Rien ne se crée sans les hommes. Rien ne dure sans les institutions.

Jean Monnet
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The Ambivalent Role of the EU in the Western Balkans - “Limited Europeanisation” between Formal Promises and Practical Constraints. The Case of Bosnia-Herzegovina

Iordan Gheorghe Bărbulescu, Miruna Troncotă*

Abstract: It became a shared opinion among European policy-makers to state that without a serious commitment from the European Union (EU), the Western Balkans (WB) will find itself increasingly isolated from the unfolding developments around it and this may endanger the stability of the entire continent. The scope of this paper is two folded: first, to examine the role of the EU in the WB with a focus on democratic institution-building; second, taking Bosnia-Herzegovina (BiH) as a case study, the article aims to determine whether there is a need for a new theoretical framework in order to more accurately define the specific process of the Europeanisation in the WB. In this regard it proposes the term “limited Europeanisation”. The main theoretical aim of the article is to identify some clear-cut criteria of this phenomenon in the last 14-year evolution of BiH in relation with the EU.

Keywords: Bosnia and Herzegovina, democratisation, Europeanisation, institution building, Western Balkans.

Introduction

It became a shared opinion among European policy-makers to state that without a serious commitment from the European Union (EU), the Western Balkans (WB)¹ will find itself increasingly isolated from the unfolding developments around it and this may

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¹ By Western Balkans we refer to all the ex-Yugoslav countries (Bosnia and Herzegovina, Croatia, Serbia, FYR Macedonia, Montenegro, Kosovo under UNCH 1244), plus Albania, minus Slovenia.
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endanger the stability of the entire continent. Besides that, it became also clear over the past several years that there is a stark contrast between stated goals and their actual implementation coming both from EU and WB countries in particular. The coherence of the EU approach to the WB became therefore one of the most challenging subjects in European studies. Even though the involvement of EU in democracy building is crucial for the region, studying its overall approach and its results one may observe an ambivalent role: both positive and negative, both helpful and confusing.

In this context, based also on the idea that “Europeanization looks different when seen from Brussels and from the countries at the receiving end”, the article tries to define the emergence of a new concept in order to incorporate the so-called “Balkan Exceptionalism” paradigm into the actual trends of Europeanisation. So first the article provides a short literature review of the main definitions and understandings of the intricate political phenomena called Europeanisation.

The second part of the article will have a more analytical dimension, first describing the main stages that BiH has been going through in its relations with the EU, and then analysing whether a “political community” (as a criterion of viable institution-building) emerged in BiH during the first phases of Europeanisation (1997-2011). The period will be divided in 4 main chronological stages marked by specific actions towards democracy building in BiH. The analysis will show that all these actions were caught between formal promises and practical constraints, going through stagnation (which will be defined as “limited Europeanisation”) and not towards deepening Europeanisation as it was expected by both local and international policy-makers. As long as BiH failed to create ‘citizenship’ homogeneity when ‘ethnic’ or ‘political’ heterogeneity was the case and as long as a degree of acceptance of differences is still missing, the “Balkan Exceptionalism” paradigm could be further on employed in understanding BiH’s evolution. This particular process would be analysed in the final part of the article where the main characteristics of this “limited Europeanisation” process will be discussed.

The main argument put forward in the concluding section is that the WB region as a whole is severely challenging the theories of Europeanisation and the “goodness of fit” concept. Dealing with WB requires EU to “rethink” its concept of enlargement and its criteria of evaluation, which cannot simply be a replica of the pattern successfully implemented in Central Europe. It reveals that EU puts a lot of stress on formal criteria of development, loosing out of sight the contextual elements which hinder Europeanisation in the WB and the specific “limits” embedded in these countries’ late democratisation. One of the main conclusions of the article is that after assessing the evolution of BiH during the last 14 years, there is a “subjective Europeanisation potential” of each WB country and Europeanisation theories must take this aspect seriously into account and refine their concepts and prospects and move beyond ethnic divergences and symbolic violence.


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Theoretical framework – Europeanisation as ‘fit’ or ‘misfit’ with EU conditionality

The study of Europeanisation became very intense after the year 2000, along with the rising Enlargement agenda of the EU. Since then, it represents a widely spread concept, but with no consensus regarding its precise area of applicability. Nowadays, the diversity of its meanings is analysed not only at the practical level, but also at the theoretical one. Generally speaking, the concept is used in the following contexts: Europeanisation of society, Europeanisation of the political system (Europeanisation of the member states’ domestic policy through Brussels’s influence, Europeanisation of the Community policy through an influence coming from the state political or social units, Europeanisation and multi-level governance), Europeanisation as a phenomenon adjacent to the enlargement process, Europeanisation and institutionalisationconstitutionalisation (as a model of EU political integration) etc. Therefore, Europeanisation, as we have already defined it in previous studies, “regardless of the orientation of the process (top-down – from the center downwards to the member states, bottom-up or bidirectional) refers to both formal and informal establishment and dissemination of certain norms, principles, beliefs or attitudes related to the impact of the Community political system”.

The study of EU conditionality in the context of Eastern enlargement has started to outline the analysis in terms of ‘Europeanisation of candidate countries’ as a different category than Europeanisation of member states. Thus, scholars in this field started to broaden the focus of Europeanisation and to establish the “Europeanisation of applicant states” as a separate sub-field of this broader research agenda.

The studies that try to clarify the mechanisms of Europeanisation have developed what has been called in the academic literature as the misfit model. This model argues that the occurrence of ‘divergence’ or ‘convergence’ of the level of adaptation between different potential candidate countries is explained by the degree of compatibility between the national and European conditions. Incompatibility – ‘misfit’ – between the two levels creates adaptation pressures, which are then transmitted by mediating institutions. “The lower the compatibility (fit) between European institutions and national institutions, the higher the adaptation pressure”. From this perspective, Europeanization deals with how domestic change is processed. The main assumption of this theoretical framework is that the patterns of adaptation can be more complex than simple reactions to ‘Brussels’. And the WB and BiH as its most difficult case provide a challenging example of this “adaptation” dilemma. The other main assumption of this theory is that Europeanisation is not an end state. Recent research has embraced the notion of Europeanisation as an ongoing process, and this is the way the notion will be understood in this article.

7 Ibidem, p 13
Specialised literature also points out that “effective transfer of EU practices” requires more than governance architectures and institutionalisation. It also requires “robust networks of stakeholders that facilitate the adoption of new policies at home, a strong civil society, and administrative political capability to consciously modify, edit, and adapt foreign experience to national circumstances.”

In the WB the essence of Europeanisation is a comprehensive process of institution building and the creation of a democratic and stable “political community” as part of the post-war reconstruction. In analysing the Europeanisation potential of BiH as it has developed in the last decade and a half the article will further apply the ‘external incentives model of governance’ type of explanation, which refers to a bargaining strategy of “reinforcement by reward”, under which the EU provides external incentives for a particular target: the government of the potential candidate country to comply with its conditions, the so-called EU conditionality. In this case, the EU capitalises on its authoritative / asymmetrical position vis-à-vis the WB states, who are eager to become part of or closely affiliated with the EU. In reality, the relationship between these actors aiming at sustainable Europeanisation is not as clear and linear as it sounds in theory. Both EU and WB states are often caught between formal promises and practical constraints, which makes the entire process hard to predict and control.

In order to analyse the relations between EU and BiH after the end of the Bosnian War (1992-1995) the paper uses the three step model of Europeanisation research as it was defined by James Caporaso. This model starts with the observation that the European integration process delivers a substantial amount of policy output at the European Union level. Especially within the supranational policy areas, the EU output generates pressure upon the member/candidate states to respond to European policy initiatives. In a second stage, this theory says that this institutional pressure creates a degree of fit or misfit between the European and the national level. In a third step, several intervening or mediating variables shape the eventual way the domestic level adapts to the European pressure.

Conditionality (based on the short-term cost/benefit calculations in which EU aspiring members respond to the material incentives offered by European institutions) and social learning (the long-term redefinition of interests and identities of domestic players) are singled out as the two main pathways of EU influence in Western Balkans. The “goodness of fit” concept will be the theoretical ‘red thread’ of this analysis because it refers to the degree of compatibility between EU-level structures, norms, practices and their domestic (national and sub-national) counterparts and this is exactly what we want to pinpoint in the case of BiH. The greater the differences between the different levels, the more domestic institutions or norms are put under pressure to change in order to live up to the European requirements. In short, misfit or “limited Europeanisation”, as we have called

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11 Ibidem, p 214;
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it, causes “differential adaptation pressure”\(^\text{12}\) and ‘the lower the compatibility between European and domestic processes, policies and institutions, the higher the adaptation pressure Europe exerts on the member states”\(^\text{13}\). The longitudinal analysis divided in 4 main periods of reforms and their outcomes will provide a clear view of these premises.

BiH is undoubtedly one of the countries that are most burdened by issues derived from the collapse of Yugoslavia and the consequence of that is the continuous delay of development. In order to test our hypothesis we have chosen BiH as a case study because it best illustrates the paradigm of ‘Balkan exceptionalism’, which can be associated with the “misfit” model of explanation from the Europeanisation theory previously described. We will prove that this incompatibility may explain the delay of BiH in reaching candidate status. We will therefore focus on the main instruments and practices used by these actors to make BiH adapt to EU regulation and democratic conditionality. A chronological perspective of the last 14 years will be employed in this regard.

**Specific Instruments and Practices of Europeanisation in BiH (1997-2011)**

The following part of analysis will focus on a general overview of the role of the EU in the WB with a focus on democratic institution-building in BiH, reviewing the main instruments and practices used by the EU to make a shift from post-war stabilization to an agenda of enlargement. In theory, the prospect of European integration provides a long-term and coherent perspective, encourages domestic ownership and institutional development, supports stability and regional cooperation, and softens nationalist identities. In practice, these changes occurred with visible discontinuities in the case of BiH and with different “symptoms” than the ones described in theory. The challenge is to find out the explanation for these ups and downs of Europeanisation inside this particular case study. Acknowledging the fact that we are dealing with a process consisting of complex sequences and time patterns, the main purpose of this section will be to identify the period of time when this “distortion” of Europeanisation started in BiH. That is why we believe a longitudinal perspective is imperative, focusing on some of the key dates in BiH’s path towards the EU, divided into 4 main stages.

**1. 1997-2000 – Post-war stabilization and reconstruction**

In 1997, only two years after the end of the war and the dissolution of Yugoslavia, the EU establishes political and economic conditionality for the development of bilateral relations for the entire WB region called the “Regional Approach”. This was considered a driving force for the region’s reconstruction. In 1998 the EU-BiH The Consultative Task Force is established for peace building and protecting civil population. Next, in 1999 the EU proposes the Stability and Association Pact (SAP) for five countries of South-Eastern Europe, including BiH, following the same “Regatta principle” as in the case of the Central

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\(^{13}\) Tanja Börzel, Thomas Risse, “Europeanization: The Domestic Impact of EU Politics”, in: Knud orgensen, Mark Pollack, Ben Rosamund, (Eds.), Handbook of European Union Politics, London, 483.50
European countries, which meant taking all neighbouring countries in the same “boat” for a future integration. In June 2000 the Feira European Council officially decided that all the SAP countries are “potential candidates” for EU membership. Moreover, in November 2000 the Zagreb Summit launches the SAP for five countries of South-Eastern Europe, including BiH, which is the most important event that re-assures the road of the country to EU. All these symbolical gestures towards helping BiH which was most affected by the war, along with other SEE countries; get closer to the EU where also backed by consistent financial aid. In 2000 aid to the region was streamlined through a new programme named CARDS (Community Assistance for Reconstruction, Development and Stabilisation). The programme’s wider objective was to support the participation of the countries of the WB in the SAP\(^{14}\). The clear purpose of all these measures taken by the EU was stabilization.

\[2. \text{2001-2004 - The Thessaloniki Agenda and the Enlargement perspective}\]

The first two years of this period (2001/2002) are marked by BiH’s efforts to adapt to the SAP framework. But the crucial year is 2003 when the European Commission produces a feasibility study assessing BiH’s capacity to implement a Stabilisation and Association Agreement (SAA) which would be the next level of pre-Europeisation. In June 2003 at the Thessaloniki European Council the SAP is confirmed as the EU policy for the WB. This confirms the EU perspective for the countries. According to the “Thessaloniki Agenda”, the entire WB region was moving towards European integration, therefore Community programs were opened to SAP countries along the lines established for the participation of candidate countries, and SAP countries were allowed to participate in Community agencies, in ways similar to those established for candidate countries\(^{15}\).

The endorsed Thessaloniki Agenda represented a crucial political signal from the EU implicitly to BiH by inviting all the countries in the region to start the “adaptation” process in line with other potential candidate countries. In the same year, another major instrument of Europeanisation is implemented: the European Union Police Mission (EUPM) is launched as the first European Security and Defence Police (ESDP) mission. EUPM is part of the broader rule of law approach in BiH and in the region. It was established to replace the UN’s International Police Task Force (IPTF). EUPM aimed to establish a sustainable, professional and multiethnic police service in BiH, operating in accordance with best European and international standards\(^{16}\). This is achieved through mentoring, monitoring, and inspecting in particular with regard to the fight against organized crime and police reform.

