

# Can EU Judicial Intervention Increase Polity Scepticism? Experimental Evidence from Spain

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## Abstract

The mantra of “take back control” has become a staple within the rhetorical repertoire of eurosceptics on both the left and right across member states of the EU. At the centre of the slogan’s message is a call to arms against the (perceived) challenge that membership of the EU represents for national state sovereignty. In this paper, we argue that decisions taken by the European Court of Justice (ECJ) can act as a cue for citizens regarding the extent of EU integration on the dilution of national sovereignty and lead to increased ‘polity scepticism’: increased opposition to the EU and decreased satisfaction with national democracy. Empirically, we leverage a natural experiment in Spain to assess how ECJ rulings impact both euroscepticism and dissatisfaction with democracy. Our results provide strong evidence that ECJ rulings can have a negative causal effect on support for the EU and satisfaction with democracy. The implications of our findings suggest that EU institutions seeking to ensure compliance with the rule of law and EU norms should proceed with caution. Interventionist action may backfire by increasing the scrutiny of the EU’s legitimacy and undermining polity support.

**Keywords:** Euroscepticism, European Court of Justice, Spain, natural experiment, Junqueras, sovereignty

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# 1 Introduction

The institutions of the European Union (EU) are faced with a dilemma. The EU's supranational institutions are required to engage in domestic member state politics in order to safeguard the polity's fundamental values, ensure compliance with EU regulations and law, and to bolster the economic security of the community. The interventionist actions needed to facilitate these functions, however, are increasingly required in a context where external action from a non-state actor is perceived as inimical to the interests of national state sovereignty. Dissenters and eurosceptic politicians have established themselves by placing a focus on populist nationalist sovereigntism (Baldini, Bressanelli, and Gianfreda 2020), promoting calls to "take back control" from the EU and portraying the EU as an "external oppressor" that "liquidates" state sovereignty and democratic freedom (Csehi and Zgut 2020). In a climate where the EU and the polity's composite institutions are "under attack" (Bressanelli, Koop, and Reh 2020), EU intervention within member states comes with high risks. External action allows parties and politicians to politicise the "sovereignty dimensions" (Hutter, Grande, and Kriesi 2016) and tap into voters' nostalgic image of the functioning of democracy within the pre-supranational democratic order, which has traditionally been demarcated by the boundaries of the nation state (Weale 2016).

The theoretical literature is consistent with these concerns. It suggests that the growing influence of actors beyond the domestic sphere leads to a hollowing out of national-level democratic processes, leading to a 'democratic void', and the establishment of an apolitical technocratic order (Sánchez-Cuenca 2017). This, it is argued, leads to polity-scepticism: not just scepticism regarding European integration, but also of the domestic system of governance, indicated through a loss of democratic satisfaction, political trust, and an increase in euroscepticism (Mair 2013; Scharpf 1999). At the core of this is the assumption that individuals care about domestic 'sovereignty' and national self-determination. Action taken by external supranational actors, whilst providing net positive gains in terms of economic performance and compliance with democratic

norms, can be viewed as imperialist and threatening to the proper and legitimate autonomous functioning of the democratic state (Csehi and Zgut 2020). When EU-solicited policy changes that are at odds with those desired by domestic publics are implemented by member states, doubts emerge regarding the legitimacy of these policies and the ability of domestic political actors to defend and enact outcomes that are representative of those solicited by the people - the clash between responsibility and responsiveness (Armingeon, Guthmann, and Weisstanner 2016; Borriello and Brack 2019; Mair 2009). The (perceived) threat to sovereignty is an important thread that runs through scepticism against the European project. Whilst left-wing and right-wing eurosceptics are divided on the ideological motivations of their opposition to European integration, the common denominator is the concern that integration undermines autonomy of the member state country and the popular sovereignty of the people to be governed solely by institutions that are accountable to them (Halikiopoulou, Nanou, and Vasilopoulou 2012).

The empirical evidence that explores the link between EU integration and intervention from EU actors within the domestic sphere on individual political attitudes remains, however, largely unique to assessments of EU-level action taken during the Eurozone crisis (e.g Schraff and Schimmelfennig 2019). Research is also, as a result, mostly focused on the European Central Bank and European Commission given their central interventionist actions during the Eurozone crisis, whilst little empirical work has focused concretely on other EU agencies. Outside of the context of the Eurozone crisis, some research suggests that interventions from European actors to negate anti-democratic actions of domestic elites actually bolster support for the domestic incumbent and increase euroscepticism (Schlipphak and Treib 2017).

In this paper we focus on actions taken by the European Court of Justice (ECJ). ECJ decisions are a core avenue via which sovereignty transfers can occur (Saurugger and Fontan 2019). We analyse the effect of an ECJ ruling on Spanish domestic politics, ar-

guing ECJ actions shape citizens' beliefs both about the workings of national democracy and their preferences for greater supranational integration. As Blauburger and Schmidt (2017) highlight, the attention given to the impact of decisions from the ECJ from a political science perspective is extremely limited. Whilst a body of work assesses the legislative consequences of the court's jurisprudence (e.g. Martinsen 2015), as of yet there is no empirical assessment of how the supranational court's decisions influence political support. We fill this gap and contribute to the understanding of the relationship between the EU and its member states by using a quasi-experimental research design to test the causal impact of an ECJ ruling in Spain. The ECJ's verdict in the salient case of the Catalan separatist, Oriol Junqueras, in Spain was delivered during the fieldwork of the European Social Survey (ESS). The naturally exogenous exposure to this widely reported and politically salient news allows us to estimate the causal effect of ECJ rulings on individual-level euroscepticism and satisfaction with democracy. We demonstrate that the EU's judicial intervention in Spain led to a sizeable and significant increase in popular euroscepticism and a decline in democratic satisfaction. On average, individuals in the treatment group exposed to the ECJ verdict became 13.24% more eurosceptic than those who were not exposed to the ruling in the control group. In the case of attitudes towards the performance of democracy, the EU court's decision increased *dissatisfaction* with democracy by 6.28% relative to those interviewed before the decision. The identified causal effect is robust to a battery of alternative specifications, including covariate-adjusted estimators, matching techniques, regional fixed effect models and placebos tests.

The contribution of our analyses seeks to fill two important gaps within the literature. Our first contribution is theoretical. We develop our understanding of the role the ECJ plays in domestic politics by posing a model in which ECJ rulings represent an important information cue that signals the extent of the EU's influence over domestic politics in the eyes of member state citizens. An important distinction that we seek to make is that ECJ decisions not only serve as agents that bring about future changes in EU integration or europeanisation (Stone Sweet 2010), but also serve as signals to voters

regarding the reach of EU integration over domestic sovereignty that has already been established. We theorise that ECJ rulings can serve as a heuristic that informs voters of the consequential impact on state sovereignty that participation in the EU integration process implies. Our second contribution is empirical. Whilst the understanding of the individual-level determinants of democratic satisfaction (Ferrín and Kriesi 2016) and support for EU integration has been extensively assessed (Hobolt and De Vries 2016; De Vries 2018), few empirical contributions have sought to identify and isolate the causal impact of the consequences of European governance on these attitudes. A new body of experimental work is emerging to remedy this gap: Foos and Bischof (2019), for example, leverage a quasi-experimental design to show that exposure to eurosceptic media reporting has a sizeable casual effect on increasing opposition to EU integration in the UK; and De Vries (2018) demonstrates that exposure to domestic corruption scandals can increase the relative support for the EU in comparison to the domestic government. Moving beyond the impact of these domestically-induced effects, we add to this experimental work by presenting the findings of a natural experiment in which we show that EU-level action can cause an increase in polity scepticism, with citizens becoming both more eurosceptic and less happy with democracy in general.

Our findings have important implications for understanding both euroscepticism and democratic satisfaction within the EU's multilevel governance framework. Our results are consistent with previous research using observational designs that show that EU-level action can increase euroscepticism and decrease domestic democratic satisfaction (Schlipphak and Treib 2017; Armingeon, Guthmann, and Weisstanner 2016; Ruiz-Rufino and Alonso 2017). This poses a paradox for European decision-makers. Whilst an explicit requirement of EU membership is to abide by European law and its fundamental values, evidence suggests that *enforcing* this may result in a backlash both against the EU and against the working of national democracy. The implication is that European actors must be very careful when devising interventions in defence of its key principles; ill-conceived interventions may end up undermining the very

purpose they serve.

## 2 Democracy & the sovereignty question

European integration is, at its core, a transfer of sovereignty from the national to European level. This shifting of competences from national to European levels, combined with a lack of vibrant democratic contestation at the European level, has been argued within the theoretical literature to lead to the 'hollowing out' of domestic processes that are seen as legitimate (Mair 2013; Scharpf 1999; Rodrik 2011) and the reduction of sovereignty to a "diminished form of statehood" (Bickerton 2012). Mair (2013) argued that this leads to polity-scepticism: not just a rebellion against a European governance perceived as over-reaching, but of domestic democratic governance too. The European level is seen to have intervened in a system perceived as legitimate, undermining both of their claims to legitimacy.

Whilst the theoretical literature that makes this claim is well established, the empirical literature largely focuses on the Eurozone crisis and its aftermath. This is unsurprising considering that this period is one in which international actors were explicitly involved in salient domestic policy decisions in Southern Europe and Ireland which were imposed largely against the wishes of the public. Armingeon, Guthmann, and Weisstanner (2016), for instance, find that those countries that experienced economic intervention became less satisfied with democracy at the European and domestic levels. There is strong evidence that autonomy over decision-making also played a role in the formation of support for domestic institutions (Armingeon and Guthmann 2014; Schraff and Schimmelfennig 2019; Ruiz-Rufino and Alonso 2017), though this has been contested (Devine 2019; Foster and Frieden 2017). These authors argue that one of the key drivers of the decline in democratic satisfaction and political trust was the perceived 'democratic void' (Sánchez-Cuenca 2017) and 'democratic detachment' (Schraff and Schimmelfennig 2019) created by the intervention of the EU's economic and finan-

cial institutions (*Troika*) into domestic politics. Outside of the context of the Eurozone crisis, Schlipphak and Treib (2017) have shown how even limited interventions by the EU in Austria and Hungary to prevent democratic backsliding actually acted to increase Euroscepticism rather than shaming the domestic government for democratic failures. By framing the interventions as an attack on democratic self-governance, domestic elites turned the 'blame game on Brussels'. This argument is consistent with the perception of the EU as a vehicle of foreign influence amongst post-communist nations during EU accession. The expansion of LGBT rights via the *acquis communautaire* which the EU hoped would bolster public acceptability of LGBT individuals, is often viewed as having the reverse effect, leading to a backlash against this collective and opposition to the EU as a threat to national culture (O'Dwyer 2012). Eurosceptic entrepreneurs on both the left and the right rely on the rhetorical appeals to the threat of the EU integration to national sovereignty and legitimate democratic decision-making processes to rally their supporters (Halikiopoulou, Nanou, and Vasilopoulou 2012). Autocrats from Hungary and Poland have doubled down on the anti-EU tenor of their messaging by explicitly equating EU intervention and conditionality with imperialism and state oppression (Csehi and Zgut 2020)

Observationally, the literature demonstrates that citizens can update their preferences on the EU when the supranational polity is perceived as an imposing externality (Schlipphak and Treib 2017) and lead to support for eurosceptic parties as a result (Santana, Zagórski, and Rama 2020). The literature specifically centred on the consequential effects of EU intervention provide robust empirical findings, but also has limitations. First, it is naturally largely limited to the Eurozone period and the specific instances of intervention via the Commission, ECB and IMF (*Troika*) as part of the polity's financial bailout program, and therefore it is unclear whether the conclusions can be extended beyond that unique period in time and set of actors. Second, all studies to our knowledge either rely on aggregate survey data or observational studies at the individual level which cannot exclude the possibility of reverse causality, some confounding factor, or different dynamics at the aggregate versus individual

levels. Moreover, these interventions are conducted during considerable economic turmoil, meaning it cannot be entirely excluded that the change in political attitudes is attributable to the economic conditions which preceded the interventions (Turnbull-Dugarte 2020b; Foster and Frieden 2017). We aim to fill these gaps within the literature by focusing on a case in 2019, over a decade after the first *Troika* intervention, by a different (non-economic) actor.

