political proximity within the theory of a two-level game was examined. When analyzing the case under study, it appeared however that the process of ratification was also influenced by international factors. For example, the skeptical position of the United States is assumed to have reinforce the position of German policy makers on military reticence. But since evidence indeed prove the impact of several domestic factors, additional research on the impact of international factors [in relationship to the role of political proximity, red.] may therefore support the hypotheses on the impact of these domestic factors. These findings have continuing relevance for understanding the interaction between international and domestic politics.

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