In 2004 the EU also decides on the first European Partnership for BiH, another important step towards Europeanisation. At the same time, EUFOR (“Althea” operation) replaces NATO’s SFOR mission. EUFOR deployed a robust military force at the same force levels as SFOR - 7,000 troops – to ensure continued compliance with the Dayton/Paris Peace Agreement (DPA) and to contribute to a safe and secure environment in BiH. Key supporting tasks are to provide support to the International Criminal Tribunal


\(^{16}\) Ibidem
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for the Former Yugoslavia (ICTY) and relevant authorities, including the detention of ICTY indictees, and provide the security environment in which the police can act against organized crime17. This moment visibly marks the leading role of EU in the entire reconstruction process of BiH.

3. 2005-2008 – Pre-Europeanisation, with ups and downs

The major event that marks this stage is that in November 2005 the SAA negotiations are officially opened in Sarajevo. Next, in 2006 the first Reform Process Monitoring (RPM) meeting is held replacing the Consultative Task Force, making a new step towards local ownership of the stabilization process. Also, the 2006 general elections raised hopes with regard to a new impetus for the reform process. At the same time, the election campaigns keeping the political elites and public busy stalled the possibility of compromise. Finally, the outcome of the 2006 elections returned old ethnic principles to the political stage in the form of the renaissance of two politicians so the hope that focusing on EU conditionality will soften nationalistic outbursts proved unrealistic. In the same year, a decision of the International Court of Justice (ICJ) added fuel to the fire. In its judgment on a case filed by BiH vs. Serbia and Montenegro in 1992, the court decided that genocide had been committed in Srebrenica in 1995 with the involvement of the armed forces and police units of the Republika Srpska. The judgment was used by the political opponents to support their arguments and block a compromise with regard to the restructuring of the police in the country18. This overshadowed the hopes put in the recent development towards EU. The year 2007 was again important because the international High Representative (OHR) in Bosnia started to cover also the task of EU Special Representative (EUSR). The first ‘double-hatted’ OHR was Miroslav Lajcak. The same year, Visa facilitation and readmission agreements with the European Community were signed. Moreover, in late 2007 Bosnian authorities accepted a reform package as a result of the EU’s decision to authorize an SAA. In this regard, police reform in late 2007 faced its most profound political crisis since the signing of the 1995 Dayton Peace Agreement. The crisis was triggered by the Bosnian Serbs’ refusal to accept procedural rules limiting ethnic vetoes and a plan to create a single police force in the country. Bosnian Serbs feared that the first proposal would marginalize them in state institutions, while the second one would lead to a loss of autonomy for their self-governing Republika Srpska (RS)19. The crisis was solved when the EU agreed to initiate an SAA in exchange for the acceptance of procedural changes and of an action plan phasing in the implementation of police reform. This marked a huge backdrop in reform.

The year 2008 is important because that year the Visa liberalisation dialogue was launched. This is another reward aimed at Europeanisation, this time with effects on ordinary citizens in the region. European Commission clearly presented the roadmap setting out benchmarks for visa liberalisation. In February 2008 the Stability Pact’s

17 Ibidem
competences and activities were transferred to the Regional Cooperation Council (RCC), a new institution under regional ownership, which gives a new incentive in the entire region for coordinated reform. Another crucial event takes place in the same year, in February when BiH and the EC sign the financing agreement for the instrument for pre-accession assistance (IPA) 2007 National Program and a new European partnership is adopted by the Council. IPA replaces the former pre-accession instruments: PHARE, ISPA, SAPARD and CARDS. The major objective when designing the IPA was to simplify all pre-accession assistance into a single framework for both candidate and potential candidate countries, thus facilitating the transfer from one status to another. This is followed by the signing of the Interim Agreement on trade and trade-related issues which enters the same year into force. The purpose of support under the IPA program is to help candidate and potential candidate countries and territories to progress towards fully meeting the Copenhagen political and economic criteria as well as adopting and implementing the EU acquis. From this moment on, as an official “potential candidate country”, Bosnia is allowed to finance projects under the first two IPA components - Transition Assistance and Institution Building and Cross-Border Cooperation. The eligibility for the three advanced IPA components will be conditional on Bosnia’s acquisition of EU candidacy status and its implementation of a Decentralised Implementation System, streamlining administrative capacities in order to autonomously manage projects and disburse funds with only ex post Commission controls. The priorities for IPA action for Bosnia are set in the 2008 European Partnership. So we are dealing here with an essential mechanism of Europeanisation that embodies the mechanism of “reinforcement by reward”.

Table 1. EU Financial Assistance in BiH 2007-2012, European Commission

<table>
<thead>
<tr>
<th>Component</th>
<th>2007</th>
<th>2008</th>
<th>2009</th>
<th>2010</th>
<th>2011</th>
<th>2012</th>
</tr>
</thead>
<tbody>
<tr>
<td>Transition Assistance and Institution Building</td>
<td>58,1</td>
<td>69,8</td>
<td>83,8</td>
<td>100,6</td>
<td>102,6</td>
<td>104,7</td>
</tr>
<tr>
<td>Cross-border Co-operation</td>
<td>3,9</td>
<td>4,9</td>
<td>5,2</td>
<td>5,3</td>
<td>5,4</td>
<td>5,5</td>
</tr>
<tr>
<td>TOTAL</td>
<td>62,1</td>
<td>74,8</td>
<td>89,1</td>
<td>106,0</td>
<td>108,1</td>
<td>110,2</td>
</tr>
</tbody>
</table>

4. 2009-2011 – Big hopes, drawbacks and crises towards future enlargement

The year 2009 unfortunately showed once again that BiH was not able to achieve substantial progress for the future viability of the state. Unsuccessful negotiations over constitutional reform, the Butmir process, are a paradigmatic example of reactive and insufficiently coordinated actions between the national and the international approach to addressing key problems in Bosnia. The Butmir negotiations have from the very beginning led into a cul-de-sac: proposals of a minimal constitutional change and - according to ideas put forward by Carl Bildt - a rapid transformation of the OHR into the EUSR, failed\(^\text{22}\). Political elites were given the possibility of media propaganda and ethno-national promotion through the temporal break in the negotiations process.\(^\text{23}\) In March 2009 Valentin Inzko becomes the new High Representative/EU Special Representative, bringing a new impetus in BiH’s reform. In May 2010 the European Commission adopted a proposal enabling citizens of Albania and BiH to travel to Schengen countries without needing a short term visa. This was considered as an important success, but it was shadowed by another backdrop, showing lack of coordination and coherent adaptation to EU conditionality. In September 2010, the Republika Srpska National Assembly unilaterally adopted its own state property law, which further undermines prospects for a sustainable agreement on state property. In the same month, the House of Peoples failed to adopt the Law on the population and household census, a bureaucratic measure with important political effects. This failure affects very much the country’s evolution towards EU because policy planning in BiH as a whole is impeded by the lack of an up-to-date population and household census.

Another important event after this was that on 3 October 2010, general elections were held for the Presidency and the lower chamber of the Parliamentary Assembly of BiH (the ‘House of Representatives’). Voters in the Federation elected 98 deputies in the Entity’s House of Representatives, ten cantonal assemblies and two representatives (one Bosniak, one Croat) to the tripartite state Presidency. Voters from Republika Srpska elected 83 deputies to the Entity’s National Assembly and one representative to the tripartite state Presidency, one Entity President and two vice-presidents. On one hand, the elections were assessed by the OSCE/ODIHR as being generally in line with international standards for democratic elections and as representing further progress for BiH\(^\text{24}\). On the other hand the prospect of elections and media attention reinforced the tendency of political parties and government officials on all sides to engage in nationalistic rhetoric. During the pre-election period, politicians from Republika Srpska frequently challenged the territorial integrity of the country. Meanwhile, some political leaders from the Federation linked the establishment of Republika Srpska to war-time massacres. Leaders in Republika Srpska frequently criticized State institutions, competences and laws. They remained opposed to strengthening State-level competences, including in the context of the Interim Agreement (IA), in particular by delaying the establishment of a State aid authority. This showed once
again that there is a low level of the domestic endorsement of reform towards a future EU integration and that building a strong and stable democratic “political community” is still an unachievable goal for BiH political parties. In June 2010 the EU – WB Summit in Sarajevo was another diplomatic failure because there were few officials attending the event (from both sides) and there were no political commitments, showing the disappointment of all sides regarding the evolution of the region towards EU integration.

The first half of year 2011 was primarily dominated by the failure of Bosnia to meet the conditions for closure of the OHR, including addressing state and military property ownership issues and implementing constitutional reforms, which has prevented BiH from submitting an application for membership to date. EU had early stated that Bosnia could not submit an application for membership until the OHR, which is in charge of the implementation of the Dayton Peace Agreement, has been closed. Although ratified by all member states, the entry into force of Bosnia’s SAA, the most significant step in Europeanisation, has been delayed due to the fact that Bosnia has yet to make the required constitutional amendments.

The Limits of EU’s Integration Strategy in BiH– Formal promises and practical constraints

After going through this chronological overview of the main events that marked EU and BiH relations towards Europeanisation, the main question that needs to be addressed in this analytical part of the article is after all these efforts and investments, why stability was not reached and Europeanisation was not consolidated in BiH? We believe that the empirical facts mentioned above are validating the theoretical approach that refers to the “Balkan Exceptionalism” paradigm in regard to democratization and state building. It basically refers to the fact the WB evolution in recent history always made exceptions in comparison with the overall evolution of the neighbouring regions. There are plenty of historical reasons for this, but our perspective is that EU itself is partially responsible for the discontinuity in BiH’s reform, going back and forth between ‘fit’ and ‘misfit’ approaches in implementing Europeanisation. We identified 3 major factors that characterized these stages of development in EU and BiH’s relations and we will argue in the next section that these may be the main characteristics of the “limited Europeanisation” process.

1. Governance without a state

“An integral element of this transition strategy has been constitutional reform to overcome the friction that has characterized the complicated Bosnian institutional structure under Dayton, whereby a representative of each of the three ethnic groups has veto power over any proposed legislation. However, both efforts have continually stalled and do not show much promise of future success.”

Roberto Belloni

http://daily.tportal.hr/124423/Press-Bosnia-EU-relations-put-on-hold.html
During the last 14 years in focus we observed that BiH was and continues to be subject to a perpetual crisis of governance. More than fifteen years after Dayton it is a country with a constitution that segregates its ethnic communities to ensure peace but prevents the emergence of an integrated polity. Dayton/Paris Peace Agreement was drawn up as part of the internationally agreed peace treaty in 1995 that ended the war and has been the main source of legitimacy for BiH reforms. Functioning as the country’s Constitution, Dayton Agreement is often considered by specialists in the field as the origin of all internal problems of BiH. It establishes a complex political structure that provides for government at State, Entity, District and Cantonal levels. The State-level is comprised of a tripartite rotating Presidency, a Council of Ministers (executive branch) and a bicameral Parliamentary Assembly consisting of a House of Representatives (lower chamber) and a House of Peoples (upper chamber). The judicial branch established by Dayton consists of a Constitutional Court, with a High Judicial and Prosecutorial Council being established later. The Chair of the tripartite Presidency rotates every eight months and consensus-building between the three members is weak, which restricts effective policy formulation and implementation. The institutionalisation of such division in post-Dayton BiH, as an outcome of the war, contributed to a continuance of the ethnic principles as well as the political elites promoting them used rather for further division than for cooperation.

Furthermore, it created a “monstrous and expensive” administrative structure as Belloni names it, consuming two thirds of the national budget, blocking investments and progress in other social and economic sectors.

This institutional arrangement creates the so-called Daytonism, as the term coined by Vedran Dzihic, which can be defined as “a political and social phenomenon that consists of an arbitrary reference to the Dayton Agreement (or summoning the Dayton Agreement), as well as criticism of its principles, all based on short-term strategic and particular interests of political representatives constituent peoples in Bosnia and Herzegovina.” Thus, in the framework of the “Daytonist complex”, a major transformation of political elites is possible, so that leaders of the Republic of Srpska have moved from “fierce opponents of Dayton” to “patrons of the Dayton constitutional and legal order.”

The point of this argument is to show that BiH faces various internal constraints not strictly related to the EU accession conditionality. As Dzihic and Wiesser write, “in the Bosnian case democracy rather tends to become part of the problem than part of the solution. This is primarily the case because democracy addresses and empowers the rights,

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interests, and aims of the dominant ethnic group and makes it much more difficult for the ethnic and other minorities to realize their rights\textsuperscript{31}.

Our main observation regarding this model of “governance without a state” in BiH is that as long as Dayton continues to be the reference point for democratisation and Europeanisation of the country by prioritising the rights of a dominant ethnic group, rather than those of the individual citizens, it will be impossible to move beyond the present situation and towards the EU. Without building a solid political community, EU policies can not be adopted to strengthen reform in BiH. Therefore we identified this type of “weak governance” as a vital factor of delayed Europeanisation. Because of it, BiH is still profoundly marked by an unfinished nation-state building and remaining ethno-nationalist patterns (which will be identified as the other factor of limited Europeanisation and which works as an argument for the “misfit” theory in complying with EU conditionality).

An integral institution to the Dayton order in Bosnia has been the Office of the High Representative (OHR), which under the “Bonn Powers” has made nearly 900 decisions over thirteen years, such as enacting laws and removing elected officials\textsuperscript{32}. According to some, these decisions constitute the glue that holds Bosnia together, while according to others, they are a “cancer” on the Bosnian body politic. The legitimacy of these powers has been repeatedly challenged on the grounds that they are undemocratic and dictatorial, compelling the international community and the EU to reconsider their use\textsuperscript{33}.