## 2.1 The ECJ as vehicle of intervention & threat to sovereignty

Our specific case of EU-level action in the domestic sphere is the ECJ. A wide body of literature establishes the twofold constraining nature of the ECJ on state sovereignty. On the one hand, the European court acts as an "independent motor" of European integration (Blauberger and Schmidt 2017). In other words the court acts, frequently alongside the supranational interests of the European Commission, in a manner that increases the competences of the EU over areas of policy regulation not explicitly conceded to the EU via the Treaties (Pollack 2003; Martinsen 2009, 2015; Genschel and Jachtenfuchs 2018). The EU-wide and precedent-establishing nature of the Courts' decisions (Blauberger and Schmidt 2017) have, at times, fuelled criticism against the ECJ for being an undemocratic judicial advocate of "ever closer union" (see, for example, Dawson, De Witte, and Muir (2013) and Kelemen (2016)). A number of empirical studies have sought to take stock of the claims of judicial activism within the court by assessing the potential for bias in the outcomes of its rulings. Whilst scholars find little evidence of political impartiality (understood as bias based on the traditional ideological left-right (labour-capital) political space), the same is not true of the divide over European integration (Larsson and Naurin 2019; Peritz 2018). The ECJ has a clear pro-integration bias in that its decisions tend to result in the expansion of its own discretionary powers (Pollack 2003) and its jurisprudence can lead to "integration through law" (Stone Sweet 2010; Kelemen 2016; Pollack 2018). Increased integration essentially means more powers for the EU institutions and less autonomous national

decision-making discretion for member states.

In addition to the court's ability to upload state autonomy to the EU, the court also drives the downloading of EU-established norms into the domestic member state level. For example, ECJ rulings have established the ability of EU citizens exercising their freedom of movement rights to gain equal access to the welfare state provision, including non-contributory welfare, offered to state nationals and has expanded the eligibility of these provisions to include EU citizens' family members from non-EU countries (Blauberger and Schmidt 2014). Given a political climate where the interconnected nature of EU integration and immigration is becoming increasingly salient for electorates and political parties (Abou-Chadi and Wagner 2020), the court's decision has the potential to fuel populist rhetoric regarding "welfare tourism" (Blauberger and Schmidt 2014) and the need to "take back control" from the EU (Armstrong 2017). Beyond the citizenship rights and welfare provision, other notable examples of significant domestic norm-shaping judicial interventions abound including rules on state ownership of private corporations deemed to be essential industries for the economic autonomy of the state (e.g Werner 2016; Wasserfallen 2010; Blauberger 2012).

ECJ-driven europeanisation has consequences for the perceived constraints on national sovereignty enjoyed by member states which, in turn, can feed eurosceptic attitudes and breed democratic discontent. In the lead up to the Brexit referendum in the UK, proponents from the Leave campaign made frequent reference to the imposing rule of the ECJ in restricting the ability of the UK to have its own say over UK laws (Hofmann 2018). And in the aftermath of the Brexit vote, the European Reform Group (the *Brexiteer* wing of the governing Conservative Party) made clear that any future relationship between the UK and the EU would not be permissible if it involved the UK falling under the jurisdiction of the European court (Armstrong 2017). As the European court has begun litigating in areas which have observable political consequences, the permissive support traditionally enjoyed by the EU judiciary (Kelemen 2012) has

also began to dissipate (Hofmann 2018; Blauberger and Schmidt 2014; Werner 2016). EU judicial intervention in more sensitive and domestically salient areas has led to an increase in public awareness of the activity of the court (Kelemen 2016) as well as an increased amount of public backlash against some of its rulings (Dawson, De Witte, and Muir 2013). Because these rulings come from an external supranational state actor, public perceptions of the court's decisions will likely be highly influential in determining individuals' attitudes towards the supranational union as these can be viewed as "foreign impositions on national communities" (Pollack 2018). Judicial intervention that imposes external (EU) rulings on member states may catalyse support for disintegration in the long-term (Alter 2000).

Sovereignty, much like political responsibility (Kumlin 2011), can be viewed in the eyes of citizens as zero-sum.<sup>1</sup> If the EU is expanding its sovereignty by gaining more competences via ECJ jurisprudence, this necessitates that national sovereignty is being diluted. When national sovereignty is reduced, the ability of the state to ensure the "maintenance of democratic legitimacy" (Scharpf 2009) is brought into doubt. On the one hand the court can dilute member state sovereignty by ascertaining competences that were not explicitly laid out in the treaties. On the other hand the court can constrain sovereignty by overriding domestic policy or judicial decisions that it rules to be in violation with EU law. When court decisions rule in opposition to member states, scepticism based on the legitimacy of supranational oversight is likely to emerge (Larsson and Naurin 2019).

We theorise that, in addition to the objective effects of ECJ decisions in driving European integration or expanding europeanisation, decisions from the court can also have an important effect on the subjective perception of the same. Our argument is that ECJ rulings serve as an informational heuristic that catalyses an increased aware-

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<sup>1</sup>This is not to say that sovereignty is itself zero-sum. In fact the collective aggregation of state problem-solving capacity for policy concerns not that cross the imagined border of the state (e.g. climate change), and in increased negotiating power of states operating as a collective body with non-member states is also argued to provide state with more sovereignty than could be obtained via the summation of states' individual sovereignty.

ness and understanding among citizens regarding the sovereignty-diluting effects of EU integration that may have already taken place. Assuming that judicial intervention from the EU via ECJ decisions that rule against member states is taken as a signal of the constraining nature of the EU on the autonomous sovereignty of member states, we would expect these decisions to decrease support for European integration and citizens' satisfaction with the functioning of democracy. If ECJ rulings, perceived as external interference (Pollack 2018) in domestically salient and politically sensitive issues (Werner 2016), can lead to increased support for nationalist sovereigntism and reduced support for supranational solidarity (Blauberger and Schmidt 2014), we posit that this will also affect polity support. A feeling of reduced sovereignty not only makes citizens unhappy with the constrainer (the EU) but also less satisfied with the functioning of democracy in general (Mair 2013; Scharpf 1999). Our primary hypotheses therefore are twofold -

*H1: ECJ outcomes that rule against national decisions will increase euroscepticism*

*H2: ECJ outcomes that rule against national decisions will increase dissatisfaction with democracy*

### **3 Case: Junqueras vs Kingdom of Spain (& VOX)**

Our study focuses on the legal proceedings in the criminal case against the former Vice President of the Catalan government, Oriol Junqueras, which reached the ECJ<sup>2</sup> after an initial criminal conviction was sentenced in the Spanish Supreme Court. The legal battle between Junqueras and the Spanish state was the result of the continuous and highly politicised territorial conflict taking place in Spain.<sup>3</sup> In October 2017, the

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<sup>2</sup>Case number C-502/19. Available at EUR-Lex Case Law repository: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:62019CJ0502>

<sup>3</sup>In addition to the traditional left-right cleavage, political conflict in Spain is also heavily marked by a territorial cleavage based on the competences and independence of Spain's devolved autonomous

Catalan Government, led by a coalition of separatist parties, held an unauthorised referendum on Catalan independence. The proponents of independence continued with the referendum despite a previous ruling by the Spanish Constitutional Court<sup>4</sup> that the referendum could not take place and that the devolved government in Catalonia did not possess the legal competences to hold the plebiscite. The decision to hold the referendum on October 1st without the consent of the national government and in direct opposition to the prohibition of Spain's Constitutional Court had a number of seismic effects. One of the most significant direct responses was the intervention by the national police force which used, what many international media outlets<sup>5</sup> described as, extreme force to stop people from taking part in the polling event. More substantially, after the Catalan separatists unilaterally declared independence from Spain on October 27th, the Spanish Prime Minister, the centre-right's Mariano Rajoy, invoked Article 155 of the Constitution which allowed him to force the dismissal of the regional government, the dissolution of the Catalan legislature, and to install direct rule from the central government in Madrid. Indirectly, the knock-on effects of these events have contributed to an increasing level of polarisation between Spanish voters on the issue of nationalism and territorial politics (Simón 2020), as well as the emergent success of Spain's new populist and radical right-wing party, VOX (Turnbull-Dugarte, Rama, and Santana 2020).

Judicial proceedings were brought forward against twelve former members of the Catalan government, amongst whom were Junqueras<sup>6</sup>, on charges of rebellion, sedition and misuse of public funds. The trial, which lasted for five months (February 12th - June 12th 2019), was aired on Spanish television and heavily reported on at the time, included prosecutors from both the state as well as Spain's new radical right-wing po-

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communities (Gray 2020; Pardos-Prado and Sagarzazu 2019; Sánchez-Cuenca and Dinas 2012).

<sup>4</sup>See sentence 114/2017 (October 17th 2017) available at the Spanish State publication depository: <https://www.boe.es/buscar/doc.php?id=BOE-A-2017-12206>

<sup>5</sup>See, for example: "Catalonia responds to police violence: 'people are angry, very angry'" (*The Guardian*), or "Catalonia's Independence Vote Descends Into Chaos and Clashes" (*The New York Times*).

<sup>6</sup>Junqueras became the first defendant and primary face of the judicial proceedings against the separatists given that the former Catalan president, Carles Puigdemont, successfully fled to Belgium to avoid prosecution.

litical party, VOX, who officially joined the suit as a private prosecutor in an attempt to monopolise on the political opportunity the judicial proceedings represented for the new party (Turnbull-Dugarte, Rama, and Santana 2020).

The Spanish Supreme Court's verdict, announced on October 14th, sentenced Junqueras to thirteen years in prison for sedition and misuse of public funds. Upon sentencing, Junqueras' legal representatives appealed against the verdict of the Spanish Supreme Court and filed a motion with the ECJ. Their claim was that, given Junqueras had been elected as an MEP as of May 26th 2019, he *should* have been allowed to take up his seat in the European Parliament and enjoy the judicial immunity that comes with it. Two months later on December 19th, the ECJ pronounced its unanimous verdict in support of Junqueras, proclaiming that from the moment the results of the EP elections were announced, Junqueras had enjoyed the judicial immunity he had a right to as an MEP, bringing his criminal conviction from the Spanish Supreme Court into question as a result.

Many commentators, particularly those critical of the independence movement, were quick to communicate their discontent with the ECJ ruling. The leader of the Catalan branch of the centre-right People's Party protested that the decision in favour of Junqueras' immunity may buttress support for Spain's exit of the EU. VOX's leader, Santiago Abascal, tweeted that the outcome was a "new humiliation for Spain" whilst other party surrogates such as VOX's Congressional spokesman, Espinosa de los Monteros, insisted that "they [the EU] wouldn't dare do this to Germany" and that the ECJ's decision was an "insult against Spain" and an "attack on our [Spanish] sovereignty". Political punditry on the ECJ ruling became the prime time news story of the day - by 6pm, more than 209,300 tweets were sent in Spain mentioning "Junqueras" and, at the same time "Spexit" was the number one trending topic on Spanish twitter.<sup>7</sup> Although

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<sup>7</sup>By the same time point, 41,700 tweets from Spain were shared with a reference to "Spexit" and 95,800 tweets made reference to the "TJUE" (Spanish acronym for the ECJ) [Tribunal de Justicia de la

we cannot take the trending topics on Twitter as representative of the general population (Mellon and Prosser 2017), the high volume of social media activity discussing both Junqueras and the idea of “Spexit” within Spain is indicative of the potential veracity in the claims made by pundits that the ECJ’s decision could be detrimental to the continued support for the EU in the country.

The ECJ’s ruling in the Junqueras trial presents us with a notable case where EU-level actions can have a sizeable impact on salient political activity taking place within the domestic sphere. The judicial outcome exercised by the ECJ is an important example against which our theoretical hypothesis can be tested. In the following section, we detail the empirical approach adopted to assess whether the ECJ’s ruling caused Spanish citizens to become more dissatisfied with democracy or sceptical of EU integration.

## 4 Research Design

In order to test our theoretical expectations that ECJ decisions can give rise to public euroscepticism and dissatisfaction with democracy, we leverage the quasi-experimental setting presented by the announcement of the salient and highly politicised ECJ ruling in Spain in December 2019. Our approach follows the “unexpected event during survey” (UEDS) design (Muñoz, Falcó-Gimeno, and Hernández 2020), which is an increasingly applied technique for the identification of causal effects of important and unexpected events on political outcomes.<sup>8</sup> The announcement of the ECJ’s ruling in the Junqueras case was published on December 19th during the period of fieldwork for wave 9 of the ESS which took place between November 8th and January 27th. The unexpected outcome of the ECJ’s decision provides us with natural experiment with exogenously occurring random assignment of exposure to the ECJ decision. A ran-

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Unión Europea]. The three terms were the top three trending topics on Twitter at that time (Data taken from the Twitter API).

