Codebook

Ideology on Both Sides: Judges' and Governments' Preferences at the CJEU (J-Pref)

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2025 (v2)

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Reference:

Gabel, M., Lyder Hermansen, S. S., & Krehbiel, J. (2026). The politics of the Court of Justice of the European Union: A review. *European Union Politics*, 27(1).

Hermansen, Silje Synnøve Lyder; Gabel, Matthew; Krehbiel, Jay (2025) "Ideology on Both Sides: Judges' and Governments' Preferences at the CJEU (J-Pref)". *Harvard Dataverse*. V2. https://doi.org/10.7910/DVN/WREEOT

Description:

This dataset places judges of the Court of Justice of the European Union (CJEU) and EU member-state governments in a shared ideological space, combining Manifesto Project, ParlGov, and Eur-Lex data to infer preferences on economic and integration dimensions.

Data structure and purpose

The data places all EU governments and judges at the Court of Justice of the European Union (CJEU) in the same policy space using their national party identification.

It builds on the theoretical assumption that judges are appointed by member-state governments and thus inherit their views on key political issues relevant to the Court's agenda. Linking judges to national parties in this way allow us to place judicial decision makers in relation to other decision making institutions populated by national parties in a common European policy space (Gabel and Hix 2002).

These operationalizations have been applied in prior work to explain both judicial appointments and court outcomes (Hermansen 2020; Šadl and Hermansen 2024; Hermansen and Voeten 2025; Hermansen and Naurin 2026; Gabel, Hermansen, and Krehbiel 2026). They extend a series of studies demonstrating how governments' ideological profiles shape appointments to, and behavior within, the CJEU.

The data consists of two data frames:

`judge_pref` lists all judges appointed to the Court over its history. It reports their assigned preferences as well as key identifiers needed to link with other data collections.

`gvt_pref` is a large data frame that lists all EU governments at each date since the establishment of the European Union as well as their assigned preferences and key identifiers needed to link with other data collections.

Sources

The data allows researchers to use comparable operationalizations across studies, but also provide the key information necessary for new operationalizations.

Judges' appointments are drawn from the Council of Minister's official decision published on the Union's official website, EurLex. The data draws on ParlGov to identify the government in office in the relevant member state. It then links cabinet parties with electoral (coalition) lists using the Party Manifesto Project (Lehmann et al. 2025).

Variable description

`free_economy`

Preferences on economic left-right issues: attitudes towards state intervention in the economy. Low values (left) indicate low threshold / positive view of state intervention in the economy. High values (right) indicate high threshold / negative view of state intervention.

The variable is calculated from the following Marpor / Party Manifesto indicators. The following description is taken from their codebook.

- "per401" Free Market Economy. Favourable mentions of the free market and free market capitalism as an economic model. May include favourable references to: Laissez-faire economy; Superiority of individual enterprise over state and control systems; Private property rights; Personal enterprise and initiative; Need for unhampered individual enterprises.

- "per402" Incentives: Positive. Favourable mentions of supply side oriented economic policies (assistance to businesses rather than consumers). May include: Financial and other incentives such as subsidies, tax breaks etc.; Wage and tax policies to induce enterprise; Encouragement to start enterprises.
- "per403" Market Regulation. Support for policies designed to create a fair and open economic market. May include: Calls for increased consumer protection; Increasing economic competition by preventing monopolies and other actions disrupting the functioning of the market; Defence of small businesses against disruptive powers of big businesses; Social market economy.
- "per404" Economic Planning. Favourable mentions of long-standing economic planning by the government. May be: Policy plans, strategies, policy patterns etc.; Of a consultative or indicative nature.
- "per405" Corporatism/Mixed Economy. Favourable mentions of cooperation of government, employers, and trade unions simultaneously. The collaboration of employers and employee organisations in overall economic planning supervised by the state. Note: This category was not used for Austria up to 1979, for New Zealand up to 1981, and for Sweden up to 1988.
- "per406" Protectionism: Positive Favourable mentions of extending or maintaining the protection of internal markets (by the manifesto or other countries). Measures may include: Tariffs; Quota restrictions; Export subsidies.
- "per407" Protectionism: Negative. Support for the concept of free trade and open markets. Call for abolishing all means of market protection (in the manifesto or any other country).
- "per409" Keynesian Demand Management. Favourable mentions of demand side oriented economic policies (assistance to consumers rather than businesses). Particularly includes increase private demand through: Increasing public demand; Increasing social expenditures. May also include: Stabilization in the face of depression; Government stimulus plans in the face of economic crises.
- "per410" Economic Growth: Positive. The paradigm of economic growth. Includes: General need to encourage or facilitate greater production; Need for the government to take measures to aid economic growth.
- "per412" Controlled Economy. Support for direct government control of economy.

May include, for instance: Control over prices; Introduction of minimum wages.

- “per413” Nationalisation Favourable mentions of government ownership of industries, either partial or complete; calls for keeping nationalised industries in state hand or nationalizing currently private industries. May also include favourable mentions of government ownership of land.
- “per414” Economic Orthodoxy. Need for economically healthy government policy making. May include calls for: Reduction of budget deficits; Retrenchment in crisis; Thrift and savings in the face of economic hardship; Support for traditional economic institutions such as stock market and banking system; Support for strong currency.

integration

Preferences on internationalism in general and European integration in particular: attitudes towards European integration. Low values indicate Euro-skepticism, high values Euro-enthusiasm.

The variable is calculated from the following Marpor / Party Manifesto indicators. The following description is taken from their codebook.

- "per107": Internationalism: positive Need for international co-operation, including co-operation with specific countries other than those coded in 101. May also include references to the: Need for aid to developing countries; Need for world planning of resources; Support for global governance; Need for international courts; Support for UN or other international organisations
- "per108": European Community: positive. Favourable mentions of European Community/Union in general. May include the: Desirability of the manifesto country joining (or remaining a member); Desirability of expanding the European Community/Union; Desirability of increasing the ECs/EUs competences; Desirability of expanding the competences of the European Parliament.
- "per109": Internationalism: negative. Negative references to international co-operation. Favourable mentions of national independence and sovereignty with regard to the manifesto country’s foreign policy, isolation and/or unilateralism as opposed to internationalism.

- "per110": European Community: negative. Negative references to the European Community/Union. May include: Opposition to specific European policies which are preferred by European authorities; Opposition to the net-contribution of the manifesto country to the EU budget.

name

Name of the judge

iuropa_judge_id

Iuropa judge identifier (Brekke et al. 2023).

nationality

Member state.

cabinet_id

ParlGov identifyer of the government (that appointed the judge).

cabinet_name

Cabinet name (Prime minister name).

date

All dates from 1954 to 2023.

Measuring ideology

The judges' political orientation is approximated by the preferences of the government that initially appointed them. Government preferences are calculated from cabinet members' manifestos. The measure is constructed in four steps:

1. **Cabinet identification:**

   Cabinet parties are identified at the date of each judge's first appointment to the Court and linked to the ParlGov cabinet data (Döring 2013).

2. **Manifesto linkage:**

   Cabinet parties are then linked to their party manifesto at the last legislative election (Marpor/Manifesto Project). Their preference score is calculated on the entire Marpor corpus using the *vanilla* method (Gabel and Huber 2000).

3. **Cabinet position:**

   The cabinet position is then aggregated as a weighted average of each cabinet party's number of seats in Parliament.

4. **Linking to judges:**

   The resulting cabinet position is linked to the judge's initial appointment to the Court.

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