This factor also shows the responsibility of EU in perpetuating this lack of governance because it has \textit{de facto} control over the international governance in Bosnia, as discussed below. Even though EU has aimed since 2006 to close the OHR and terminate the Bonn Powers, but maintain the presence of an EU Special Representative (EUSR) to guide Bosnia towards EU accession, this process failed. As Roberto Belloni puts it, “top-down international imposition created domestic dependency”\textsuperscript{34}. With his own arguments, since 1998 Bosnia has been run as a semiprotectorate. Because of that, local politicians have regularly maintained an intransient attitude, avoided inter-ethnic cooperation and accommodation, and then blamed international organizations for their own failure to make good on their electoral promises.\textsuperscript{35} Underlying the transition policy since 2006 has been the assumption that “the soft power of EU accession” will be attractive enough to pull together the various Bosnian political actors, maintain stability and facilitate progress. Pursuing the same strategy of transition, the ‘EU member states of the Peace Implementation Council (PIC) Steering Board reiterated that: “an EU membership application by BiH cannot be considered as long as the OHR exists”\textsuperscript{36}. This premise has been disproved by the facts.

\begin{thebibliography}{9}
\bibitem{34} Roberto Belloni, State Building and International Intervention in Bosnia, Routledge, London and New York, 2007, p 201.
\bibitem{35} Ibidem, p 7
\bibitem{36} Communiqué of the Steering Board of the Peace Implementation Council, 19 November 2009. Available at: http://www.ohr.int/pic/default.asp?content_id=44119
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2. Local ownership overshadowed by ethno-nationalist discourses

“As Bosnia is now lost in a trap of self-perpetuating nationalism on all sides of its three ethnic communities. The once well functioning conditionality bargain is failing under present circumstances. The population is penalized for the failing policies of its political elite, since Europe’s response to the missing reforms does not allow Bosnia further progress towards Brussels”.

Vedran Dzihic

As a direct consequence of Daytonism previously discussed, local elites representative of the three main constituent peoples (Bosniaks, Croats and Serbs) portray in their discourses all these reform measures as a sort of “dictate of the EU”. We know from the theoretical background that Europeanisation is impossible without local input. If Europeanisation is seen as a “dictate”, then no true transformation can be made, because it lacks legitimacy. In the intricate case of BiH local ownership of reform has been delayed for too long and local ownership has proven nothing but an empty concept. In replace, local corrupt politicians have fostered violent ethno-nationalist propaganda, with aid from BiH neighbors’ Serbia and Croatia. This, again, points to the regional context which European integration efforts have to consider when tackling challenges to democratisation in these countries. We may for sure observe that divergent ethnic interests adversely affected governance within the Federation. As Belloni also states, “top-down international intervention prevented meaningful partnerships with local actors”. This points again to the ambivalent role of the EU in BiH. For example, the government of Republika Srpska has established an EU Integration Unit in each of its ministeries, which directly affects the functionality and efficiency of the State-level government structures. This way, a unique phenomenon can be identified in BiH, different than any other model of a potential candidate country – because of this lack of cooperation regarding common reforms and policy making, parallel processes of Europeanisation resulted in competing with each other. The goal of all these opposing forces in reaching the same result is completely opposite than the one intended. The more rhetorical and abusive use of “Europe” as an arbitrary discursive matter is being employed by political elites for narrow and particular political purposes, the more EU conditionality implementation is being delayed. As Dzihic argues, “the course of European integration of Bosnia and Herzegovina has so far clearly shown that the ethno-national elites consider the protection of national interests (and therefore their power structures) more important than - at least so far - diffuse and insufficiently specific promises of the EU.”

Moreover, we would like to add that this is an important factor of “limited Europeanisation” because symbolic discourses also challenge the potential of the EU to promote democratic consolidation through economic cooperation and prosperity.

The talks on the police reform stand as a good example for that, because they were used as an opportunity for the rise of ethno-nationalist discourses of all the 3 entities’ political elites. The Republika Srpska and its police were continuously described by the leading politicians from the Federation as perpetrators and product of genocide, utterly denying the legality of the existence to the Republika Srpska. At the same time, Banja Luka repeatedly emphasized its attempt to hold a referendum on the secession of the Republika Srpska, denying the legitimacy of the Bosnian state itself. To sum up, in BiH the institutional and political crisis of the last three years (2009-2011) has been initiated by the discussions and bargaining concerning the reform of the constitutional settings in the country. The Serb representatives were not ready to accept radical changes to the Constitution that would bring into question the existence of Republika Srpska, the Serb entity within BiH, for the sake of the country’s integration into the EU which explains the limits of deepening Europeanisation and reasons for its blockage. This shows a very low commitment towards local ownership of Europeanisation.

3. Mutual “crisis of expectations”

“Instead of moving towards the opening of our EU membership talks, the gap is getting deeper.”

Sven Alkalaj, Bosnian Foreign Minister
April 2011

This factor of “limited Europeanisation” refers to the fact that both EU and BiH are mutually disappointed by the last year evolution of EU integration. Only a few months ago, Bosnian Foreign Minister Sven Alkalaj has confirmed that his country’s current path to the EU was “stopped in its tracks”. France was the last country to ratify Bosnia’s SAA in late 2010. After that, the SAA, as one of the main milestones towards deepening Europeanisation, should have gone into effect within 40 days, but this did not happen because Bosnia failed to adopt the necessary amendments to its Constitution. Both actors felt that their expectations were not fulfilled. Once more we observe that without coordinated efforts and mutual trust, policies can not be adapted from EU to the country that wants to be “europeanised”. The enforcement of the SAA would require Bosnia to adopt laws on state assistance and a population census and make progress in the implementation of the ruling handed down by the European Court for Human Rights which said that the Constitution of BiH and its election legislation were breaching the rights of national minorities while preventing them from running for positions within the Presidency of Bosnia and Herzegovina and seats in the House of Peoples. Bosnia has not yet adopted a law on state assistance as the authorities in the Bosnian Serb entity are against it. The Republika Srpska insists that the issue be regulated exclusively on the level of entities. There is also no agreement on census because authorities cannot agree

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41 http://daily.tportal.hr/105384/Dodik-Serbs-are-not-willing-to-sacrifice-RS-for-EU.html
42 Ibidem
43 Ibidem
whether religion and nationality should be part of the census questionnaire. This way a deep crisis of expectations occurred in BiH. High expectancies are diminished by local nationalisms.

As a proof of that, we will use in this part not only the view of local politicians but also the view of the European Commission and local opinion polls that show the disappointment of the ordinary citizens – the ones that should be the main recipients of Europeanisation reforms. As we mentioned in the theoretical part, Europeanization consists of complex adaptation patterns and an interactive logic of actions involving local institutions. These aspects were measured and analysed regularly by the European Commission in order to assess the democratic development of BiH. Since March 2002, the Commission has reported regularly to the Council and Parliament on progress made by the countries of the Western Balkans region. The yearly Progress report issued by the EU briefly describes relations between BiH and the EU, analyses the situation in BiH in terms of the political and economic criteria for membership, and reviews BiH’s capacity to implement European standards, i.e. to gradually approximate its legislation and policies with the acquis, in line with the SAA and the European Partnership priorities. Progress is measured on the basis of decisions taken, legislation adopted and measures implemented. In order to confirm our observations presented in the chronological perspective above, we have chosen the main conclusions of the latest Progress report issued by the Commission in October 2010:

• “The country has made very little progress towards meeting the requirements for the closure of the OHR”. (p 3)
• “There is little domestic consensus on the main EU related reform priorities, such as the harmonization of the Constitution with the European Convention on human rights and on establishing a single economic space. A shared vision of the direction to be taken by the country remains necessary for smoothly operating institutions, for creating more functional and efficient State structures and for speaking with one voice on EU and international matters”.
• “The process for constitutional reform, which followed two high-level meetings in Butmir in October 2009, produced no tangible results”. (p 7)
• “Little progress has been made by the country’s authorities towards establishing the necessary structure for decentralized management of EU funds.” (p 7)
• “There has been little progress on addressing the European Partnership priority, which requires measures to achieve more functional and sustainable institutional structures and better respect for human rights and fundamental freedoms, including by adopting changes to the Constitution.”(p8)
• “No proper mechanism exists in the legislative process for coordination between the State parliament and the Entity parliaments.” (p10)

Frequently used expressions such as “very little progress”, “no tangible results”, “no proper mechanism”, “little progress” or “little domestic consensus” show the stagnant phase of BiH’s evolution towards proper implementation of Europeanisation policies, and confirms our “limited Europeanisation” hypothesis in the eyes of the EU policy makers.

The other important actor of Europeanisation is the population of the country, the one that legitimises reforms and the change towards better life conditions. Regarding people’s expectations and opinion towards EU integration we see in the results offered by the Directorate for European Integration of Bosnia and Herzegovina that 88,2% of the respondents support the European Union membership of Bosnia and Herzegovina, which is overall a very high score showing that disappointments are backed by hopes. In the Federation of BiH (FBiH) and in the Brčko District (BD), 9 out of the 10 respondents feel this way, while in the Republic of Srpska (the entity which blocks some of the mechanisms for deepening Europeanisation) only 8 out of 10 respondents are of this opinion. Almost all of the Bosniaks respondents (97,1%) support EU membership of BiH, while (85,3%) of the Croats and (77,7%) of Serbs are of this opinion. 85,7% of the respondents have a positive opinion about the European Union (30,5% very positive and 55,2% somewhat positive). The visible higher percentage of those who think that EU is “somewhat positive” (20% more than the ones who see it purely positive) is a meaningful argument for stating that ordinary citizens themselves realize the ambivalent role of the EU, partially responsible for both positive and negative results in BiH’s reform. Moreover, 69,8% of the respondents are not satisfied with the speed with which Bosnia is meeting the required conditions. This overwhelming majority is another strong argument for the validation of our hypothesis. There are only 6,9% satisfied respondents, 17,8% somewhat satisfied, and 3,7% of the respondents are not at all familiar with the required conditions. We should also outline the fact that there is a 20 % difference between FBiH, RS and District Brcko and RS regarding this issue, another proof that the “crisis of expectations” is much higher in RS (which refuses to take part actively in respecting EU conditionality) than in the other two entities. The last interesting aspect that can be underlined here is the evolution of people’s knowledge and information about BiH’s integration in the EU, which shows their active participation and preoccupation for this matter. It is mostly interesting to see the way this interest has increased and decreased over the last 4 years, a period full of successes and failures for BiH. According to the numbers in Table 2, 2008 was the year with highest scores of people evaluating their knowledge about BiH’s evolution to EU as very well and fairly well (together formed more than 50% of the population). As we have described in the previous chapter, 2008 was the year when Visa liberalization talks started and BiH’s population perceived this as a great impetus towards a better future in the EU. Contrary to that, in 2010 the number of people that considered their knowledge about EU and BiH’s relations as being very well and fairly well reduced by more than half, and the number of people who considered themselves as insufficiently informed has considerably increased (from 6,8% to 40,4%). In 2 years’ time people revised their opinions and felt the concrete consequences of EU integration delay on their day-by-day experience.

To sum up, both EU Progress Reports and Opinion polls show a mutual crisis of expectations as a main characteristic for “limited Europeanization” in BiH.
Table 2. Public Opinion Poll – “The Views of Citizens towards EU Membership and the European Integration Process of BiH”

<table>
<thead>
<tr>
<th>Year</th>
<th>Very well</th>
<th>Fairly well</th>
<th>Somewhat insufficient</th>
<th>Insufficient</th>
<th>DK/Refused</th>
</tr>
</thead>
<tbody>
<tr>
<td>2010</td>
<td>5.8%</td>
<td>28.3%</td>
<td>23.3%</td>
<td>40.4%</td>
<td>2.3%</td>
</tr>
<tr>
<td>2009</td>
<td>9.8%</td>
<td>40.4%</td>
<td>40.4%</td>
<td>9.2%</td>
<td>0.2%</td>
</tr>
<tr>
<td>2008</td>
<td>14.5%</td>
<td>46.6%</td>
<td>31.2%</td>
<td>6.8%</td>
<td>1.0%</td>
</tr>
<tr>
<td>2007</td>
<td>4.4%</td>
<td>30.5%</td>
<td>42.6%</td>
<td>18.8%</td>
<td>3.7%</td>
</tr>
</tbody>
</table>

Concluding remarks
Is BiH “doomed” to continuous “limited Europeanisation”?  

The overall purpose of the article was to investigate the ambivalent role of the EU in Bosnia-Herzegovina and to validate the hypothesis that a shift from a pre-accession agenda to an enlargement-Europeanisation agenda, overcoming the prevailing logic of ethnic exclusion, has failed. In this regard, we argued that the credibility of EU conditionality in BiH necessitates an active presence and careful distribution of rewards. As the experience with the accession of CEE states and mostly Romania and Bulgaria to the EU confirms, the introduction of “intermediary rewards,” such as substantial economic aid, greater access to EU markets, and visa-free travel is important but not sufficient to strengthen the push for reforms and the viability of pro-EU parties.