<sup>8</sup>See, for example Giani and Meón (2019) on the causal impact of Trump’s unexpected election win on racist attitudes; Bol et al. (2020)’s study on the effect of Covid-19 lockdowns on political support; or Solaz, De Vries, and Geus (2019)’s assessment of government corruption scandals on support for the incumbent.

dom selection of ESS respondents were interviewed before the announcement (Control group) and a random selection were interviewed post-hoc (Treatment group). The ESS provides a total sample of 1,668 survey respondents for Spain, of which 28.84% (N = 481) fall in the treatment group and 71.16% (N = 1,187) in control. The distribution of respondents by treatment assignment and the mean pre-treatment covariate values for each group are summarised in Figure 1. Comparing the distribution of pre-treatment covariates (age, gender, income, education and left-right ideological position) demonstrates no significant imbalances between the two experimental groups (see also Table A1) and the same is also observed for partisan vote choice (see A2).

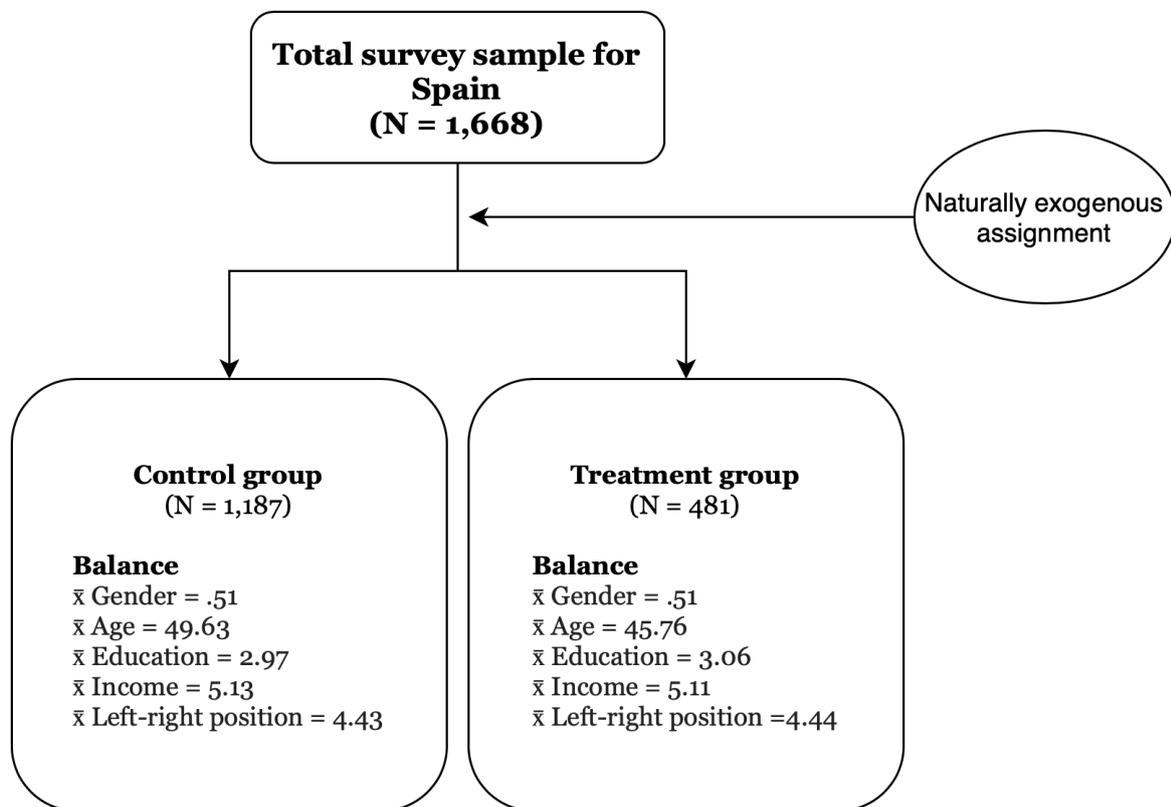


Figure 1: Treatment assignment and covariate balance

The main explanatory variable of interest is a simple dichotomous variable that indicates those surveyed before and after the court’s ruling. Our estimand of interest is the intent-to-treat (ITT)<sup>9</sup> effect of treatment assignment on our outcomes and is indicative of the effect of assignment assuming compliance with receipt of the treatment.

<sup>9</sup>Summarised as:  $ITT_Y = \frac{1}{N} \sum_{i=1}^N Y_i(z=1) - \frac{1}{N} \sum_{i=1}^N Y_i(z=0)$   
 where  $Y_i(z=1)$  is the potential outcome for individual  $i$  under treatment assignment and  $Y_i(z=0)$  is the potential outcome for  $i$  under assignment to control.

We have two main dependent variables: euroscepticism and democratic satisfaction. Attitudes towards euroscepticism are multidimensional (Boomgaarden et al. 2011; Hobolt and De Vries 2016) and include preferences shaped by diffuse (regime) scepticism and specific (policy) scepticism (De Vries 2018). We conceptualise euroscepticism as diffuse support for the principal of European integration. As such, we use the following survey item in the ESS: "Now thinking about the European Union, some say European unification should go further. Others say it has already gone too far. Using this card, what number on the scale best describes your position?" Individuals can respond on an eleven-point scale from 0 "Unification already gone to far" to 10 "Unification go further". We reverse this order so that higher values indicate increased euroscepticism. We conceptualise democratic dissatisfaction as a similarly diffuse attitude which captures perceptions of the general working of democracy (Linde and Ekman 2003). Whilst this is of course multidimensional and individuals will reach their judgements differently, there is also evidence that it is similarly understood across Europe (Ferrín and Kriesi 2016). We measure this by taking responses to the survey question: "How satisfied with the way democracy works in country?", satisfaction with democracy is measured from 0 "Extremely dissatisfied" to 10 "Extremely satisfied". As in the case of euroscepticism, we reverse this order with higher values indicating greater levels of *dissatisfaction*.

The empirical model of the effect of the ECJ ruling on these two outcomes can be summarised in the basic linear regression estimation:

$$Y_i = \alpha + \beta_1 Treatment_i + \epsilon_i \quad (1)$$

$$Y_i = \alpha + \beta_1 Treatment_i + \beta_2 X_i + \epsilon_i \quad (2)$$

The independent ITT of the ECJ ruling is captured in  $\beta_1 Treatment_i$  (model 1), whilst

$\beta_1 Treatment_i$  (model 2) reports the covariate-adjusted ITT <sup>10</sup> after considering the potential effect of a vector of pre-treatment covariates,  $\beta_2 X_i$ . The vector of covariates considered for the estimation of the covariate-adjusted ITT are those used to test for balance across treatment assignment (see Figure 1). Alternative models with the inclusion of regional fixed effects (see appendix Table A5) replicate the findings reported below in the main discussion.

Before launching into the presentation of the main results, we seek to demonstrate the validity of our identification strategy. Our first point of discussion is to demonstrate that the ECJ's ruling was an unexpected event that citizens were very likely to be aware of when it occurred. To show this we rely on Google Trends data for the thirty-one days in December in 2019. Figure 2 effectively shows the very high levels of public interest given to the ruling. It reports the popularity of online searches for either "Junqueras" or "European Court" [*Tribunal Europea* in original] over the thirty-one day period. A Google Trends score of 100 indicates the highest level of popularity for the search term from the country and period assessed. A value of 20 would indicate that the popularity of the term was at 1/5 of the maximum popularity observed. On the day of the ECJ's ruling - December 19th - we observe a sizeable spike and peak in the level of public interest in both of the search terms we consider. The interest observed in the Google Trends data, as well as that of social media activity discussed above, is also mirrored by reporting in the Spanish press. The front-page headlines on the first day following the ruling in both the left-leaning *El País* and the right-leaning *ABC*, focused on the ECJ's decision (see appendix Figure A8 & A9). There is, therefore, strong evidence that points towards the treatment effect of the ECJ's ruling being a salient feature amongst both the general population as well as the mainstream media environment, so we can be confident that our treatment variable is capturing the effects of the shock exposure to the news.

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<sup>10</sup>Following the recommendations of Muñoz, Falcó-Gimeno, and Hernández (2020), covariate-adjusted ITTs are also estimated via matching techniques. The output of these matching models (see appendix Figure A2) display significantly consistent effects. We model direct matches on gender and use mahalanobis distance for the other covariates.

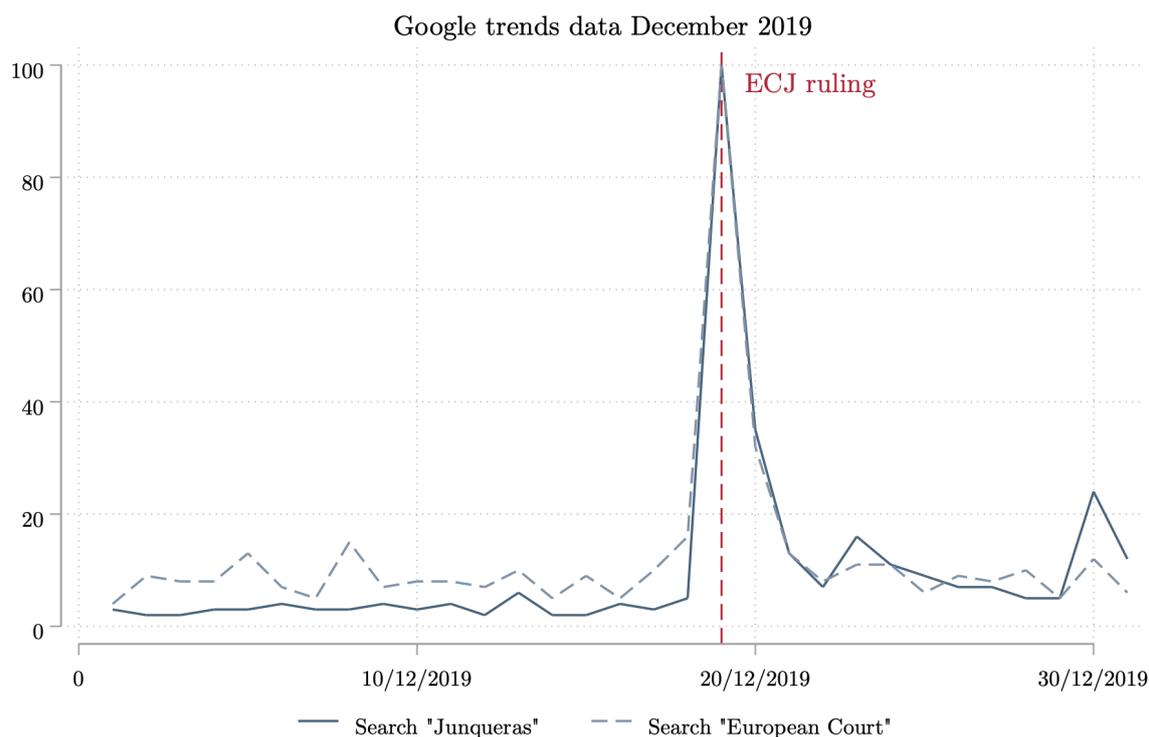


Figure 2: Popular salience of treatment event

## 5 Empirical analysis

The causal impact of the ECJ's ruling on euroscepticism is reported in Figure 3 (Full regression output in Table A3 and A4). The left-hand panel of the figure reports the ITT effect (independent and covariate adjusted) on euroscepticism. The ITT here can be interpreted as the the change in euroscepticism (0 - 10) caused by exposure to the ECJ ruling. The ITT is both significant and substantive. The ECJ's ruling increased euroscepticism by .48 (basically half a point on an eleven-point scale). This is a noteworthy causal effect as it signals an increase of 13.24% relative to the control group or 19.14% of a standard deviation. Including covariates in the model, does not alter the estimation of the causal effect: the ITT and covariate-adjusted ITT are similar.

The right-hand panel displays the percentage-point change in the probability of being a eurosceptic (i.e. passing the mid-point of the pro-EU (0) - anti-EU (10) scale)

caused by the ECJ ruling. Looking first at the unadjusted ITT, exposure to the ECJ ruling led those in the treatment group to have a probability of being eurosceptic 5.97 percentage-points greater than the control group. The causal increase in the probability of being eurosceptic is sizeable, with the 5.97 percentage-point gap equating to a 35.13% rise vis-à-vis the control group. Adding pre-treatment covariates increases the point-estimate of the ITT to 8.29 percentage-points (a positive change from the control group equal to 52.88%). The outcome of the ECJ’s verdict challenging the lack of immunity afforded to Junqueras by Spain’s Supreme Court can be considered to have exerted an important and sizeable negative effect on support for the EU, with those Spanish citizens randomly exposed to the verdict being significantly more likely be eurosceptic than those who were not. Notably, the increase in euroscepticism we observe is not the result of spurious time trends. Visualising the the levels of euroscepticism reported over the fieldwork period shows no incremental trend in the pre-treatment period and a sharp rise following the ECJ decision (see A1).

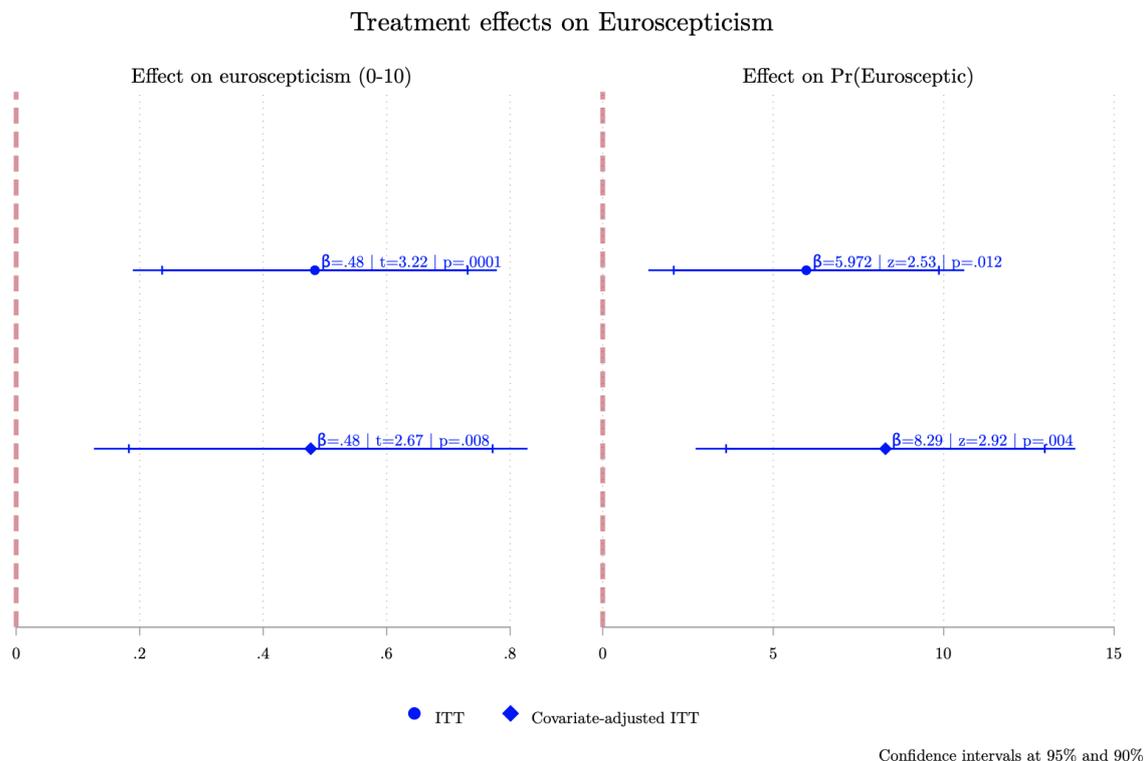


Figure 3: Effect on euroscepticism

We now turn to assess the affect of the EU’s judicial intervention on dissatisfaction

with democracy. Figure 4 illustrates the ITT and covariate-adjusted ITT of the European court's decision in the Junqueras case on both the dissatisfaction scaled 0 - 10 (left-hand panel) and the overall probability of being dissatisfied (right-hand panel). As in the case of euroscepticism, the European court's decision increases popular dissatisfaction with democracy. The modeled ITT of .32 is significant and sizeable, with treatment assignment increases dissatisfaction by 6.28% relative to the control group (12.92% of a standard deviation). Adding covariates into the model, however, reduces both the magnitude and significance of the treatment effect. The right-hand panel models the probability of being overall dissatisfied with democracy. Random allocation to treatment assignment leads to a 5.82 percentage-point increase in the probability of being dissatisfied with democracy. This is a sizeable rise in dissatisfaction vis-à-vis the control group. Those interviewed pre-treatment have a probability of being dissatisfied with democracy equal to 37.82% whereas for those in treatment the probability is 15.39% greater at 43.64%. As in the case of our linear model, adding covariates into our estimation leads to insignificant results for our dissatisfaction variable. Assessing the covariate-adjusted ITT as per Muñoz, Falcó-Gimeno, and Hernández (2020)'s matching recommendation reports significant effects (see Figure A2). Whilst the covariate-adjusted models we report here are positively signed and are consistent with our theoretical expectations regarding the role of external intervention as a cue for reduced state autonomy, our findings provide mixed empirical evidence.

The size of the increase in polity scepticism caused by the ECJ is of a magnitude comparable to the attitudinal updates observed in other studies. Solaz, De Vries, and Geus (2019)'s study on the effect of a government corruption scandal which occurred during survey fieldwork found an ITT of -.442 ( $p < 0.05$ ) on government satisfaction scaled in the same way (0 - 10) as our two core outcomes. Their observed effect falls neatly between our point-estimates of .48 (euroscepticism) and .32 (dissatisfaction with democracy).

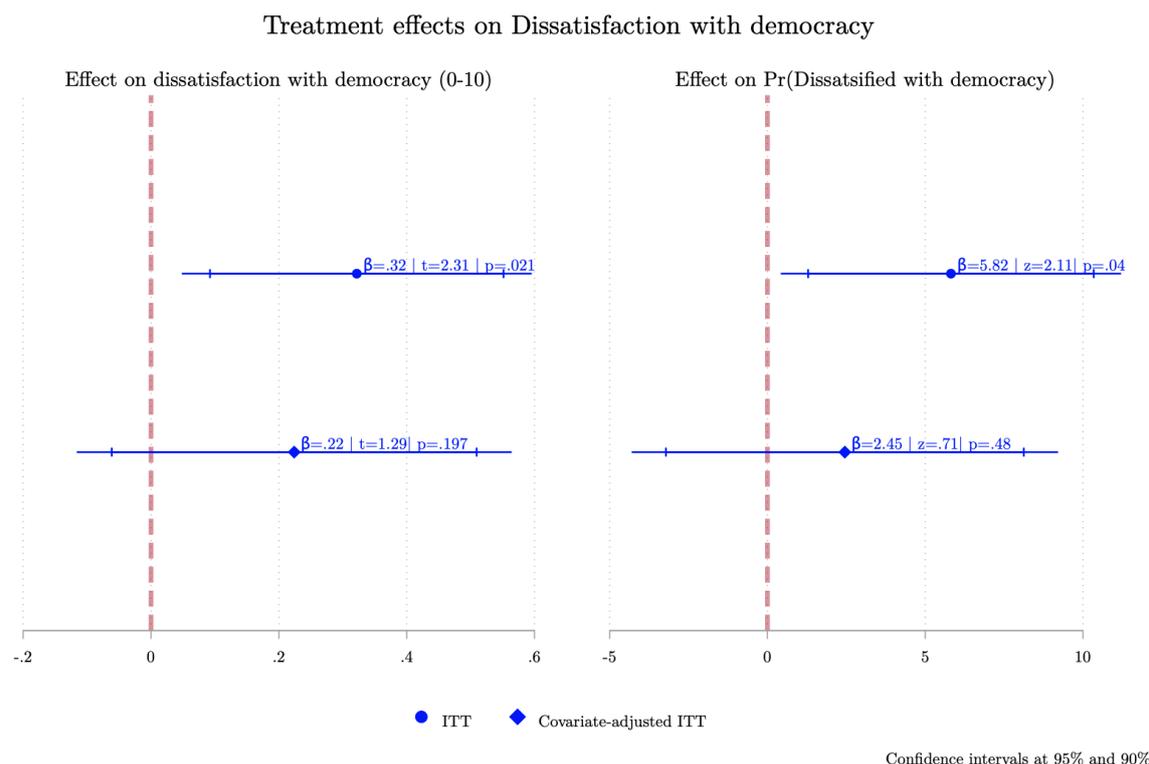


Figure 4: Effect on dissatisfaction with democracy

To ensure the validity of the causal identification strategy and the consequent empirical findings, we employ a number of alternative specifications and different placebo tests. First we consider relevant issue-based placebos. Should the the proposed theoretical mechanisms hold, in that ECJ decisions that rule against the decision of member states increase polity scepticism, we may also expect to observe an increase in the level of distrust with the legal system. If citizens' discontent with a European court decisions is indeed what drives them to be less supportive of the EU, this discontent may be mirrored in trust in the legal system but it should *not*, however, exhibit any effect for political actors at the domestic level or other non-European transnational organisations. To ensure that the political discontent is EU-orientated, we run a placebo model estimating the effect of treatment on distrust in the United Nations (UN) which, should our theory hold, we would expect to return a null effect.

Support for the EU may also form part of citizens' broader political preferences. A large body of work for example, highlights the correlated nature between preferences

for integration and other concerns such as immigration within part of the general globalist-nationalist or GAL-TAN dimension (Inglehart 2008; Bakker, Jolly, and Polk 2012). To ensure that the changing support for the EU is not part of some general shift in preferences that, due to some unidentified confounder, also shapes general ideological preferences over the time period considered, we include placebos for immigration attitudes and left-right ideological placement. All of the placebos are measured in the same range as the main dependent variable on an eleven-point (0 - 10) scale. The issue-based placebo<sup>11</sup> tests are visualised in Figure 5. The results of these tests add additional support to our argument. Exposure to treatment increased distrust in the legal system by .31: a rise of 5.96% compared to the control group and equal to a change of 11.43% of a standard deviation. In line with our theoretical expectations, allocation to treatment had no effect of substance of significance on trust in the UN, immigration attitudes or general left-right placement. We can, therefore, be confident that the rise in euroscepticism caused by treatment is not a function of wider changes in political discontent or ideological preferences, but rather issues centrally related to the EU and the judicial intervention exercised in the Junqueras case.

Whilst we have ruled out potential issue-based confounders, it may be the case that over the fieldwork period, citizens across countries were experiencing an increase in euroscepticism or were becoming less satisfied in democracy, and that the significant changes observed in Spain was not driven by the specific ECJ ruling related to that country in question. To rule out this potentiality we consider different country placebos. There were two other countries participating in the ESS whose fieldwork dates overlapped with that carried out in Spain and who had a number of observations on either side of the treatment threshold. These are Croatia and Latvia whose fieldwork took place from September 20th to January 27th and October 10th and January 21st, respectively<sup>12</sup>. Figure 6 models the treatment effect on three different outcomes. First

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<sup>11</sup>Additional placebos including dissatisfaction with the domestic government, (dis)trust in politicians, political parties and the police are reported in appendix Figure A3. All report effects statistically indistinguishable from zero, confirming our expectations that the euroscepticism and dissatisfaction brought about by treatment is likely EU-orientated

<sup>12</sup>Treatment assignment in Croatia is 8.73% (N = 158) of the total Croatian sample (N = 1,180). Treat-

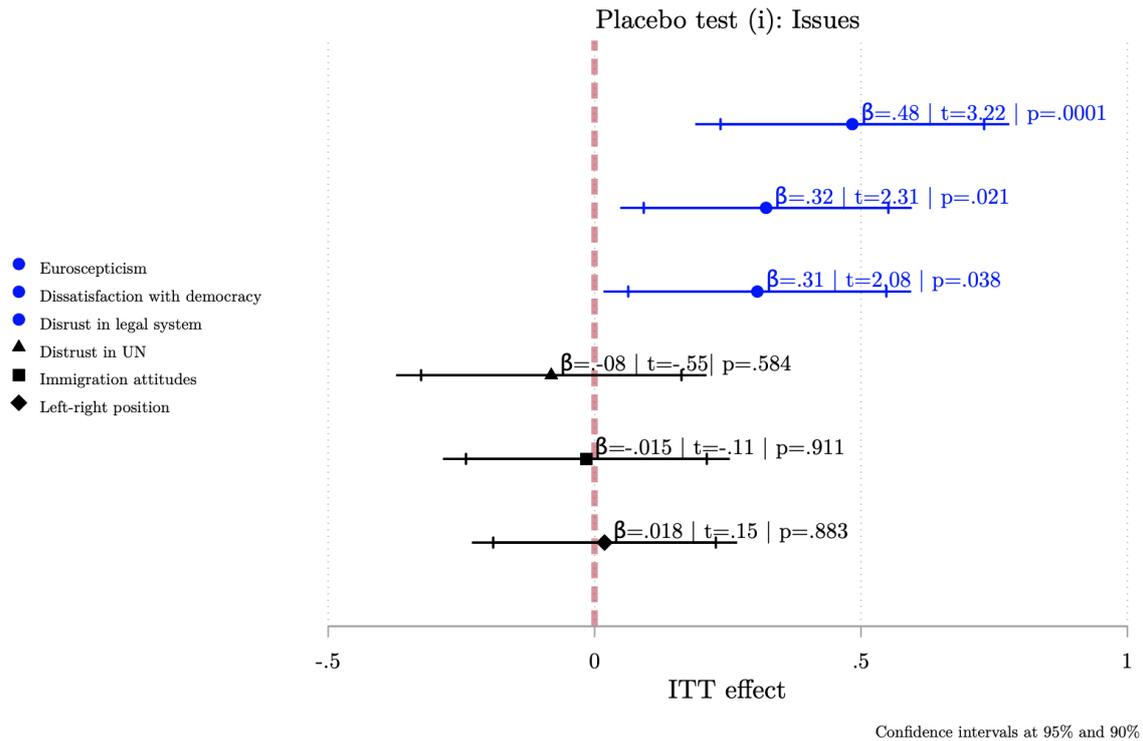


Figure 5: Placebo test (i): ITT if ECJ ruling on alternative outcomes

we model the ITT effects in Croatia and Latvia for our primary dependent variables: euroscepticism & dissatisfaction with democracy. Second, we estimate the effect on our ancillary variable of distrust in the legal system. There is no significant treatment effect on the main dependent variables, or on distrust in the legal system, in any of the other countries over the same fieldwork period. There is therefore, strong support to show that our estimand of interest, the ITT of the ECJ ruling, only exhibited a causal effect in the country which was directly effected by the court’s decision.