We also showed that there is no linear relation assumed between the European and the national level in policy transfer, so the level of ‘misfit’ is higher than the one of ‘fit’. Based on this argument we tried to highlight the ambivalent role of EU in the process of democratisation and state-building in WB. The discontinuity of this period (1997-2011) when BiH partially failed in changing its strategies from post-war stabilization to concrete Enlargement agenda is graphically comprised in Table 2. A lot of ups and downs create a lack of continuity and lack of efficiency in applying democratic norms to create stability. The international influence in the entire WB region had the same symptoms: a lot of ups and downs and frequent change of norms and principles. As a follow up, the implementation of these discontinuous reforms replicated EU’s ambivalence.

The source of EU’s positive and negative incentives towards BiH can be identified in its internal divisions (both among member states and within European institutions), and its approach which, despite the rhetoric of partnership, is still visibly top-down. As our analysis stressed out, the last 14 years were marked by a proliferation of EU initiatives in the WB region, which partially undermined the clarity and unity of EU policies and the entire Europeanisation process.

We therefore underlined the fact that, despite the revival of EU’s emphasis on partnership (in 2010), the process of European integration shows some of the limits of earlier top-down policies. As long as such a process is structured around the idea of the increasing involvement of the EU in WB with the intent of including this region into European institutions and socialising it by means of European norms, it reflects the same
approach to regional development grounded on external initiative that characterized international intervention for the best part of the last decade. So the “new” approach is in fact “the old” one. This approach makes Bosnia, Macedonia, Kosovo and the other countries of the WB once again recipients of strategies developed elsewhere and not home grown, based on weak governance structures and lacking democratic legitimacy. In this regard, we argued that accession-oriented instruments as the SAP or SAA might not be entirely appropriate for tackling the region’s specific problems. From our point of view, EU thus needs to think about alternative scenarios for a full-scale membership in the medium term for BiH because the “Turkey syndrome” of delayed and postponed integration might undermine all the efforts and investments already directed to the country.

The article also tried to define the emergence of a new concept in order to incorporate the “Balkan Exceptionalism” paradigm into the actual trends of Europeanisation by identifying three main characteristics of the “misfit” between BiH and EU incorporated in the notion of “limited Europeanisation: governance without a state, local ownership overshadowed by ethno-nationalists discourses and mutual crisis of expectations.

Another explanation that we tried to offer in this article for the BiH’s “exceptionalism” and its vicious cycle of crises is that the dysfunctional “entity voting” is a means of ethno-national blockage of state institutions, which must be reformed and different democratic mechanisms for the protection of national interests must be found, which will not endanger the functionality of the state. The Europeanisation process in BiH is still perceived as strict and unquestionable adoption of criteria and requirements set by the EU. As a general conclusion we would argue that BiH needs a different view, a different logic in its symbolic and institutional interactions with EU: the process of Europeanisation must be recognized as a “genuine necessity” of BiH (within all its entities) and its citizens, and not to be perceived as a “dictate” or something internationally imposed.

The federal arrangement entailed by Dayton in BiH was rather imposed or promoted by an external actor and not home-grown. This “lack of social ownership” over the problem solving capacity of the main democratic institutions had detrimental effects on the acceptance by the local population, and thus on the functioning of the state. A main obstacle for the present political system in BiH is the lack of identification with the state and the poor performance of state and local institutions. Absence of elementary institutional stability, erosion of their credibility, loss of confidence in the state, the law, institutions and procedures are only some of the indicators of the depth of the constitutional and institutional crisis.

We also showed that the Federation’s Constitution entails complex and expensive governance structures with overlapping competences between the Federation, the Cantons and the municipalities.

Consequently, as a result of the political crisis in 2011, BiH is losing pace in the process of European integration, and the social and economic situation of the population is worsening. From the theoretical perspective, the “degree of misfit” in BiH, defined as the adaptation pressure and the way domestic politics responds to EU policies, is very high and impedes the process of “political community” building through EU conditionality. This is the main definition of what we identified as “limited Europeanisation” a process marked by a lot of formal promises from the EU which faced numerous drawbacks and practical constraints. EU had to defer once again its plans to close the OHR and could only “urge”
The leaders of BiH to refrain from divisive rhetoric and behaviour that further polarizes the political atmosphere in BiH. But the situation in this regard got completely out of control and BiH still did not apply for membership and SAA implementation. This is a solid proof that for the moment BiH is stuck in a vicious circle of “limited Europeanisation” which needs to be overcame by both actors, EU and BiH, through coordinated strategies. One of the main conclusions of the article is that there is a “subjective Europeanisation potential” of each WB country and Europeanisation theories must take this aspect seriously into account and refine their theoretical concepts.

Table 3. Stages of BiH’s “limited Europeanisation” (Edited by the authors)

<table>
<thead>
<tr>
<th>No.</th>
<th>Period of time</th>
<th>Name of the stage</th>
<th>Main events</th>
</tr>
</thead>
</table>
| 1. | 1997-2000 | Post-war Stabilisation | • Launch of Regional Approach  
• Zagreb Summit  
• CARDS |
| 2. | 2001-2004 | Thessaloniki agenda and Enlargement perspective | • Thessaloniki Agenda for Enlargement  
• European Union Police Mission (EUPM) is launched  
• 1st European Partnership is signed |
| 3. | 2005-2008 | Pre-Europeanisation with ups and downs | • instrument for pre-accession assistance (IPA) is launched  
• “double hated” OHR and EUSR  
• benchmarks for visa liberalisation |
| 4. | 2009-2011 | Big hopes, drawbacks and crises | • Failure of household census  
• Nationalistic outbursts during 2010 general elections  
• Visa liberalisation  
• Delay in membership application |

LIMITED EUROPEANISATION

1. Governance without a state  
2. Local ownership overshadowed by ethno-nationalist discourses  
3. Mutual “crisis of expectations”
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Building a Common State Army Forces in Post-War Bosnia and Herzegovina: Assessing its Peace-Building Perspective

Bedrudin Brljavic*

Abstract: When the war in Bosnia ended in December 1995 with the Dayton Agreement, the armed forces in the country were divided along the ethnic lines. However, in 2005 the country’s politicians agreed on defence reforms that led to merging former rival armed forces into a unified army of BiH as a condition for Bosnia to join NATO. Thus, today unified BiH army is making small but significant contributions towards security maintenance both at national and global level. In order to explain efforts of Bosnian politicians to bring the country into the Euro-Atlantic structures and send their troops into multi-national missions we have used the security community theory coined by Karl Deutsch. Thus, NATO-related reforms have strengthened security and peace-building attempts among the former warring ethnic groups. Also, the country’s participation in multi-national peace missions abroad has been a crucial commitment to the world security and peace. Thus, today as a NATO aspirant Bosnia has practically become a country that exports security.

Keywords: Bosnia and Herzegovina, Bosnian Common Army, NATO, Euro-Atlantic integration, Peace-building, Security, Multi-national peace operations.

Creating a unified state army

In the early 1990s the whole world was shocked as bloody conflicts broke up in the former Republic of Yugoslavia, first in Slovenia and Croatia and then in 1992 in Bosnia and Herzegovina. During the war in Bosnia and Herzegovina (hereinafter, Bosnia or BiH) in 1992-1995 the three ethnic groups in the country fought each other supported by predominantly ethnically-populated armed forces. Although a horrible three-year war came to end in December 1995 with the signing of the Dayton Peace Agreement (DPA), the separate armed forces continued to exist functioning in their previous form gathering the young people from the ethnic groups respectively. In fact, DPA established the Constitution of BiH that supposes division of the country into two Entities: the Bosniak/Croat Federation of BiH (controlled by the Bosniaks and Croats), and the Republika Srpska that is governed by the Serbs (Soberg, 2008). In the same manner, military remained divided along the ethnic lines.

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That is, the Dayton Agreement states that the defence issue is not expressly noted as a function of the state (Perry, 2003). Thus, it created separate armed forces, Bosniak-Croat, Army of the Federation of BiH and the Bosnian Serb, Army of Republika Srpska. Thus, after Dayton separate armed forces operated in the country spreading their ethnic objectives from the previous war only now through different means. To put it simply, separate ethnic armies had further increased an existing process of ethno-nationalization and ethnic distrust playing a disintegrative role within the society rather than integrating war-torn communities through educative and training programs. That is, predominantly ethnic-populated armed forces had played a considerable political role in the process of indoctrination of their ethnic population within the country. The existence of mono-ethnic armed forces both prevented integration of ethnic groups inside the country and the country’s integration into Euro-Atlantic organizations.

However, as the country was striving to carry out Euro-Atlantic reforms the idea of common state armed forces has slowly emerged. Thus, in September 2003 the representatives from all three ethnic groups have agreed to establish a state defence ministry and unified military command (Hawton, 2003). Further, in December 2004 strong pressure from the international community resulted in the formation of an independent commission for defence reform which called for a set-up of a single armed force at state level. In fact, a single army was a condition for Bosnia to join NATO. Thus, in 2005 the Bosnian politicians agreed to defence and security reforms that would eventually merge the formerly rival armed forces into an integrated and unified army. As a result, today unified BiH armed forces comprising soldiers from all ethnic groups is making small but remarkable contributions towards security and peace-building both at national and global level.

A security community theory

Therefore, in order to explain increasing efforts of transitioning countries from the western Balkans region and especially Bosnia and Herzegovina to enter the Euro-Atlantic structures and send their troops into multi-national missions we use the security community theory. The concept of security community was coined by Karl Deutsch and it has become popular in the international relations literature after the end of the Cold War as an increasing number of countries entered international organizations such as EU, NATO, and OSCE to preserve peace and security. The concept of the security community was designated “as a contribution to the study of possible ways in which men some day might abolish war.” (Deutsch, 1957, 3). Moreover, Karl Deutsch pointed out that for a pluralistic security community, “the keeping of the peace among the participating units was the main political goal overshadowing all others” (Deutsch et al. 1957, 31). Thus, the idea of a security community focuses on peace-building as its central principle.

Furthermore, the concept of “security community” is understood as a “group of political units whose relations exhibit dependable expectations of peaceful change, based on the compatibility of the main values relevant to the prevailing political, economic and legal institutions and practice within the constituent units” (Deutsch, 1957, 5). That means that countries being part of a security community are united in their efforts due
to their common values and norms. In fact, a security community is by nature supposed to have “shared identities, values, and meanings” (Adler and Barnett, 1998b: 31). For instance, it is shared values, identities, and meanings that unite a number of countries from the Balkans region and hold them together in common efforts to preserve peace or abolish a possibility of war in the future. Therefore, collective identity establishes patterns of diffuse reciprocity manifested in the mutual responsiveness among the members of the community (Adler and Barnett 1998b, 30-33). Today, collective identity has been built among the western Balkan states in view of the Euro-Atlantic integration process.

**NATO as a peace association**

NATO is an intergovernmental military alliance which constitutes a system of collective defence, but its members also share and defend jointly their common values and norms. Thus, in the preamble to the North Atlantic Treaty, the signatory states agree on the protection of their values, rather than just the preservation of national autonomy declaring that: “They are determined to safeguard the freedom, common heritage and civilisation of their peoples, founded on the principles of democracy, individual liberty, and the rule of law.” (NATO: 1949). In addition, in 1994 the Partnership for Peace Framework Document was based on liberal values pointing out that:

“Protection and promotion of fundamental freedoms and human rights, and safeguarding of freedom, justice, and peace through democracy are shared values fundamental to the Partnership. In joining the Partnership, the member states of the North Atlantic Alliance and the other States subscribing to this Document recall that they are committed to the preservation of democratic societies, their freedom from coercion and intimidation, and the maintenance of the principles of international law.” (PfP, 1994: 1).

Thus, applicant countries from the western Balkans are supposed to make necessary reforms in line with the values and norms that the Alliance members already respect and promote. That is, after the Cold War NATO has paid special attention to the export of democratic norms to the transitioning countries. There was a bunch of literature about the NATO’s attempts to promote liberal-democratic norms towards Central and Eastern Europe (Schimmelfennig 1998/9; Williams & Neumann 2000). As Schimmelfennig points out: “States that share the fundamental values of an international community and adhere to its basic norms are regarded as legitimate members of the community and are entitled to join the community organizations. Consequently, we can expect NATO to admit all countries that share its collective identity and values and adhere to its constitutive norms. The faster a country adopts the community values and norms, the earlier it becomes a member” (2000: 8). Thus, these states are in one way constructing a common identity of secure, democratic and peaceful liberal model.
The NATO membership perspective

According to the DPA, the NATO had a responsibility to enforce compliance with the military aspects of the signed Agreement and it deployed an Implementation Force (IFOR) of nearly 60,000 troops to the country. Thus, the NATO-led troops have played a vital part in securing the peace in Bosnia and Herzegovina since their arrival in December 1995 (ICG, 2001: 1). In December 1996 the IFOR was replaced with a smaller Stabilization Force (SFOR) with about 32,000 troops. As the country has become more peaceful and stable NATO’s aim was to pass responsibility for security and internal order to domestic military forces. As a result, NATO outlined a number of benchmarks to measure progress toward a self-sustaining peace in Bosnia (Kim, 2006: 1). On 2 December 2004, NATO formally brought to end its Stabilization Force (SFOR) mission in Bosnia and Herzegovina and handed over peace and stabilization duties to a European Union force (EUFOR).