As a final robustness test, we seek to rule out that the significant effects we observe on our key variables of interest (euroscepticis & dissatisfaction with democracy) and our auxiliary test (distrust in the legal system) are not false positives that may have occurred because of random chance or some unobserved confounder. To do this, we randomise the date of treatment assignment creating a placebo treatment date and model its effect on euroscepticism, dissatisfaction with democracy, distrust in the legal ment assignment in Latvia is 12.85% (N= 118) of the total Latvian sample (N =918).

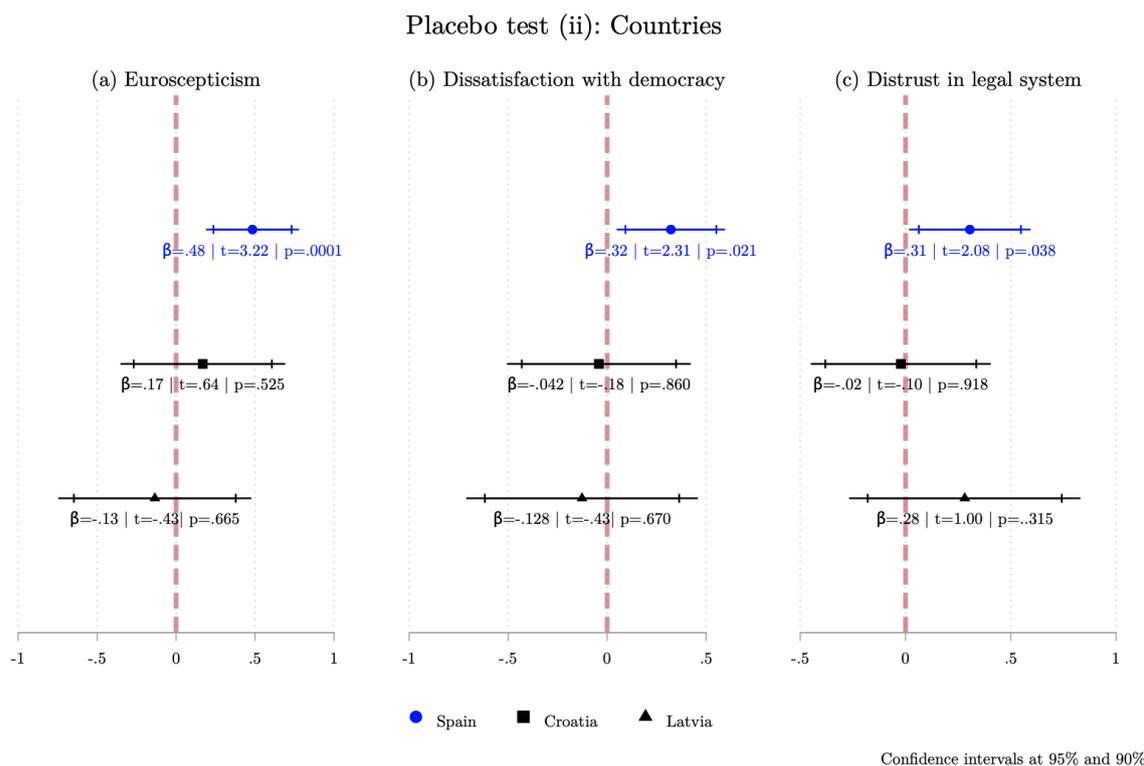


Figure 6: Placebo test (ii): ITT of ECJ ruling in different member states

system, and distrust in the UN (placebo). The permutations visualised in Figure 7 report the results of 1,000 iterations. The vertical dashed line indicate the observed ITT from our experimental design. In the case of the effect on our two core dependent variables (upper panel of Figure 7), our observed effects are significantly larger than the 1,000 iterations we compute with the placebo dates. In the case of our placebo issue (distrust in the UN), which in line with our theoretical expectations should not report any significant effects, the permutation tests show that the observed null effects we report are replicated extensively.

## 5.1 Partisan moderation?

Our empirical analysis provides support for our theoretical expectations: judicial intervention from the EU court ruling against the position of the member state reduces popular support for the EU and increases dissatisfaction with democracy amongst

## Permutation tests

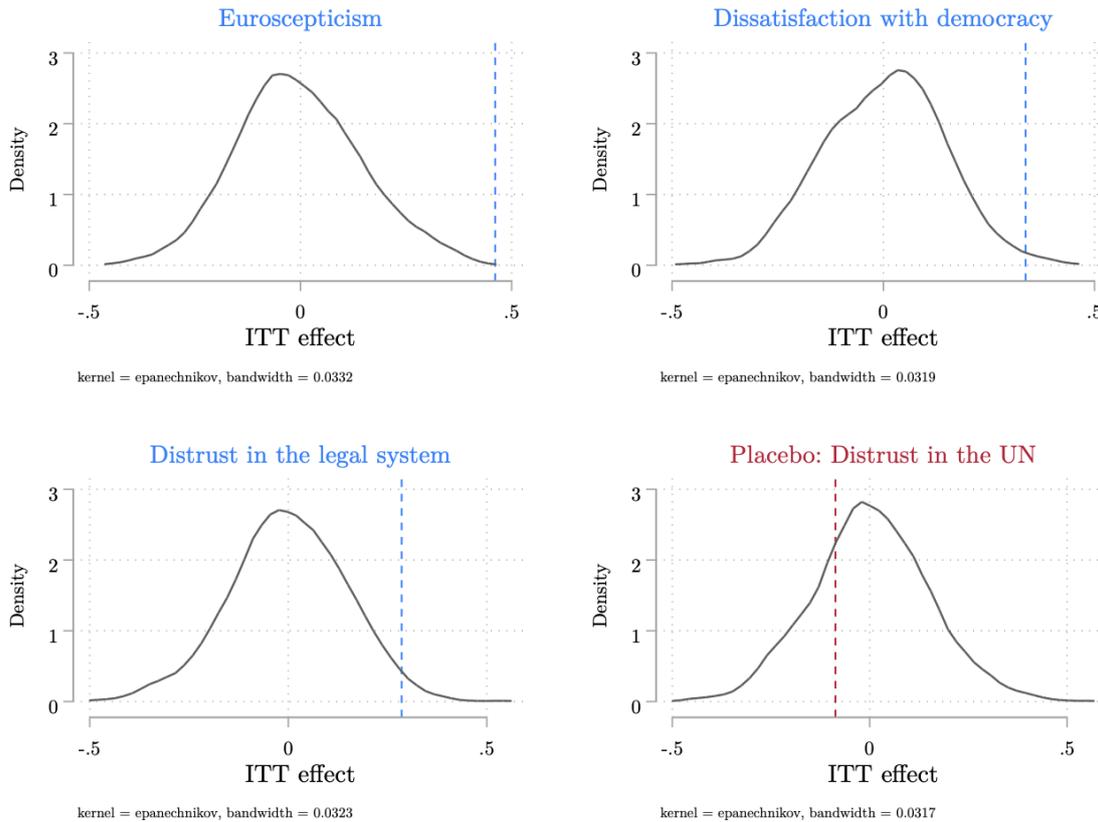


Figure 7: Permutations on main outcomes & placebo

citizens. The treatment effect we estimate (the ITT) captures the causal impact of the EU's ruling on the population but this average effect may mask significant moderating effects.

Given the partisan divide over the Catalan question, we might expect the ITT effect we observe on the population from the ECJ's ruling to be moderated by citizens' partisan support. Spain's three right-wing parties, PP, Ciudadanos and VOX coined themselves as the country's only "Constitutional" parties that were dedicated to defend against the threat represented by the Catalan separatist movement to the unity of Spain. Before Spanish Prime Minister, Pedro Sánchez called elections for April 2019, the three "constitutional" parties held a joint rally calling for Sánchez' resignation and end to his "treasonous" complacency in Catalonia. In the following two general elections held in April and November 2019, the three right-wing parties focused their campaign efforts

on criticising the PSOE-led government for their management of the Catalan situation (Simón 2020) and their supporters were sourced from those with strong attachment to their national Spanish identity (Turnbull-Dugarte, Rama, and Santana 2020). Should the negative treatment effects we observe be the result of partisan moving to oppose an EU decision that goes against their political preferences, we would expect to see the negative treatment effect to only be observed for these parties’ supporters.

Table 1: Partisan moderation models

Variables	(1) Euroscpticism	(2) Dissat. w/ democracy	(3) Distrust legal system
Treatment	0.40** (0.17)	0.32** (0.16)	0.37** (0.17)
‘Constitutional’ voter	0.47** (0.19)	-0.19 (0.17)	-0.36* (0.18)
Treatment*‘Constitutional’ voter	0.41 (0.37)	0.01 (0.34)	-0.31 (0.34)
Constant	3.55*** (0.09)	5.17*** (0.08)	5.21*** (0.09)
Observations	1,481	1,584	1,635
R-squared	0.02	0.00	0.01

Robust standard errors (two-tailed) in parentheses  
 \*\*\* p<0.01, \*\* p<0.05, \* p<0.1

Table 1 reports the regression output of the interaction models and presents the ITT effect of the ECJ ruling on our two primary outcome variables as well as distrust in the legal system conditioned on past voting behaviour. We estimate the effect of treatment conditioned on those who voted for any of the three self-proclaimed “constitutional” parties (PP, Ciudadanos, or VOX) who were most aggressively opposed to Catalan independence and focused on politicising this issues, and those who voted for any other party or abstained. Across all three models the interaction effect is insignificant. Replications using self-identified ideological placement on the left-right axis, as opposed to vote recall, provide the same results (see Figure A4).

Figure 8 visualises the marginal effects of treatment for each value of the moderator with an overlaid histogram to show the distribution of the sample across the two mod-

erator values. Around 22% of respondents report to have voted for either the PP, Ciudadanos or VOX whilst some 78% claim to have voted for another party or abstained. Regardless of how respondents reported to have voted in past November elections, exposure to treatment significantly increased euroscepticism. The ITT amongst those who voted for either the PP, Ciudadanos or VOX was .806 ( $p=.015$ ). This is an increase of 20.05% relative to the same party supporters in control. In the case of all other voters, the effect was equal to .397 ( $p=.018$ ). This effect is similar to the average ITT we observe for full sample (.48) and equates to an increase of 11.17% relative to same voter type in control. Note, however, the point-estimate of the ITT for each group is statistically indistinguishable from one another (see also the insignificant moderation effect in Table ??), so we cannot conclude that the effect of treatment was significantly greater among the "constitutional" parties' supporters vis-à-vis other voters. This indicates that the rise in euroscepticism is not just the result of a ruling that goes against the beliefs of those with strong views on the Catalan question; the euroscepticism-inducing effect of the EU's judicial decision is not only observed amongst those most likely to disagree with the specific outcome but rather is driven the sovereignty-dilution cued to voters as a result of the ECJ decision.