Thus, NATO has been deeply involved in the post-war country’s stabilization and peace-building and it is also committed to supporting Bosnians’ aspirations to enter both EU and NATO. However, any country that aspires to NATO membership must meet two conditions, namely, an active participation in the Partnership for Peace Program (PfP) program and the MAP. On 29 November 2006, the alliance did invite Bosnia Herzegovina, Serbia, and Montenegro to join the NATO’s PfP program (Majstorovic, 2007: 640). Also, NATO foreign ministers have agreed in April 2010 to launch a Membership Action Plan (MAP) for Bosnia and Herzegovina - a penultimate step to joining the military alliance. Although the MAP is not a final promise of NATO membership and it does not commit the alliance to defend Bosnia against a military threat or affect its decision-making mechanisms it is a crucial assistance program through which NATO and its members provide guidance and support on specific political, economic, security, and legal reforms (Arbour and Clark, 2010).

NATO-related reforms and security

In other words, the Membership Action Plan (MAP) is of utmost importance for the process of reconciliation and peace-building attempts among the formerly warring ethnic populations. Furthermore, Bosnian authorities are making necessary reforms to become a NATO member in the near future. However, before it is granted NATO membership, the Bosnian government is expected to solve the vital question of defence property. Indeed, one of the outstanding issues, however, is defence property, which should be solved before the multi-ethnic state is accepted into the NATO fold (Pop, 2010). That is, the MAP that Bosnia was granted will formally begin only when the military infrastructure is registered as the property of the Bosnian state rather than the property of the Federation of BiH or the Republika Srpska. Still, NATO officials declared that: “Bosnia has made “significant progress on reform.” The alliance welcomed Bosnia’s decision to destroy surplus ammunition and arms … Bosnia also succeeded in uniting its rival ethnic armies that fought each other during the 1992-95 war, no small task in a country that remains ethnically divided” (VoA, 2010).

The prospect of the country’s integration into the Euro-Atlantic community has to a remarkable extent strengthened building lasting peace and a long-term democratic
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perspective among the three ethnic groups. As Joseph E. stresses: “by putting membership “on the table” – with a US-backed target date – NATO will change the zero-sum dynamic that has thwarted well-intentioned efforts at reform and supply the crucial leverage to produce fundamental compromise” (2009: 2). Along with the collective defence, disaster relief, humanitarian aid, and cooperation through the NATO Science for Peace and Security Program, the NATO membership will make the country more stable and functional. As John Kerry points out in his column, “the NATO membership has a proven record of promoting political progress across Eastern and Central Europe, and it could do the same for Bosnia-Herzegovina, too” (2009). Indeed, the reforms carried out en route to NATO membership has made Bosnia more stable and viable.

In addition, the establishment of unified armed forces of BiH has become an important step towards a strengthened and more unified country with stronger state government. This is also sending a positive message to NATO and EU members that they have a solid partner on the other side. As the former US Ambassador to BiH Douglas Meklhejni pointer out after the joint exercises of the Armed Forces and the US Army: “This is just another indicator which proves that this country is a strong and solid partner of NATO and of the EU member states” (Bjelajac: 2007). To put it simply, NATO-related defence reforms have to a large extent transferred responsibility to the central government. Indeed, should contradictions in state and entity law arise, the state law is the final word, made clear in Article 35: “The Parliamentary Assembly shall exercise democratic parliamentary control over the Armed Forces of Bosnia and Herzegovina and all State-level defence institutions” (Article 35: 2003). All being said, with a stronger role of the state government in the area of defence matters Bosnia has resembled state as any Western democracy.

Common defence and army

As a result of the reforms made towards NATO integration, Bosnia today has really established a military structure that is controlled by civilian government as is the case in any democratic country. A new Law on Defence was adopted in December 2003 which reinforced the state defence structure. That is, its enactment and supporting legislative action at state and entity levels eventually enabled the formation of a single state-level defence establishment, with a clear chain of command emanating from the state down to the entities, reinforcing the supremacy of the state for defence matters (Perdan, 2008: 256). Furthermore, the Law on Defence made the Presidency of Bosnia and Herzegovina responsible for the protection of country’s sovereignty and territorial integrity. Also, the Ministry of Defence of BiH was founded in 2004 as a central state body that is in charge of the unified Armed Forces of Bosnia and Herzegovina. Thus, the country today has just one defence minister, one chief of staff, one chain of command and one army (Perdan, 2008: 257).

Indeed, the NATO-led defence reforms have produced remarkable results, helping Bosnia to create an integrated military that is a model for building effective state institutions and a credible partner for the NATO (Kerry, 2009). That is, Bosnia has established unified armed forces in which people from all three ethnic groups are working on joint missions and defence programs. In other words, for the first time in the post-war period the soldiers in the Bosnian army wear the same uniform with state insignia, they swear the same oath
and serve under the same country flag. In addition, by forming a single army the country
has taken significant steps towards demilitarization so that the conflict that broke out in
the 1990s never repeats. As Cerkez-Robinson from the USA Today points out: “Now, the
three former antagonists – a Muslim Bosniak, a Roman Catholic Croat and a Christian
Orthodox Serb – are training together as they prepare for voluntary duty in other crisis
areas around the world” (2008).

**Domestic effects of NATO reforms**

The NATO membership is perceived among the region’s countries as a good way to
become a part of democratic and open western communities. That is, in the region NATO
membership is viewed as a major strategic choice that would bring national leaderships
and their respective societies closer to Euro-Atlantic integration (EKEM, 2010: 4). Although all the countries from the western Balkans are in one way or another integrating
themselves into NATO structures each of them is at a different state on the road towards
the Alliance. Thus, Albania and Croatia entered NATO in 2009 and the Former Yugoslav
Republic of Macedonia will be the next state in the region to join if it meets the remaining
criteria. The remaining countries from the Balkan region have made significant progress
but are still far from the NATO membership because of their internal problems. That is
why the membership of the Balkan countries to this organization will directly contribute
to the enforcement of democracy, peace, stability, market economy and the rule of law
in the region (IDM, 2008: 7).

Furthermore, formation and successful maintenance of unified armed forces in Bosnia
is to a considerable extent strengthening the idea of a multi-national country as a possible
political model. That is, the unified Bosnian army made up of soldiers from all three
ethnic groups working and training together is a proof that a multi-national and multi-
cultural country is possible and feasible when there is enough political will to achieve
necessary consensus. As the head of the NATO-led peacekeeping force in Bosnia, General
William Ward declared, “I think it sends a great message... that there is a commitment,
a desire to move forward and get beyond the very destructive and terrible times that
were experienced here during the war” (Hawton, 2003). This is the best message that
a peaceful and multi-national Bosnia is a possible project. As the first commander of
the Joint Command of Bosnian armed forces General Atif Dudakovic said, “The days of
Ustasas, Mujahidins, Chetniks, Partisans, and the JNA have passed. This is now the new
era. It is the era of unified armed forces of BiH” (Huseinovic, 2008).

**Regional cooperation as a prerequisite**

Most importantly, looking from a long-term perspective the integration of the
region’s countries into Euro-Atlantic organizations will result in a peaceful, stable and
secure environment. In the aftermath of bloodshed from the early 1990s this is a historic
opportunity for the regional leaders to establish more permanent peace and good
neighbourly relations among themselves. Thus, in 2011 western Balkans indeed look like
a more peaceful and secure place than it was in 1990s. This is to a large extent due to the
regional states’ Euro-Atlantic integration aspirations and common efforts committed on
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this road. As president Bush emphasized at the Summit: “Today Balkan, is a region which is growing in tolerance and peace. These changes are a result of NATO determined actions and courageous choices of Balkan leaders, who have been working for leaving behind the violence and past divisions” (IDM, 2008: 11). Indeed, today it is almost impossible to think about the possibility of open war between the countries from the region.

In addition, the NATO and EU integration prospects have become crucial for strong and dynamic regional cooperation among the western Balkans countries. In other words, these countries and their governments have come to realize that only by increasing regional and international cooperation (political, social, economic and security) can their strategic objective of joining the two poles of the Euro-Atlantic community be attained (Couloumbis & Ramaj, 2007: 17). The rationale behind the requirement for Western Balkan regional cooperation as a prerequisite for both involvement in NATO and the European Union is straightforward (Seroka, 2008). Thus, the regional governments have implemented reforms such as closer cooperation with neighbours and multi-dimensional cooperation. Through its elaborated structures and effective missions, NATO has become a key player in shaping cooperative security in the post–Cold War Europe (Sanader, 2005). It would not be exaggerated to say that without Euro-Atlantic perspective the region would be one big powder barrel of Europe.

A large numbers of senior officers in the Western Balkan militaries have been trained in NATO and PfP facilities, and defence strategies have been adapted to integrate with NATO and ESDP strategic plans (Seroka, 2008). For instance, the Adriatic Charter has been an effective instrument that proved the practical usefulness of the regional cooperation of some of the Western Balkan states. The Adriatic Charter is an association formed and signed in May 2003 by Albania, Croatia, the Republic of Macedonia and USA to help their NATO efforts. BiH and Montenegro joined it in December 2008. As Grdesic points out referring to western Balkans cooperation: “The Charter has opened up many political, military, security and economic possibilities. Meetings, talks and contacts of the political elites of the three countries have enabled prejudices to be overcome and the trust built” (2004: 120). Thus, if this trend of peaceful coexistence and increasing cooperation is sustained, the Kantian peace proposition will have been successfully confirmed (Couloumbis & Ramaj, 2007).

Joint Bosnian forces in multi-national missions

In addition, NATO’s Partnership for Peace Programme that Bosnia joined in December 2006 includes the practical cooperation with the applicants for alliance membership. Thus, Serbs, Croats and Muslims who completed training last month for the first army unit bringing together Bosnia’s warring factions of 10 years ago left for the Middle East yesterday to join U.S.-led coalition forces in Iraq (Dervisbegovic, 2005). To be precise, Bosnia and Herzegovina deployed in June 2005 a contingent of 36 troops specialized in mine-removal activities to the Diwaniyah area in southern Iraq. A Bosnian unit has a duty to deal with unexploded ordinance and ammunition (Hawton, 2005). The unit is Explosive Ordnance Disposal unit and was subordinated to a US Marine Engineer unit in the Fallujah area. The Bosnian contingent are set to rotate to Iraq for a period of six-months each. Additionally, in August 2008 a 49-man infantry unit was deployed to Baghdad to guard the US Military Camp Victory (Reuters, 2008).
Furthermore, in 2009 Bosnia sent its troops to Afghanistan to join the NATO-led mission. In light of this, a small contingent of Bosnian soldiers has been deployed to Helmand Province to serve as part of the Danish Contingent in the NATO-led International Security Assistance Force (ISAF) providing security for their base in Gereshk (Plante: 2011). The country sent in total 10 officers to serve with the ISAF. Although its number is modest, a deployment of the Bosnian troops to Afghanistan is one of the major steps forward in the country’s road to become a NATO member in the future. In addition, participation in a multi-national mission in Afghanistan is vital to contribute to a certain extent to international security and peace-building in the world. As NATO Secretary General de Hoop Scheffer emphasized that “NATO’s success in the peacekeeping and peace-enforcement operation in Afghanistan is the alliance’s number one priority” (Hendrickson and Smith, 2006: 302).

**Significance of multi-national peace missions**

From its foundation in 1949 until the early 1990s, the central purpose of NATO was to provide collective defence to its members. The end of the Cold War left NATO with some sort of identity crisis: what was it, should it continue as an alliance, and if so to what purpose and under which circumstances? (Michta, 2001: 1). Following newly emerged conflicts in the world NATO has launched a number of the *peace support operations*. That is, NATO has formulated a doctrine on PSOs: “PSOs […] involve military forces, diplomatic and humanitarian agencies […] and may include Peace Enforcement and Peacekeeping as well as Conflict Prevention, Peacemaking, Peace Building and Humanitarian Relief” (NATO, 2001: xi). According to NATO, PSOs may also include peace enforcement missions that “aim to re-establish peace” (Non-article, 2005). So far, NATO has launched PSOs in Bosnia, Kosovo, Macedonia, Afghanistan and, in a support role, Iraq. Multinational operations hold many benefits over unilateral action (Dijkstra, 2010: 1). Therefore, it is of utmost importance that Bosnia has been taking part in a number of peace missions.

An active participation in multi-national missions abroad has been of crucial importance as the country thus fulfilled its main obligations on the road towards integration into NATO. After hard work on NATO-related reform process Bosnia has practically become a country that exports security. In other words, the Bosnian government has to a significant extent improved the image of the country that once was highly dependent on foreign security intervention into one that has developed armed forces which have a capacity and common will to contribute to international security. As Thomas Moffatt, U.S. European Command security assistance officer in Sarajevo points out:

“It is still a place that needs assistance from the international community for stability and reconstruction … But, I think they are moving from a position as a security consumer to security provider. It demonstrates to the international community that Bosnia and Herzegovina can step up and help in some way” (Emert, 2005).

Also it is of crucial importance for a young democratic country such as Bosnia to be approaching NATO as the world’s most successful organization dealing with world security. In this light, participation to missions abroad under the umbrella of NATO or the European Union in order to contribute to stability and peace in the world has been one
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of the most important prerequisites for NATO membership aspirants. Thus, deploying its troops in missions abroad, Bosnia is slowly entering the family of peaceful and democratic countries which, as a rule of the game, do not wage war against each other. In fact, keeping democratic peace among them has become one of the most remarkable achievements of the Alliance. To put it simply, the key of NATO’s success lays in common values shared by its members such as democracy, freedom, rule of law, free market economy etc. (IDM, 2008: 7). Thus, integrating into NATO through multi-national missions abroad Bosnia strengthens peace in the world and peace at home.