In the case of dissatisfaction with democracy, there appears to be no conditional effect. The modelled ITT is symmetrical for supporters of the three "constitutional" parties (.33) and those of the other parties (.32). That being said, the ITT for voters of the PP, Ciudadanos and VOX is not significantly distinguishable from zero. However, given that 78% of respondents fall into the latter group, we can be confident that the observed significant effect on dissatisfaction holds for the vast majority of the population.

From a theoretical standpoint, one might expect levels of education, political participation or political interest to moderate the effect of the ruling. We know, for example,

ITT conditioned by electoral support for "Constitutional" parties with 95% CIs

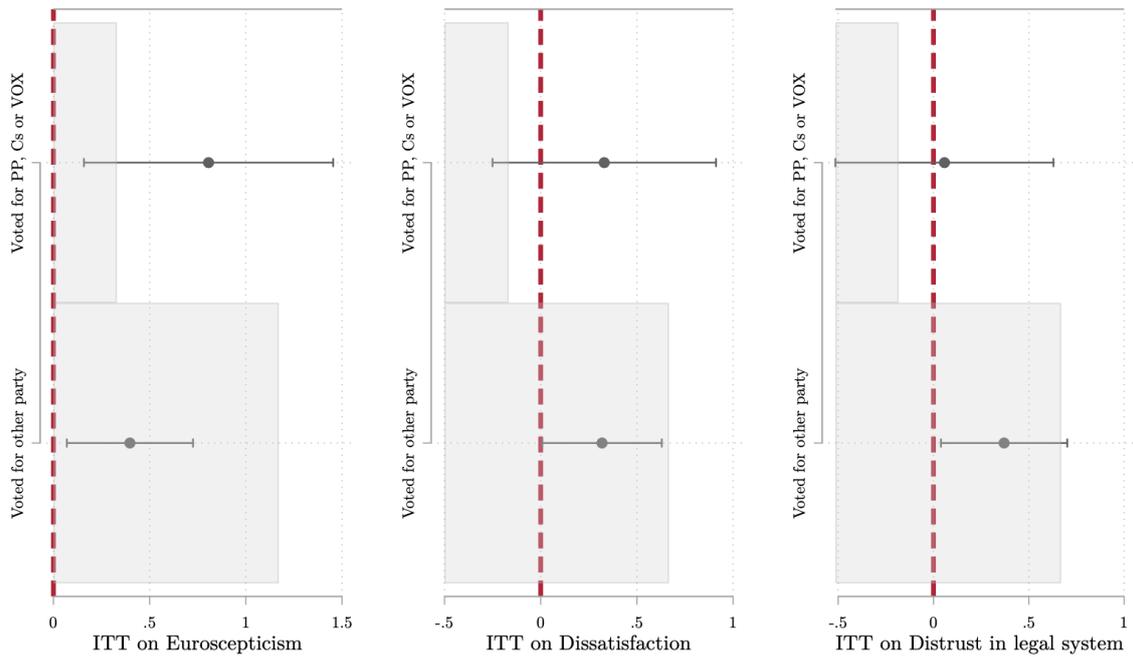


Figure 8: Conditional ITT effects

that in the case of the negative impact of the EU’s economic intervention on political participation, that this effect was only observed amongst those with higher levels of education (Turnbull-Dugarte 2020b) given that these variables may be indicative of how much a respondent engages in politics and, as a result, likely to be interested in EU affairs, and serve as an instrument of the likelihood of respondents’ awareness of EU-level decisions and the implications of the same. In the case of the ECJ rulings in Spain, however, we do not find any evidence that this is the case. Individuals are equally impacted by treatment regardless of their past participation, political interest or level of education (see appendix Figures A5, A6 & A7).

## 6 Conclusions

This paper has explored the causal impact of judicial decisions taken by the EU’s supranational court, by specifically focusing on the potential for ECJ rulings to shape

polity scepticism in the form of euroscepticism and dissatisfaction with democracy. Drawing upon the four distinct yet interconnected bodies of literature related to the europeanisation effect of the ECJ, the role of EU interventions in shaping domestic outcomes, euroscepticism, and political support, we argue that ECJ decision can be viewed in many ways as an illustrative example of EU intervention. Pulling upon the existing intervention literature centred on the financial and Eurozone crises, we theorise that ECJ interventions and the politicised discussion of the same, can serve as an information cue to citizens regarding the sovereignty-diluting nature of EU membership. Essentially, ECJ decisions not only catalyse change in EU integration or europeanisation going forward (Pollack 2018), but can also be viewed as a signal of the weakened sovereignty of member states that has already taken place and induce the perception of the EU as an illegitimate and intervening external actor in domestic affairs. This, in turn, we suggest can lead to increased opposition to the idea of European integration and reduced satisfaction with the way democracy works in their country.

Our hypotheses were twofold and posited that judicial decision from the EU's supranational court can lead to increases in euroscepticism and dissatisfaction with democracy. Leveraging the natural exogeneity of exposure to a salient and highly publicised ECJ ruling, we test our theory via the analysis of a natural experiment in Spain. The findings of our analysis show that judicial actions from the EU play a powerful role in shaping polity support. Our results provide strong and robust support for our first hypothesis: the average citizen in Spain became significantly more likely to be eurosceptic as a result of the ECJ's decision regarding the Junqueras case on Catalan independence.

In terms of dissatisfaction with democracy, our findings are less clear. We argue that judicial decisions taken by the ECJ can be viewed by voters as a form of external intervention from the EU in that that judicial decisions can upset the perceived legitimacy of nationally accepted practices (Pollack 2018). Existing work shows that intervention

from the EU can reduce individual-level satisfaction with democracy (Ruiz-Rufino and Alonso 2017; Schraff and Schimmelfennig 2019), as citizens views these interventions as a signal of the diluted national sovereignty of their state vis-à-vis the EU. We find that, on average, exposure to the Junqueras ruling in Spain does indeed reduce citizens' satisfaction with democracy. The magnitude and significance of the effect, however, is not as strong in comparison to the rise in euroscepticism.

Whilst the findings we observe come from Spain, we believe that Spain actually represents a "tough case" for our theoretical model, so there is reason to expect similar findings to be observed elsewhere. Since joining the European Community in 1986, Spain has remained one of the most europhile nations within the collection of EU member states (Sánchez-Cuenca 2000; De Vries 2018). Despite being one of the country's hit hardest by the Eurozone crisis and one of the six states subjected to economic intervention by the *Troika* (Devine 2019; Ruiz-Rufino and Alonso 2017), euroscepticism has failed to take hold in Spain in either the party system (Turnbull-Dugarte 2020a) or amongst the electorate. Given that we observe a significant and sizeable ECJ-induced euroscepticism effect in a national context where the baseline rate of euroscepticism is low and the issue-based mobilisation of political entrepreneurs (De Vries and Hobolt 2020) is absent, it is likely the case the same (if not a greater effect) could be observed in states where political opportunities exist that are more primed to activate euroscepticism. We argue, therefore, that the validity of our findings are not limited to the Spanish case at hand but rather provides an empirically-supported theoretical understanding of the the role of the EU court in moulding polity support for the EU.

Beyond a focus on polity scepticism, our findings speak to a wider audience concerned with the potential for European integration to threaten the perceived autonomy of member states. This work has recently been centred on the question of economic intervention, brought about the Eurozone crisis, and the conditionality of this economic intervention can have detrimental consequences for political support. The implica-

tions of our findings, in line with those of the EU's economic intervention, that EU intervention within domestic politics can have adverse effects on political support. The potential for public backlash against the ECJ represents a significant dilemma for the EU: in the course of affirming its founding principles or ensuring compliance with supranational law, it may empower its detractors.

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# Appendix

## Balance

Table A1: Balance: Model predicting treatment assignment

Variables	(1) Treatment assignment
Gender (Male)	0.05 (0.14)
Age: 25-34	0.36 (0.29)
Age: 35-44	0.53** (0.27)
Age: 45-54	0.24 (0.26)
Age: 55-64	-0.01 (0.28)
Age: 65-74	-0.52 (0.35)
Age: 75+	-0.58 (0.44)
Lower secondary	0.14 (0.25)
Upper secondary	0.27 (0.27)
Post secondary	0.25 (0.35)
Tertiary	0.14 (0.26)
Income	-0.02 (0.03)
Left-right position	-0.00 (0.03)
Constant	-1.14*** (0.37)
Observations	1,031

Robust standard errors (two-tailed) in parentheses  
\*\*\* p<0.01, \*\* p<0.05, \* p<0.1

Table A2: Partisan balance in treatment assignment

Variables	(1) Treatment assignment
Party supporter (baseline: PP voter)	
PSOE voter	-0.00 (0.21)
Unidas Podemos voter	0.05 (0.25)
Ciudadanos voter	0.29 (0.31)
VOX voter	0.15 (0.27)
Other	0.19 (0.18)
Constant	-1.02*** (0.17)
Observations	1,668

Robust standard errors (two-tailed) in parentheses

\*\*\*  $p < 0.01$ , \*\*  $p < 0.05$ , \*  $p < 0.1$

## Main models

Table A3: Main regression model

Variables	(1) Eurocepticism	(2) Eurocepticism	(3) Dissat. w/ democracy	(4) Dissat. w/ democracy
Treatment	0.48*** (0.15)	0.48*** (0.18)	0.32** (0.14)	0.22 (0.17)
Gender (male)		-0.46*** (0.16)		-0.36** (0.16)
Age: 25-34		0.58* (0.30)		0.37 (0.31)
Age: 35-44		0.50* (0.30)		0.25 (0.30)
Age: 45-54		0.35 (0.29)		-0.18 (0.29)
Age: 55-64		0.07 (0.30)		-0.52* (0.30)
Age: 65-74		-0.05 (0.33)		-0.49 (0.34)
Age: 75+		0.38 (0.44)		-0.35 (0.42)
Lower secondary		0.00 (0.28)		0.13 (0.27)
Upper secondary		-0.47 (0.31)		-0.53* (0.30)
Post secondary		-0.78** (0.36)		0.27 (0.41)
Tertiary		-1.23*** (0.28)		-0.20 (0.27)
Income		-0.02 (0.03)		0.05* (0.03)
Left-right position		0.20*** (0.04)		-0.08** (0.04)
Constant	3.66*** (0.08)	3.26*** (0.41)	5.12*** (0.07)	5.67*** (0.40)
Observations	1,481	973	1,584	1,015
R-squared	0.01	0.10	0.00	0.04

Robust standard errors (two-tailed) in parentheses

\*\*\* p<0.01, \*\* p<0.05, \* p<0.1

Table A4: Logistic regression models using dichotomous dependent variables

Variables	(1) Eurosceptic	(2) Eurosceptic	(3) Dissatisfied	(4) Dissatisfied
Treatment	0.38*** (0.14)	0.56*** (0.18)	0.24** (0.11)	0.11 (0.15)
Gender (male)		0.02		-0.23*
Age: 25-34		0.66* (0.38)		0.43 (0.27)
Age: 35-44		0.36 (0.36)		0.35 (0.25)
Age: 45-54		0.41 (0.35)		-0.13 (0.25)
Age: 55-64		0.18 (0.38)		-0.28 (0.26)
Age: 65-74		0.26 (0.42)		-0.15 (0.30)
Age: 75+		0.63 (0.47)		-0.02 (0.37)
Lower secondary		0.07 (0.26)		0.28 (0.23)
Upper secondary		-0.31 (0.32)		-0.06 (0.26)
Post secondary		-0.55 (0.41)		0.51 (0.33)
Tertiary		-1.07*** (0.34)		0.21 (0.24)
Income		-0.04 (0.04)		0.05* (0.03)
Left-right position		0.11*** (0.04)		-0.10*** (0.03)
Constant	-1.59*** (0.08)	-2.01*** (0.46)	-0.50*** (0.06)	-0.37 (0.35)
Observations	1,481	973	1,584	1,015

Robust standard errors (two-tailed) in parentheses

\*\*\* p&lt;0.01, \*\* p&lt;0.05, \* p&lt;0.1

Table A5: Models with regional FE

Variables	(1)	(2)	(3)	(4)
	Euroscpticism	Euroscpticism	Dissat. w/ democracy	Dissat. w/ democracy
Treatment	0.41*** (0.15)	0.36* (0.19)	0.27* (0.14)	0.14 (0.18)
Constant	3.26*** (0.22)	2.96*** (0.44)	5.16*** (0.20)	5.44*** (0.43)
Observations	1,481	973	1,584	1,015
R-squared	0.03	0.12	0.07	0.11
Regional FE	Yes	Yes	Yes	Yes
Individual controls	No	Yes	No	Yes