Conclusions

During the war in Bosnia in 1992-1995 the three ethnic groups in the country fought each other with predominantly ethnically-populated armed forces. Although the war came to an end in 1995 with the signing of the Dayton Agreement, the armies in the country were divided along the ethnic lines creating separate armed forces, Bosniak-Croat, Army of the Federation of BiH and the Bosnian Serb, Army of Republika Srpska. Thus, such predominantly ethnic-populated armed forces had played considerable political role in the process of indoctrination of their ethnic population. However, as the country was striving to carry out Euro-Atlantic reforms the idea of unified armed forces has gradually become a subject matter of discussions. Also, a single state army was a condition for Bosnia to join NATO. Thus, in 2005 the Bosnian politicians agreed to merge the former rival armies into a unified army. As a result, today unified BiH Army comprising soldiers from all ethnic groups is making small but remarkable contributions towards security and peace-building both at national and global level.

Additionally, the prospect of the country’s integration into the Euro-Atlantic community has to a significant extent brought security, stability and peace to the warring ethnic groups. Similarly, the maintenance of unified armed forces of BiH has become an important step towards a strengthened and more unified country with stronger and functional state government. Equally important, the integration of the region’s countries into Euro-Atlantic organizations will result in a peaceful, stable and secure environment providing to the regional leaders a historic opportunity to establish more permanent peace and good neighborly relations among themselves. Furthermore, after establishing unified armed forces, Bosnia has deployed its troops in a number of multi-national peace operations. Taking part in multi-national missions abroad has been of crucial importance as the country thus fulfilled its main obligations on the road towards integration into NATO. Most importantly, after hard work on the NATO-related reform process Bosnia has practically become a country that exports security. This is indeed an important message for the world peace.
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Cooperation and Competition in the European Parliament: A Game Theoretical Interpretation

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Abstract: In this paper the author analyzes the nature of the legislative process which takes place within the European Parliament by studying the bilateral interactions among its relevant decisional groups, i.e. the parliamentary groups. In this sense, the author uses a methodological approach inspired from game theory, describing these interactions in the form of non-cooperative games similar in structure and function to the “negotiator’s dilemma” model proposed by Lax and Sebenius. Through comparing at a theoretical level the optimal strategies employed by parties in national parliaments with a majority-supported government with the optimal strategies employed by groups in the European Parliament the author concludes that the level of bilateral cooperation in the EP surpasses the one existent in national legislatures as cooperation is induced through the systemic relation developed among the groups as well as through institutional and ideological factors.

Keywords: bilateral interaction, cooperation, competition, European Parliament, negotiator’s dilemma, utility function

JEL Classification: C72, C73, C78, D72

Section one

The European Union’s decision-making process was, ever since the establishment of the European Coal and Steel Community1 and of the European Economic Community2, defined and modelled by a significant number of political actors, both institutional and partisan (Tsebelis, 2002, p.12). One of the most important actors in this process, the European Parliament, has managed to enjoy an almost constant increase from the perspective of its attributed powers within the institutional system, as European integration was consolidated both in the intensive dimension and in the extensive one. Although it existed since the founding of the European Communities, the institution - then entitled “Parliamentary Assembly”- was initially unable to play a significant role in the intrinsic institutional mechanisms of the system. This situation persisted until the end of the 8th

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1 Constituted by the Treaty of Paris which entered into force in 1952.
2 Constituted by the Treaty of Rome which entered into force in 1958.
decade, specifically in 1979, when members of the “European Parliament”\(^3\) were elected for the first time, and not appointed as it was the case in the previous terms. Through this method the MEPs\(^4\) were conferred popular legitimacy, and the demand for an expansion of powers delegated to the institution to which they were affiliated was an obvious consequence of their representative status. The tendency to assign more powers to the EP became a prevalent pattern, recurring constantly in future treaties. Firstly, according to the Single European Act (1986), the European Parliament was granted for the first time a significant role with respect to the approval of EU legislation, through the introduction of the cooperation procedure. Only six years later, the EP attained a status similar to the one held by the Council through the introduction of the co-decision procedure (although only in a limited range of domains) in the Treaty of Maastricht. This tendency was also followed in the next two treaties, as both in the Treaty of Amsterdam (1997) and in the subsequent Treaty of Nice (2000) the competence area of the EP was significantly expanded (Bârbulescu, 2008, pp.213-223).

**Section two**

The Treaty of Lisbon, which entered into force on 1 December 2009, maintained the direction of the previous treaties, and once again granted additional powers to the European Parliament. The most important provision affecting the EP was, by far, an expansion in the number of areas where co-decision is used. Unlike previous treaties however, the Lisbon Treaty did not only further expand the number of co-decision employing domains, but it attributed to co-decision the title of “ordinary legislative procedure”\(^5\), thereby making it the primary decision-making procedure utilized in the EU legislative process.

All areas in which co-decision is not employed are decided upon through the “special legislative procedures”\(^6\). The main areas in which decisions are taken through special ordinary procedures are the former 2\(^{nd}\) pillar - the Common Foreign and Security Policy -, certain regulations of the internal market (Art. 113, 115 of TFEU), social security (Art.21(3) of TFEU) and in a few other situations. However, through the Passerelle Clause (Nowak-Far, 2010, p.1-4), even in areas where special legislative procedures are normally used, the European Council, acting unanimously, can adopt a decision allowing specific legislative acts to be passed through the ordinary legislative procedure\(^8\). Even if the Passerelle Clause is not used however, the vast majority of legislative acts are adopted through the ordinary legislative procedure and therefore we can safely state that an analysis of the legislative process which characterizes the European Union must be focused on this particular procedure.

From this perspective, the Lisbon Treaty is extremely helpful to political scientists interested in studying the legislative process of the European Union, as for the first time

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\(^3\) Renamed in this form in 1962.
\(^4\) Member of the European Parliament.
\(^5\) Art. 294 of The Treaty on the Functioning of the European Union.
\(^6\) Consultation and Assent procedures.
\(^7\) The former 3\(^{rd}\) pillar - Justice and Home Affairs - was renamed “Police and Judicial Co-operation in Criminal Matters” and is now included in the spectrum of areas in which co-decision is applicable.
\(^8\) Art. 48 (7) of The Treaty on the European Union.
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after the ratification of the Single European Act, there is a single legislative procedure used for the adoption of almost all legislative acts.

Section three

Keeping in mind the major changes brought forward by the Lisbon Treaty, which will have a significant influence in the development of the European legislative process, an analysis surveying the internal nature of the decision-making process in the European Parliament is of great importance. The aim of this paper is therefore to offer the readers a view, inspired particularly from rational choice institutionalism (Hall and Taylor, 1996, pp.10-13), over the decision-making process existing in the EP, by analyzing the interactions and relations developed by its relevant political players. To achieve this, I will describe the decision-making process of the EP as being formed through an aggregation of interactions which take place between parliamentary groups, interactions which ultimately determine legislative results. Further, I argue that these interactions can be modelled in the form of non-cooperative games, and I utilize a specific variation of such a game, the “negotiator’s dilemma” (Lax and Sebenius, 1992, pp. 49-62), in order to study them. The reason why I use the theoretical model proposed by Lax and Sebenius is that it is able to adequately characterize the situation existent within legislative chambers, especially in political systems in which majority single-party governments are atypical, and parliamentary factions must negotiate with each other in order to pass legislative acts. As it represents a non-cooperative game, the model proposed by Lax and Sebenius can be reduced to four fundamental elements, which characterize games of this nature (in normal form): the players list, strategies, the profile set and the results (Miroiu, 2007, pp.12-15). In the following parts I will individually analyze each of the constituent components, so that we may infer conclusions about the results of the game, starting with the first three elements.

Section four

First of all, I will study the players involved, however, this analysis will not focus exclusively on their respective roles with regard to the model, but for a better understanding of their status within the general decisional mechanism I will tangentially describe all the significant players which are involved in the ordinary legislative procedure. The typology of players involved in this procedure can be examined from more than one perspective, but by investigating two specific dimensions we can obtain an image which expressively

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9 More specifically the approval, amendment or rejection of legislative projects by the Parliament
10 The negotiator’s dilemma represents in fact a variation of the prisoner’s dilemma (for a detailed account of this type of game see Miroiu, 2007), the difference being that unlike in the classical prisoner’s dilemma, in the negotiator’s dilemma players are able to communicate and establish agreements. However, the game remains non-cooperative, as agreements are not enforced by third-party actors. Another difference between the negotiator’s dilemma and the prisoner’s dilemma is that, due to the different nature of the players and aims involved, the set of strategies adopted are not cooperation/defection but cooperation/competitivity. Also, the variation proposed by Lax and Sebenius utilizes a literary form for the payoff matrix, rather than a numerical one, but in this paper I refrain from using the literary form as I consider it insufficiently rigorous. However, I use ranges of values instead of unique values, in order to underline the fact that the same result has different consequences for different players involved.
characterizes the specific powers which the actors involved in the theoretical model described in this paper possess. The first dimension relates to the distinction formulated by Tsebelis with respect to the nature of the players, his classification dividing them into two categories: institutional players (Tsebelis, 2002, p.12), in this case, the European Commission, the Council of the European Union and the European Parliament, and partisan players (Tsebelis, 2002, p.12), in this case, the political groups in the European Parliament and the ministers in the Council. A second dimension, which relates to a player’s power to influence the legislative process, differentiates them into three categories. The first category is represented by agenda-setters, who are assigned the task of conceiving policies and legislative acts, and are implicitly responsible to decide which topics are introduced in the formal political agenda for deliberations. In the European institutional system, by monopolizing the right to legislative initiative, this function is controlled by the European Commission. The second category consists of players with “permanent veto rights”, a category which encompasses the other two institutional actors, the Council and the Parliament, as both these institutions have the right to unilaterally reject legislative proposals through a series of procedural mechanisms stipulated in Art. 294 of TFEU. Also, another type of veto players exists in the EU legislative system, a type which Stoiber terms “restricted” veto players (Stoiber, 2006, p.2). Under this category fall both “conditional” veto players, which depend on actions undertaken by others, in our case: parliamentary groups, Council Ministers and the European Commission (according to Art.294, Par.9 of TFEU the Commission can influence the voting procedure in the Council at the second reading if it delivers a negative opinion on parliamentary amendments), and “case-by-case” veto players (Stoiber, 2006, p.2), the influence of which depends upon contextual circumstances. Ministers in the Council can be included in this category, as there are circumstances in which they possess a unilateral right to block any legislative proposal (in the conditions previously mentioned, under the provisions of Art.294, Par.9 of TFEU, if at the second reading the Commission delivers a negative opinion, the Council must act unanimously to approve the respective amendments). Also, in this classification must be included the right to propose amendments to legislative projects, in this category being integrated all players specified until now, except the European Commission.

As I have previously mentioned, this categorization is useful to illustrate the impact which parliamentary groups exercise within the institutional system of the European Union. Thus, we can observe from Table 1 the position which parliamentary groups hold in the legislative process: they are partisan players which have restricted veto rights (of a conditional nature) and which can amend legislative proposals. These characteristics are extremely important if we address the problem of negotiation potential, particularly keeping in mind the players’ possibility to exercise conditional veto powers.

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11 Tsebelis uses the classification to distinguish between veto players, but it can be extended to any player participating in the decision-making process.

12 Art.294, Paragraph (2) of The Treaty on the Functioning of the European Union.

13 Although through Art.294, Par. 9, the Commission is capable of influencing the legislative project, it cannot however directly amend it.
Table 1. Typology of players involved in the EU ordinary legislative procedure

<table>
<thead>
<tr>
<th>Typology</th>
<th>Structural nature</th>
<th>Functional nature</th>
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<tbody>
<tr>
<td></td>
<td>Institutional</td>
<td>Agenda-Setter</td>
</tr>
<tr>
<td></td>
<td>Partisan</td>
<td>X</td>
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<tr>
<td>Commission</td>
<td>X</td>
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<tr>
<td>Council</td>
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<tr>
<td>Parliament</td>
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<td>X</td>
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<tr>
<td>Parliamentary Groups</td>
<td>X</td>
<td>X (conditional)</td>
</tr>
<tr>
<td>Council Ministers</td>
<td>X</td>
<td>X (conditional, case-by-case)</td>
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</tbody>
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Source: Author

Until now we have considered that parliamentary groups are the most important actors involved in the decision-making process intrinsic to the European Parliament. An essential question to which I must respond at this point however, is if this conception is indeed legitimate, or do interest dispersion and loyalty divergence in the EP determine the formation of alternative conventional decisional groups, in the sense that the influence exercised by these alternative groups in the legislative process is superior or even remotely similar to the one exercised by parliamentary groups. If this hypothesis was true, then applying an iterated model of the negotiator’s dilemma to the interactions between parliamentary groups would be an inconsequential attempt to characterize the decision-making process of the EP.