Robust standard errors (two-tailed) in parentheses

\*\*\* p<0.01, \*\* p<0.05, \* p<0.1

## Robustness & sensitivity tests

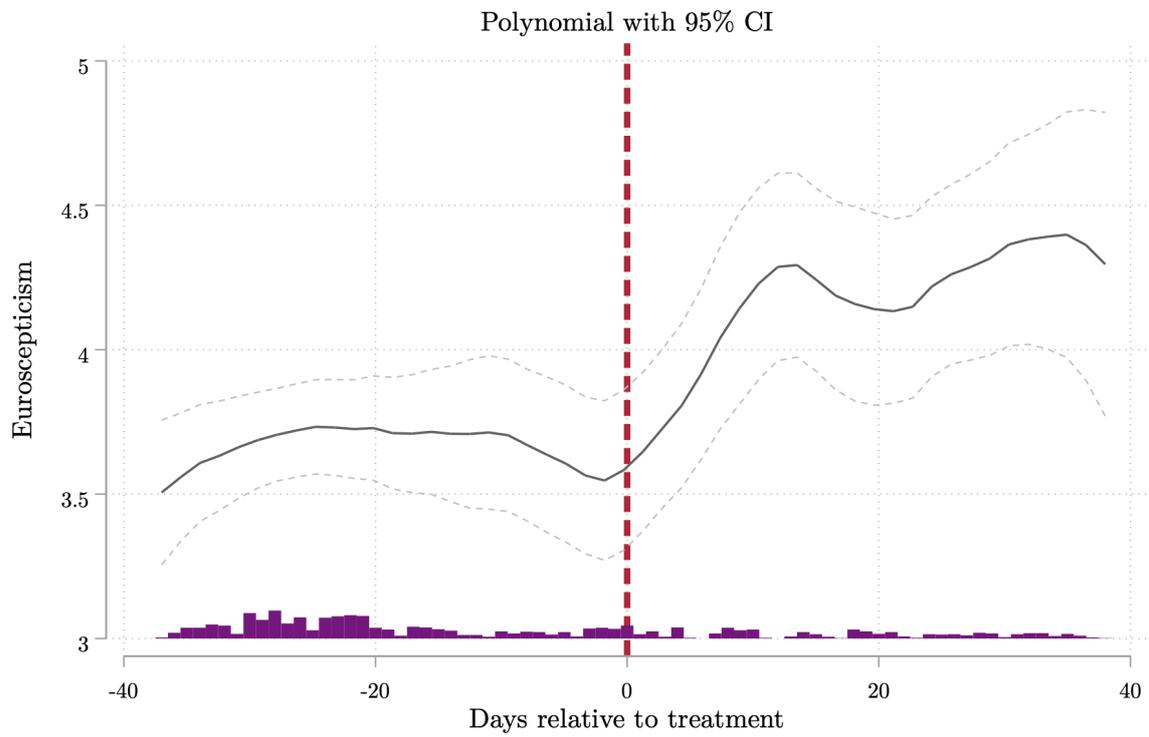


Figure A1: Testing for spurious time trends

# Robustness test: matching

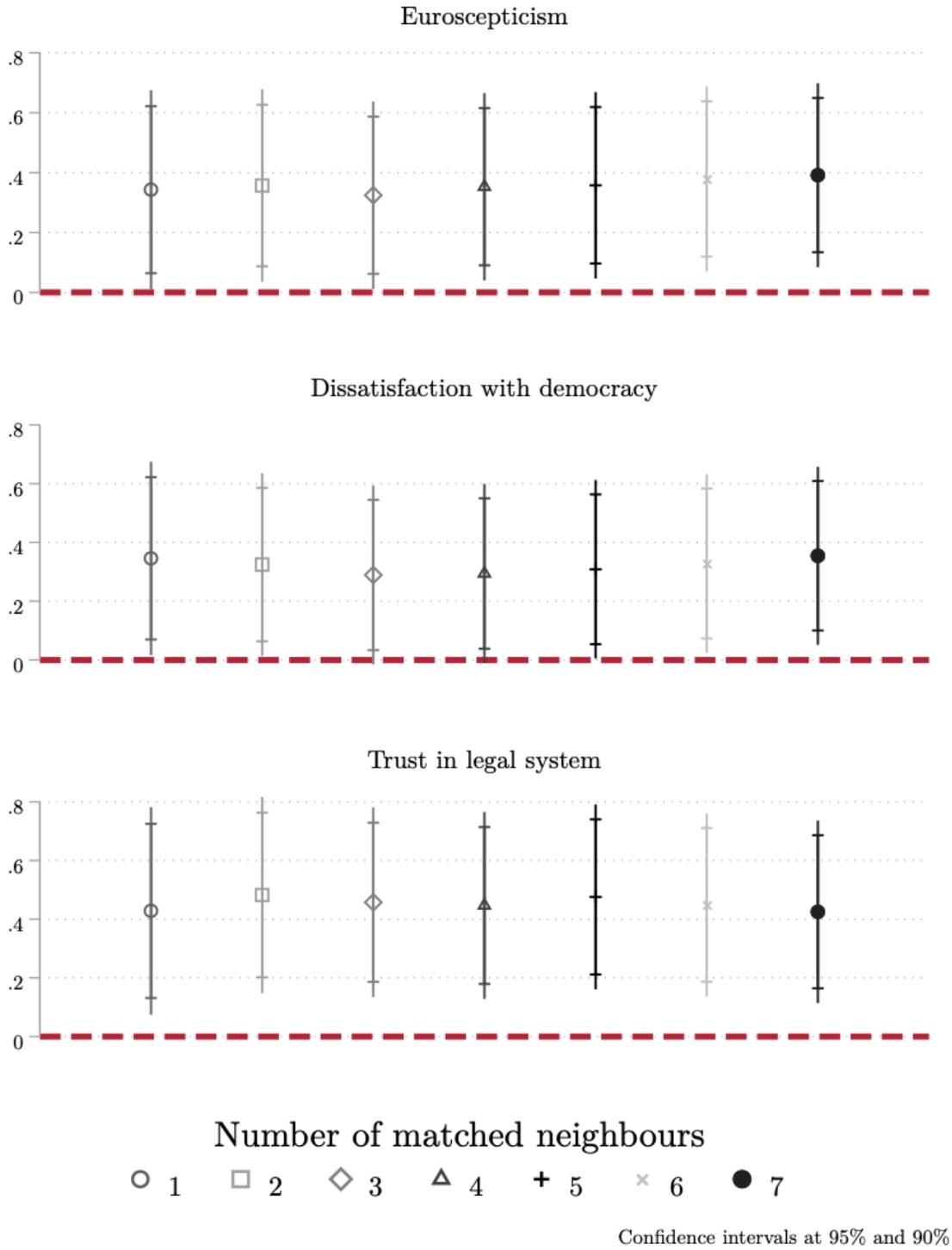


Figure A2: Matching technique models

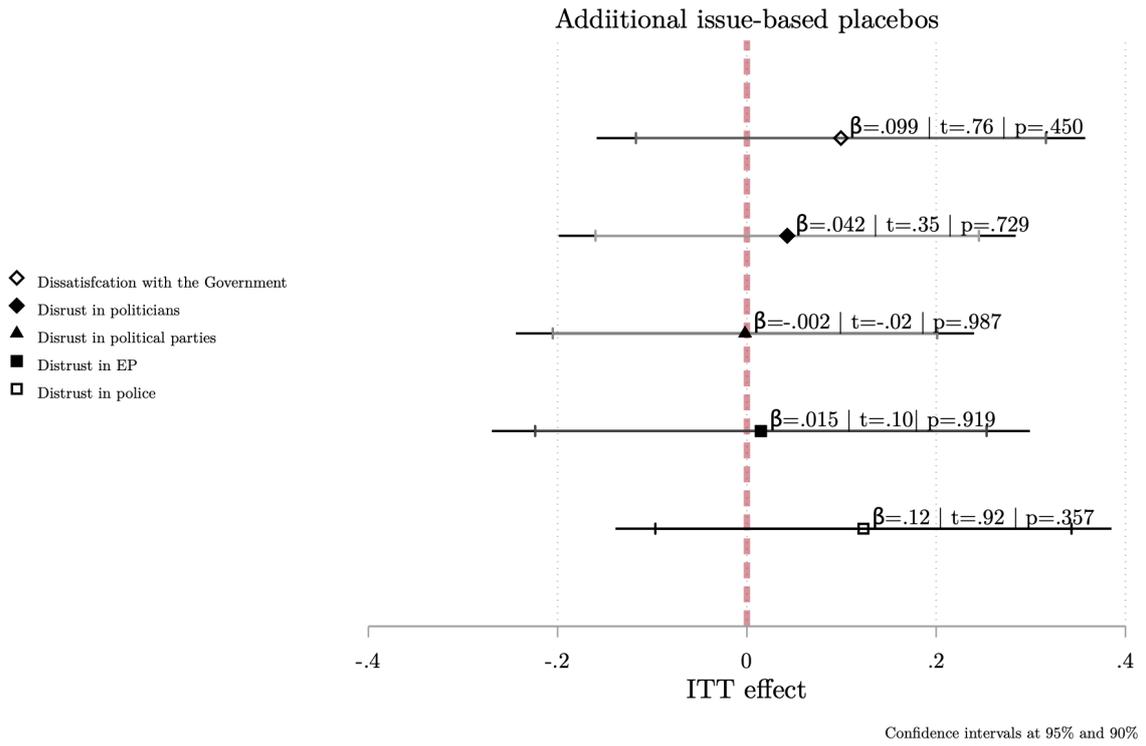
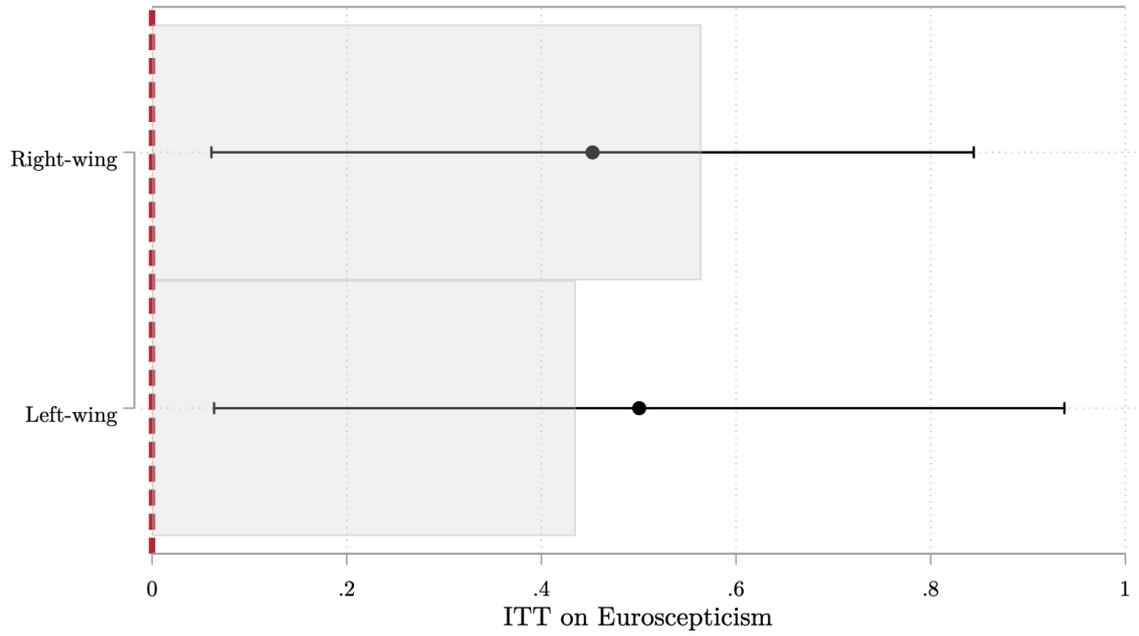


Figure A3: Alternative issue-based placebos

## Exploratory analysis of potential moderators

Effect of treatment conditioned by self-placement on the left-right axis



Confidence intervals at 95%

Figure A4: Replication of partisan moderation using ideological placement

Conditional marginal effects of treatment conditioned by degree status with 95% CIs