One of the main arguments which could be brought in favour of such a hypothesis is that in the European Parliament, MEPs allegiances are far more diverse and dispersed than in a national legislature, where the primary loyalty of politicians lies with their respective parties. In order to conduct an analysis of this problem, and to further manage to identify the individual strategies employed by politicians, we must first examine the set of objectives generally targeted by politicians. Regarding this issue, scholars usually divide politician profiles into “office-seekers” and “policy-seekers” (Shepsle, 2006, p.28). The first type of politician profile is based on the fact that politicians are rational individuals which seek to maximize their utility functions by satisfying their professional and material interests. The method through which these type of politicians attempt to maximize their utility is to accede into high-ranking offices for the benefits brought by the
political position\textsuperscript{14}. In the European Parliament, this type of politician would be loyal first of all to the national party to which he belongs, because of the necessity to be selected for an eligible position on the election ticket (keeping in mind the fact that all electoral systems used for accession into the European Parliament are proportional representation systems), secondly to his parliamentary group, as its leadership distributes the Committee positions according to the principle of partisan rationale (Yordanova, 2009, p.264) and can also provide access to other important positions within the EP, and thirdly, at a considerably inferior level by comparison with the first two, to the institution, in this case the EP, because an augmentation of the powers held by the institution within the general European framework would produce benefits in terms of influence for its constituent members.

In opposition to the office-seeker, the policy-seeker is not interested in the material or professional component inherent to his position, as his utility function is maximized by the approval and implementation of certain preferred sets of policies. The allegiance of this type of individual would therefore lie, firstly with a political platform, and in the same time (depending on the origin of his policy-seeking behaviour) with pressure groups or with the electorate. Nevertheless, manifesting loyalty toward the parliamentary group to which the politician belongs is unavoidable, and holds a primary place in the allegiance set, not because of the privileged positions or carrier advantages possibly bestowed upon the politician by the leadership of the parliamentary group, but because any political project proposed by him would have no chance of passing in the event that they are not supported by the political groups in the legislature.

From the simultaneous analysis of the two politician profiles we can conclude therefore that the type of allegiance common to both types, and which is of great importance in each of them, is the loyalty manifested toward the parliamentary group to which politicians belong.

Another argument against the hypothesis that parliamentary groups are the predominant decisional actors in the European Parliament comes from the direction of rational choice theory and refers to the unilateral defection of an individual from the general voting line established by the party. In the European Parliament there are currently five voting procedures: by show of hands (the normal procedure), using the electronic voting system, by sitting and standing, by roll-call or by secret ballot\textsuperscript{15}.

Let us consider a situation in which, because of multiple loyalties or alternative personal options of a politician, he would prefer a different voting result than the one supported by his parliamentary group. In this case, if voting was exercised under the provisions of Procedure No.169, through secret ballot (used in the case of appointments or if it is requested by at least one fifth of the entire number of MEPs), the unilateral defection of an individual who disagrees with the position decided by the leadership of the parliamentary group would be rational as it would produce an improvement in his

\textsuperscript{14} In order to ensure that the office-seeker – policy-seeker distinction has a significant visibility, I will consider that both profiles are ideal-types (Weber, 1949, p.211). Specifically I will assume that the office-seeker has no interest in promoting policies, and the policy-seeker is disinterested in the professional benefits of the position which he occupies. Obviously, in practice the distinction is not so clear-cut and politicians generally possess, in different quantities, psychological traits specific to both ideal-types.

\textsuperscript{15} Rules of Procedure for the European Parliament, pp.91-93.
utility function as a consequence of the fact that he participates in producing the desired outcome (and because of the secret nature of the vote he can hope that other disgruntled colleagues within his parliamentary group will adopt the same strategy), while at the same registering no supplementary cost. This situation can is illustrated in the form of a non-cooperative game, as shown below, in Figure 1.

**Figure 1. Non-cooperative game with a parliamentary group (n-1) and a dissident member from its ranks (i) while using the secret ballot procedure**

<table>
<thead>
<tr>
<th></th>
<th>A</th>
<th>B</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>3</td>
<td>0</td>
</tr>
<tr>
<td>B</td>
<td>1</td>
<td>3</td>
</tr>
</tbody>
</table>

Source: Author

In this game, i represents the individual which hopes that the concluded outcome will be different from the one desired by his parliamentary group, and n-1 represents the parliamentary group to which i belongs (with the exception i himself). A and B are the two strategies available, with A representing the outcome sought out by the parliamentary group, and B representing the outcome sought out by the dissident member. The payoff matrix can be explained in the following manner:

- in profile (A, A) the utility function of the parliamentary group is maximized because all its members vote on the line imposed, and therefore the chances that a favourable result will be achieved are maximal. The player i however will not register any gains in terms of utility because the chances that his preferred outcome will occur are minimal.
- in profile (A, B) neither players would vote for the result which they prefer, and therefore both utility functions are minimal.
- in profile (B, A) i increases his overall utility because through his vote the chances that his desired outcome will occur are increased, and the parliamentary group also maximizes its utility by voting according to party lines.
- in profile (B, B), the utility of n-1 is minimal because the outcome will be

---

16 Following a methodological individualist stance we can observe that because n-1 is not a unitary player, the collective choice made by n-1 is in fact an aggregation of individual choices made by its respective members. Taking this fact into consideration we can further conjecture that n-1 cannot make a choice which reflects in turn the choices made by each of its members - see Arrow’s impossibility theorem (Arrow, 1951) -, except in the unlikely case in which all individual preferences coincide and the Pareto set contains a single outcome. Therefore, what should be understood through the phrase “choice made by player n-1” is not that a collective choice which has been mutually-agreed upon by all individuals of n-1 has been made, but rather that it reflects the official position of the parliamentary group, being in effect the voting line demanded by the party leadership.
unfavourable to its position, while the utility function of the dissident member is maximized, as the outcome preferred by him has a maximum chance of occurrence.

The key element which must be taken into consideration when analyzing this game is that because of the secret nature of the vote the relevant information is unavailable to other players even after voting is concluded. In more technical terms, the model is a Bayesian game (Neumann and Morgenstern, 1944, p.30) with imperfect information\(^{17}\) (Harsanyi, 1995, p.297). The utility increase of player \(i\) is based exactly on this aspect, first of all because if information about prior actions of an individual is unavailable to the parliamentary group’s leadership, he cannot be sanctioned for going against the party line, and secondly as he can rely on the fact that \(n-1\) will not vote as a unitary player (because if this was the case his defection will ultimately be futile as the influential capacity of only one voter is almost unnoticeable), but because of its collective structure other members will also defect and choose to disregard the party’s decision. To conclude this part, profile \((B, A)\) is therefore the solution of the game, and it represents both a Nash Equilibrium\(^{18}\) and a Pareto-efficient solution\(^{19}\).

However, excepting appointments, the secret ballot is almost never used in the EP, the main reason being that during this voting procedure, parliamentary group leaders would be unable to exercise the control mechanisms through which they can generally ensure that party members will vote according to the decisions reached by the leadership bureau. How would the situation described above look like if voting was not expressed secretly, and information regarding individual votes is available to party colleagues and leaders, which is in fact the standard situation in the EP? This type of situation is modelled in Figure 2.

**Figure 2.** Non-cooperative game with a parliamentary group \((n-1)\) and a dissident member from its ranks \((i)\) while using non-secretive voting procedures

<table>
<thead>
<tr>
<th></th>
<th>A</th>
<th>B</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>i</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>n-1</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>A</strong></td>
<td>0</td>
<td>3</td>
</tr>
<tr>
<td><strong>B</strong></td>
<td>-1</td>
<td>2.9</td>
</tr>
<tr>
<td><strong>A</strong></td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td><strong>B</strong></td>
<td>2</td>
<td>0</td>
</tr>
</tbody>
</table>

Source: Author

---

\(^{17}\) In games with imperfect information, at some stages of the game (in this particular case in all stages), players will have only partial information, or none at all about some moves made at earlier stages (Harsanyi, 1995, p.297).

\(^{18}\) It is a Nash Equilibrium because no player has any reason to unilaterally change his strategy.

\(^{19}\) It is a Pareto-efficient solution because no move can be a Pareto improvement.
The payoff matrix can be explained in the following manner:

- in profiles (A, A) and (A, B) the explanation is similar to the first game.
- in profile (B, A) the utility function of i decreases, as the dissident vote cast by player i is noticed and sanctioned through the specific means available to each parliamentary group, and the chances that the outcome desired by the defecting member will occur are minimal, because even if other members were favourable to the position adopted by i, they will avoid the adoption of a similar strategy because such an action would lead to an irrational result, specifically a decrease in terms of utility. There is also a minor drop in the parliamentary group’s utility function because without the vote of i there is a slight decrease in their chances to attain the wanted result.
- in profile (B, B), the outcome will be the one favoured by i, but he will have to withstand sanctions imposed by party leaders for his defection, and because of these sanctions he will not enjoy the same utility as he would experience if the vote was conducted through secret ballot.

The solution to this game is therefore, if we consider that all players are rational and use a minimax criterion to decide (Miroiu, 2007, p.22), profile (A, A), the solution being both a Nash Equilibrium and Pareto-optimal.

The key element in this case is that the information about a player strategy is available to others after the conclusion of the voting procedure. In these conditions, parliamentary groups become intermediate groups (Olson, 1965, p.50), in which all players have incentives to contribute to the generation of collective action necessary in order to produce a collective good (here, result A). The theoretical reconfiguration of a parliamentary group according to the voting procedure divides them into latent groups20 (Olson, 1965, p.51)- when the secret ballot procedure is used-, and intermediate groups, where individuals are stimulated to cooperate and vote mindful of the party line -when voting is done through show of hands, through electronic means, through sitting and standing or through roll-call-. This statement effectively contradicts Carruba and Gabel’s hypothesis, according to which politicians in the EP only respect party lines during roll-call vote (Carruba and Gabel in Whitaker, 2005, p.12), in which case an analysis of MEPs behaviour through the empirical support of roll-call votes (a method also employed in this paper) would be insufficiently relevant in describing the general voting patterns of parliamentary groups.

Also, aside from these substantial arguments which prove that in the large majority of cases, MEPs do not vote against their parliamentary groups, as firstly their loyalties converge toward these organizations, and secondly dissident actions would be irrational if the nature of the vote is not secret, the cohesion inside parliamentary groups is also institutionally supported through mechanisms like the whipping system (Hix, 2005, p.91), imported from party organizational techniques employed in British politics, or the delegation of agenda-setting powers within the EP to the Conference of Presidents (Hix, 2005, p.90) and other similar mechanisms.

According to the arguments presented in the previous pages, we can therefore consider that parliamentary groups, with the specific traits described in Table 1, do indeed represent the pre-eminent decisional groups within the EP, and their interactions define

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20 Characterized by a lack of information regarding the actions undertaken by each individual in the group.
the decisional process intrinsic to the institution, determining the approval, amendment or rejection of legislative acts.

Section five

In the next part I will analyze the strategies employed by the relevant players defined in the previous section, so that I can formulate conclusions about the outcomes of their interactions. As mentioned before, in a single round game of negotiator’s dilemma, each player has the option to choose from a set of two possible strategies: cooperation and competition. However, political groups within a legislative Chamber interact in a repetitive way, thereby transforming the game model into an iterated one, repeated n times, where n is an indefinite natural number, and in these conditions players generally do not use pure strategies, but mixed variations. (Miroiu, 2007, p.77)

I will structure the strategy analysis in two distinct parts, firstly presenting the theoretical arguments which influence parliamentary groups to act in a cooperative manner, and then I will integrate these preferences in the formal model proposed by Lax and Sebenius.

First of all, we must identify the elements involved in the decision-making process of an individual. Broadly, we can discern three main components which influence strategic choices: 1. preferences, 2. relations with other relevant actors (in the sense that a player can anticipate the choice made by other players in the game and can adjust his own strategy accordingly) and 3. institutional constraints.

The first question approached from this perspective is, therefore, if the preferences which characterize parliamentary groups represent a factor which determines and consolidates cooperation, or by contrast, are found to be in an inflexible contradiction and cannot form the basis of a decisional process built on cooperation. In trying to answer this problem, but also to underline some other important aspects of cooperation, I will use the empirical support developed by Simon Hix and Abdul Noury (2006) regarding the behaviour of parliamentary groups in the Fifth European Parliament (1999-2004)\(^2\)

\(^2\) There are at least two substantial arguments which defend the position according to which parliamentary group preferences contribute in a positive way to the level of cooperation existent in the EP, and both of them are centered on the data extracted from Hix and Noury’s research.

One of the arguments derives from the ideological fragmentation existent in the EP. By analyzing the political composition of the Fifth EP, we can easily observe that every significant ideological position in the democratic spectrum is occupied by a parliamentary group. Excepting the EDD\(^3\) which cannot be analyzed through a left-right cleavage perspective because the main ideological element holding its factions together was euroscepticism and a radical opposition towards any further delegation of power from national authorities to the EU, we can notice that the other six parliamentary groups reflected all ideological positions conventionally present in western democracies: EUL/NGL (European United Left/ Nordic Green Left) assumed socialist positions and represented the most left-

\(^2\) I use this empirical background in order to encompass an entire EP mandate, and this set of data constitutes an accurate depiction of the decisional patterns followed by parliamentary groups.
\(^3\) The empirical support is displayed in Fig.3 and Table 2.
\(^3\) Europe of Democracies and Diversities.
wing group when analyzed through the left-right cleavage dimension, G/ EFA (Greens/European Free Alliance) assumed ecologist positions and also represented the views of autonomist movements, while at the same time keeping true to a left-wing ideological guideline, PES (Party of European Socialists) assumed social-democratic positions and occupied the centre-left of the ideological spectrum, ELDR (European Liberal Democrat and Reform Party) represented liberalism, EPP-ED (European People’s Party – European Democrats) assumed Christian-democratic and liberal conservative positions, occupying the centre-right of the political stage, and UEN (Union for Europe of Nations) assumed conservative and national conservative positions, representing the political right. Because such a wide range of political positions, on both sides of the ideological centre, were represented, it would have been far more likely that parliamentary groups would find negotiation partners which are ideologically viable. This hypothesis is supported according to Table 2, where it is clearly shown that the tendency for bilateral cooperation among ideologically related parties, as for example between EUL/ NGL and G/ EFA, which registered a percentage of cooperation of 79.3%, or the EPP-ED and UEN which registered a percentage of cooperation of 71.2%, is predominant.