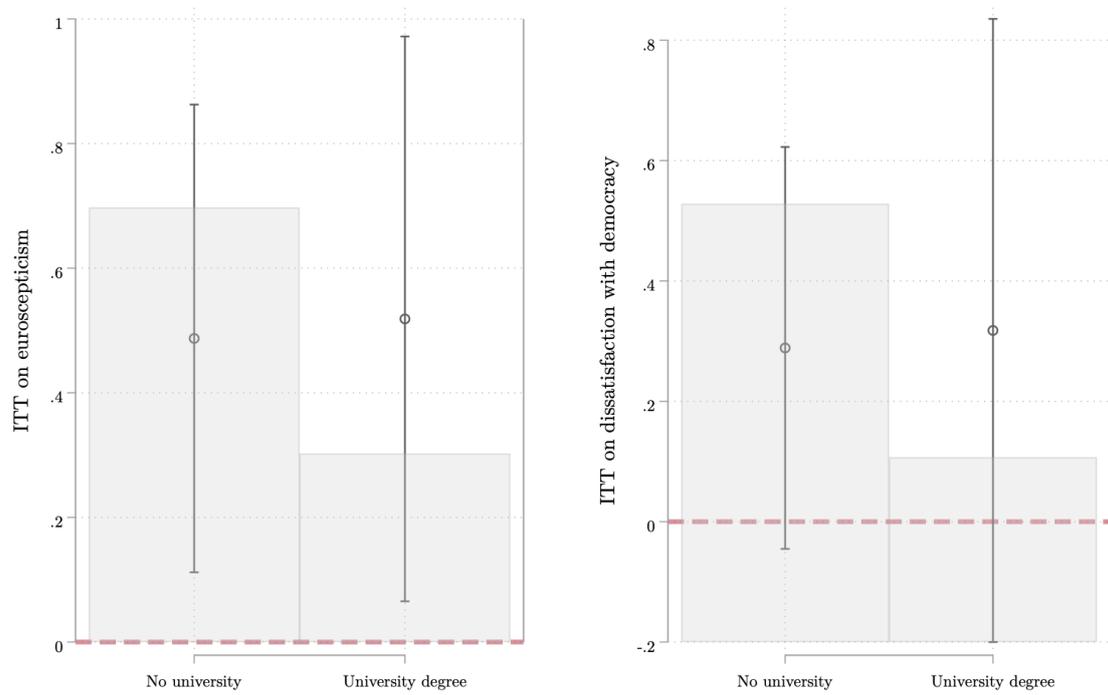


Figure A5: Moderator (i): Education

Conditional marginal effects of treatment conditioned by past turnout with 95% CIs

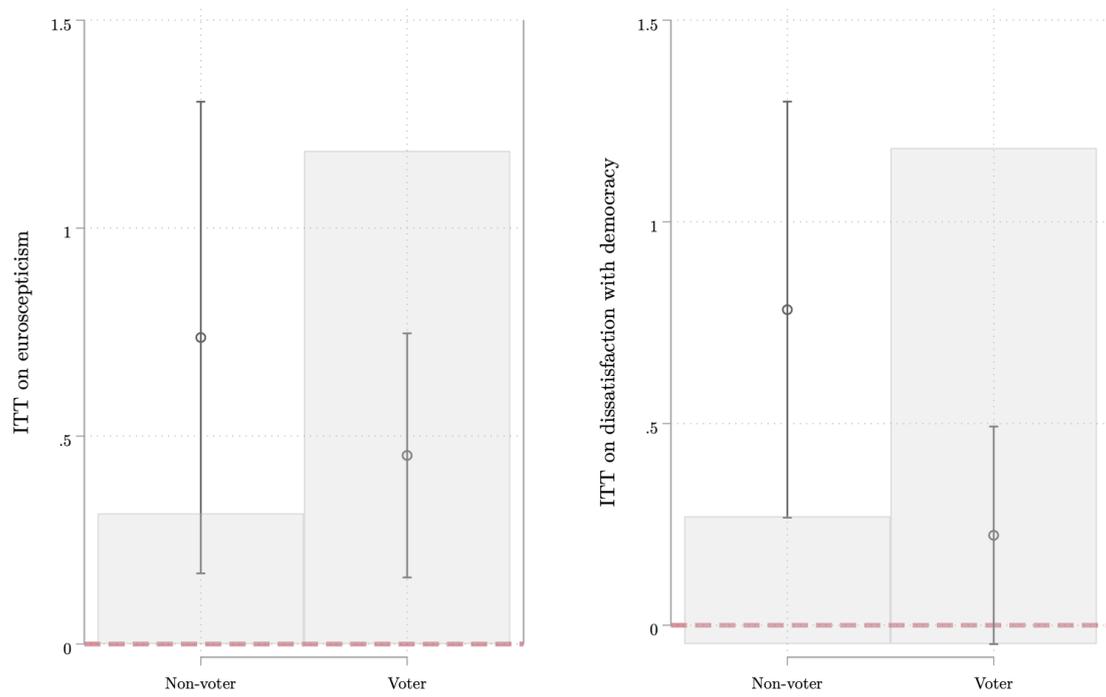


Figure A6: Moderator (ii): Voting record

Conditional marginal effects of treatment conditioned by political interest with 95% CIs

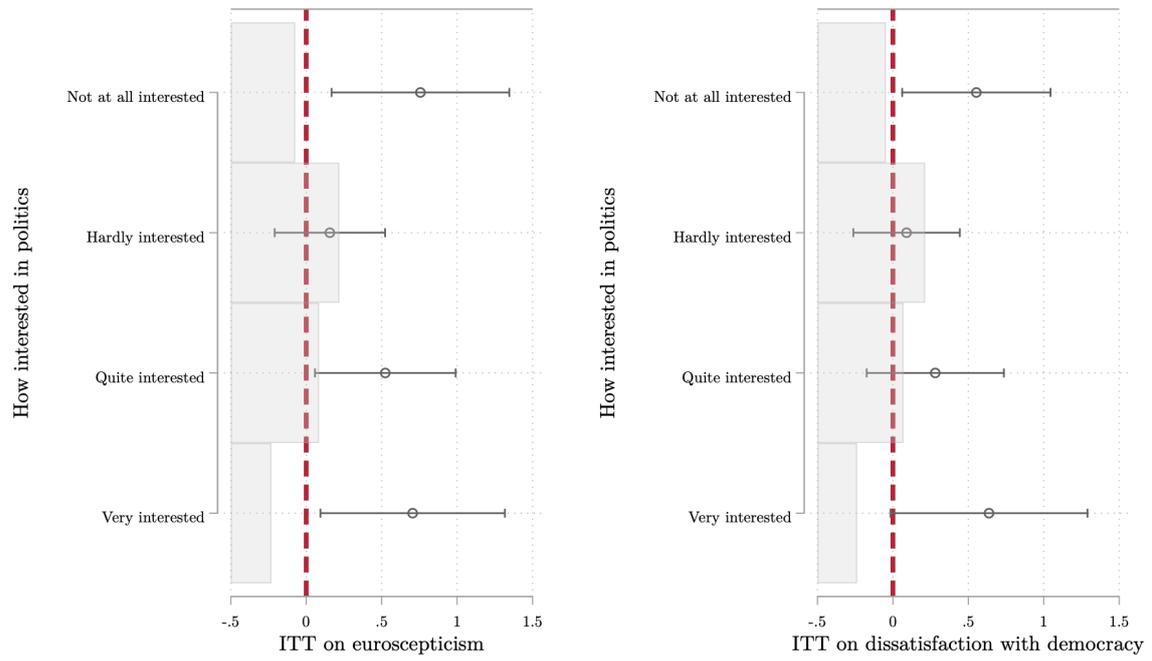


Figure A7: Moderator (iii): Political interest

## Newspaper covers



**ECONOMÍA** Glovo ya es un unicornio: su valoración alcanza 1.000 millones P42

**EL VIAJERO** Mineros por un día en las cuencas asturianas

## La justicia europea reconoce la inmunidad de Junqueras

**El Tribunal de la UE concluye que adquirió la condición de eurodiputado tras la elección**

**ERC congela la investidura hasta que la Abogacía del Estado se pronuncie**

**La Eurocámara levanta el veto a la entrada para Puigdemont y Comín**

LL. PELLICER / À. PIÑOL / C. E. CUÉ  
**Luxemburgo / Barcelona / Madrid**  
El Tribunal de Justicia de la UE estableció ayer que Oriol Junqueras, el líder de ERC encarcelado, debía haber sido autorizado a tomar posesión de su escaño como eurodiputado en junio, en un fallo que supone un golpe para la justicia española y complica las negociaciones para la investidura de Pedro Sánchez. Según el tribunal, Junqueras obtuvo la inmunidad parlamentaria con la proclamación de los resultados de

las elecciones europeas del 26 de mayo, por lo que debió ser excarcelado para recoger su acta y se debió pedir el suplicatorio a la Eurocámara para devolverlo a prisión preventiva. El fallo no implica forzosamente la salida in-

mediata de prisión del dirigente independentista, quien cumple una condena a 13 años por sentencia firme. Los magistrados dejan los siguientes pasos en manos del Tribunal Supremo, que ha dado cinco días a acusaciones

y defensa para presentar sus argumentos. La Fiscalía ya ha respondido que se opone a excarcelar a Junqueras.

La sentencia irrumpió en las negociaciones entre PSOE y ERC. El partido independentista aseguró que congela las conversaciones hasta ver la posición del Gobierno y de la Abogacía del Estado. El fallo puede tener además efecto sobre la situación de los fugados Carles Puigdemont y Toni Comín, también elegidos eurodiputados. PÁGINAS 16 A 20

**El presidente de la Generalitat, Quim Torra, condenado a año y medio de inhabilitación**

**EDITORIAL** Fallo procesal P12

## Los demócratas tratarán de asegurar un 'impeachment' con garantías

AMANDA MARS, Washington  
El 'impeachment' contra Donald Trump, aprobado por la Cámara de Representantes, comienza lastrado por el partidismo. Los demócratas quieren evitar un final rápido en el Senado, donde los republicanos cierran filas con su presidente. La líder de la Cámara, Nancy Pelosi, advirtió ayer de que no enviará al Senado los cargos mientras no se hayan sentado las bases de un proceso "justo", lo que podría retrasar el juicio. PÁGINAS 2 Y 3  
EDITORIAL EN LA PÁGINA 12

## Putin defiende a Trump ante las acusaciones "fabricadas"

## Miles de indios desafían en la calle a Modi por su ley de ciudadanía

ÁNGEL MARTÍNEZ, Bombay  
Una masiva protesta en ciudades de la India desafió ayer la prohibición de manifestarse en la capital y en otros Estados del país. Tres personas murieron y cerca de un millar fueron detenidas en las marchas contra la ley de ciudadanía del Gobierno de Narendra Modi, criticada por discriminar a los musulmanes. PÁGINA 10



Los jueces del Tribunal de Justicia de la UE, durante la lectura pública del fallo ayer, en Luxemburgo. / JULIEN WARRAND (EPA)

## Las familias jóvenes, lejos de recuperar la renta previa a la crisis

ANTONIO MAQUEDA, Madrid  
Desde la crisis que azotó España, ningún grupo de edad está sufriendo un desplome de sus ingresos tan brutal como los jóvenes, según datos de la encuesta financiera de las familias, del Banco de España. Los hogares con un cabeza de familia menor de 35 años aún tenían en 2016

una renta un 18% más baja que la de las familias de esa edad en 2010. Esto se produce a pesar de que el total de rentas antes de impuestos ya había recuperado los niveles previos. En contraste, los hogares de pensionistas han aumentado sus rentas, porque los nuevos jubilados entran con prestaciones más altas. PÁGINA 39



## La tasa de mortalidad es un 38% más alta en Andalucía que en Madrid

PABLO LINDE, Madrid  
La brecha económica entre comunidades impacta en sus tasas de mortalidad. En Andalucía la tasa de mortalidad es un 38% más elevada que la de Madrid. Son los dos extremos, según los datos divulgados ayer por el INE. Las patologías circulatorias y los tumores volvieron a ser en 2018 las primeras causas de muerte. PÁGINA 23

El presidente de la Cámara catalana, Roger Torrent, y varios diputados autonómicos de ERC valoran delante del Parlament el fallo del TJUE sobre Junqueras

# ABC



## ERC PLANTA AL PSOE HASTA QUE TENGA UN GESTO CON JUNQUERAS

El fallo de la Justicia europea que reconoce la inmunidad del líder de Esquerra como eurodiputado complica la investidura de Sánchez

Torra podría retener unos meses la Generalitat pese a ser condenado a año y medio de inhabilitación por no retirar los lazos amarillos

[Astrolabio, Editorial, Enfoque y páginas 16 a 23]

#Cariñoterapia



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Figure A9: ABC front page 20th December 2019