Table 2. Bilateral cooperation percentages in the Fifth European Parliament

<table>
<thead>
<tr>
<th>Political Group</th>
<th>EUL/NGL</th>
<th>G/EFA</th>
<th>PES</th>
<th>ELDR</th>
<th>EPP-ED</th>
<th>UEN</th>
<th>EDD</th>
<th>NA</th>
</tr>
</thead>
<tbody>
<tr>
<td>EUL/NGL</td>
<td>-</td>
<td>79.3</td>
<td>69.1</td>
<td>55.4</td>
<td>42.4</td>
<td>45.9</td>
<td>59.2</td>
<td>52.4</td>
</tr>
<tr>
<td>G/ EFA</td>
<td>79.3</td>
<td>-</td>
<td>72.0</td>
<td>62.3</td>
<td>47.1</td>
<td>45.2</td>
<td>55.5</td>
<td>51.0</td>
</tr>
<tr>
<td>PES</td>
<td>69.1</td>
<td>72.0</td>
<td>-</td>
<td>72.9</td>
<td>64.5</td>
<td>52.6</td>
<td>52.6</td>
<td>56.8</td>
</tr>
<tr>
<td>ELDR</td>
<td>55.4</td>
<td>62.3</td>
<td>72.9</td>
<td>-</td>
<td>67.9</td>
<td>55.0</td>
<td>52.3</td>
<td>60.0</td>
</tr>
<tr>
<td>EPP – ED</td>
<td>42.4</td>
<td>47.1</td>
<td>64.5</td>
<td>67.9</td>
<td>-</td>
<td>71.2</td>
<td>52.0</td>
<td>68.2</td>
</tr>
<tr>
<td>UEN</td>
<td>45.9</td>
<td>45.2</td>
<td>52.6</td>
<td>55.0</td>
<td>71.2</td>
<td>-</td>
<td>62.6</td>
<td>73.8</td>
</tr>
<tr>
<td>EDD</td>
<td>59.2</td>
<td>55.5</td>
<td>52.6</td>
<td>52.3</td>
<td>52.0</td>
<td>62.6</td>
<td>-</td>
<td>63.8</td>
</tr>
<tr>
<td>NA25</td>
<td>52.4</td>
<td>51.0</td>
<td>56.8</td>
<td>60.0</td>
<td>68.2</td>
<td>73.8</td>
<td>63.8</td>
<td>-</td>
</tr>
</tbody>
</table>

Source: Hix and Noury, 2006, p.19

We can also observe that the level of cooperation is not elevated only in the case of bilateral interactions between parliamentary groups placed on one side of the ideological

---

24 Each cell shows the percentage of times the majority of MEPs in the two political groups voted the same way in all the roll-call votes in the given period (Hix and Noury, 2006, p.19).

25 Non-attached members.
Alexandru Volacu

centre, but also between the parties which surround the ideological centre (64.5% between EPP-ED and PES, 67.9% between EPP-ED and ELDR and 72.9% between PES and ELDR). Although other factors are also important in the decision-making process of parliamentary groups, the ideological proximity constitutes an important element in the equation, and the fact that all significant positions are represented in the EP promotes the existence of an elevated level of cooperation manifested by each group (including the EDD, which in spite of its euro-sceptic position has registered a level of bilateral cooperation of over 50% with every other group in the EP).

A second element which is essential in the analysis of parliamentary group preferences, is that in regard to the most significant political dimension, the expansion of EU integration, both extensively and intensively, the preferences of the three dominant parliamentary groups (EPP-ED, PES and ELDR), which together held at that time 463 out of 626 seats, coincide, all of them manifesting an openly pro-European attitude.

Figure 3. Spatial Map of the Fifth European Parliament reflecting the left-right and anti-Europe – pro-Europe dimensions

![Spatial Map of the Fifth European Parliament](image)

Source: Hix and Noury, 2006, p.20

When examining Fig.3 we can observe on the ordinate axis that pro-European sentiment predominates among the three major groups in the EP (excepting a certain segment of
EPP-ED, which can be identified with the Conservative Party26 of the United Kingdom, known for its unassailable opposition to any expansion of the intensive dimension of EU integration). The ideological directions of the three groups were therefore convergent through this perspective, which is of paramount importance because it establishes a general line of thought common to the parties involved.

Regarding the second element influencing the decision-making process of parliamentary groups in the EP, that is, the relations developed with other actors in the system, we can also identify a substantial argument which defends the hypothesis that a high level of cooperation between groups exists, despite the fact that in certain conditions (the bilateral cooperation of another actor), it could apparently be more productive for an actor to use a competitive strategy. However, because of the repetitive nature of interactions between parliamentary groups, the actual situation is somewhat reversed. The reason why actors prefer to cooperate rather than defect when their interactions recur an indefinite number of times is synthesized by Robert Axelrod, who demonstrates in his series of tournaments that, in the long- run, the utility gained by players who employ cooperative strategies is greater than the one gained by players who use “unfriendly”27 strategies (Axelrod, 1984, pp.16-17).

The third factor which influences the strategic choices made by parliamentary groups is the existence of institutional constraints, which is probably the most visible element of the set.

A conclusive example of the decisive influence which the nature of the institutional system has on the level of cooperation registered within the EP is the requirement of an absolute majority for the amendment or rejection of a law project during the second reading in the ordinary legislative procedure28. Although at a theoretical level, an absolute majority can be reached through the agreement of the two dominant parliamentary groups, the social-democrats and EPP29, in practice the high absentee ratios in the EP renders the bilateral cooperation of the two groups insufficient. An analysis conducted by Scully in this area demonstrates that before 1997, on average, legislative acts were voted upon by approximately 65% of the entire parliamentary body, thereby increasing the percentage necessary for amendments or rejections of law projects to 77% of all present members (Scully, 1997, p.243). Although in 1998 contract clauses were introduced according to which politicians expenses would not be reimbursed except if they were present during voting procedures, the solution enjoyed only a partial success, leading to a small drop in absentee ratios of about 10%. Thus, on average, a 67% majority among present members is required for amending a “common position” adopted by the Council (Hix, 2005, p.97). A large degree of cooperation among decisional groups in the EP is therefore imposed through this institutional constraint, in order to approve amendments during the second reading of law projects, and this usually implies agreements between the two large groups supported by a third party, or agreements between coalitions of minor groups supported by one of the dominant parties.

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26 Which at present time is no longer a member of EPP-ED.
27 Meaning they defect unprovoked.
29 As from the first direct elections in 1979 until the present day they have constantly held a combined seat percentage of over 50%.
Another factor which is beneficial to the level of cooperation and which also derives from the nature of the institutional system is that, unlike in national legislatures, in the European Union there are no politically affiliated executive cabinets, which could require the support of a party coalition from the legislative branch. Although the Parliament can use a motion of non-confidence to dissolve the Commission\(^{30}\) and the Commission is appointed after a positive vote from the EP\(^{31}\), the relation between the two institutions is radically dissimilar to the one generally existing in Western democratic systems, where the government is supported by a segment of Parliament which usually consists of over 50% of the entire body. Moreover, the EC’s composition does not take into account the EP composition, as the Commissioners are designated by states in accordance with the President of the Commission\(^{32}\) (Bărbulescu, 2008, p.24). Also, the Commissioners are not politically affiliated and are required to be independent from other professional activities and from state allegiances during their mandate, unlike cabinet members in national governments, which are representatives of parties, or specialists directly supported by parties. One of the main reasons why in national legislatures parliamentary parties do not have cooperation incentives is that the governmental parties (presuming that we are in a typical situation, where the government holds a majority of seats in Parliament) can pass legislation without the support of opposition parties, and a cooperative behaviour in these conditions would be irrational\(^{33}\). Taking into account the fact that the relation between the EP and the Commission is not reflected in the Commission’s structure, parliamentary groups are stimulated to frequently cooperate in a multilateral manner, because none of these actors enjoy the privileged relation existing between a national cabinet and the parties supporting it. Another key element from this perspective is that the legislative powers of the European Commission are not similar to those of a national government, in the sense that it is generally unlikely for a national cabinet which is supported by a consistent majority in the legislative to encounter problems in passing proposed legislation through the Chambers of Parliament. The outcome of legislative proposals formulated by the Commission is however quite unforeseeable, requiring the approval of both Council and Parliament, Chambers which are not related to the Commission through their common political allegiance as is the case in national political patterns. Cooperation can therefore be used by Parliament to consolidate its status within the institutional system and in order to represent an effective counterweight against other institutions involved in the legislative process.

Another institutional element which determines an increased level of bilateral cooperation among ideologically proximal factions (but also leads to a decrease in cooperation among ideologically remote factions) derives from the applicability domain of the co-decision procedure, which is the only legislative procedure in which the EP is placed in a genuine position of power (through the properties displayed in Table 1, specifically the possibility to amend the legislation and permanently use its veto right). Initially, according to the Treaty of Maastricht the usage of co-decision was limited, 

\(^{30}\) Art.234 of The Treaty on the Functioning of the European Union.
\(^{31}\) Art.17 (5) of The Treaty on the European Union.
\(^{32}\) Although, as mentioned before, the entire composition of the Commission, as a collegial body, requires the approval of the EP.
\(^{33}\) I will further elaborate on this aspect in a later section.
and restricted to economic issues inherent to the emergence of a common market, as for example the freedom to provide services, free movement of persons, regulations regarding the internal market and other general areas like education, health, culture, etc. (Bărbulescu, 2008, p.214). In these conditions, the importance of legislative acts debated in the EP was somewhat modest if we consider its final impact on the acquis communautaire. Following the ratification of the Amsterdam Treaty and the Treaty of Nice, the number of domains in which co-decision was employed increased significantly, the procedure being introduced for areas such as equality of chances, custom union regulations, anti-corruption practices, social policy, transportation, etc. (Bărbulescu, 2008, p.222). Finally, according to the provisions stipulated in the Lisbon Treaty, the co-decision applicability spectrum is extended to almost all domains regulated by the EU. The evolution of the EU institutional system in the past two decades has dramatically altered the power configuration of involved actors, and the EP has become a player which is of similar importance to the Commission and Council. However, a derived phenomenon is the diminution of consensual tendencies existing both at an inter-institutional level, and at an intra-institutional one. The reason for this abatement in intensity is that a substantial increase in the importance of legislative acts, and a simultaneous increase in the number of topics in which political actors have radically divergent positions, leads to a redefinition of strategic patterns, in the sense that cooperation with some political actors becomes highly improbable. However, this does not predict that a generally lower level of cooperation will characterize the EP, as a lower level of multidimensional cooperation can be compensated through an intensified bilateral cooperation, which should be favoured by an accentuation of the ideological divide.

Section six

The previous section highlights the fact that a significant number of elements are involved in the strategic decisions made by players within the system\(^{34}\). In the following part I will apply the *negotiator's dilemma* model to the interactions between political groups in the EP. In the original model proposed by Lax and Sebenius (1992), this game has the configuration displayed in Figure 4.

**Figure 4. Negotiator's dilemma**

<table>
<thead>
<tr>
<th></th>
<th>Cooperation</th>
<th>Competition</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>GOOD</td>
<td>GREAT</td>
</tr>
<tr>
<td>B</td>
<td>GOOD</td>
<td>TERRIBLE</td>
</tr>
<tr>
<td>Cooperation</td>
<td>TERRIBLE</td>
<td>MEDIOCRE</td>
</tr>
<tr>
<td>Competition</td>
<td>GREAT</td>
<td>MEDIOCRE</td>
</tr>
</tbody>
</table>

Source: Lax and Sebenius, 1992, pp.49-62

\(^{34}\) Of course the analysis does not have an exhaustive character, and there are other elements which can also influence the individual decision-making process.
Between this type of game and the classical type of prisoner’s dilemma there are, as I have already specified in a previous section both important similarities and differences. The most significant resemblance is that the strategic rationale employed by players is similar in both cases, and in these conditions, if the game consists of a single round and there are no auxiliary incentives, the solution and Nash Equilibrium will be a double competition that would produce an outcome Pareto-inferior to double cooperation. The main difference on the other hand is related to the payoff system which is more vaguely-expressed than in the case of the prisoner’s dilemma, so as to reflect the differentiated consequences which outcomes have between players. Another difference is related to the set of strategies available to players, constructed so as to reflect the different nature of the game.

In order to highlight the cooperation level existent in the EP through the instrumentality of such a game, it is necessary that we have an appropriate element of comparison. Therefore, I will begin this section of the paper by modelling the interaction between two parties which belong to a national legislature through a variation\(^3\) of the negotiator’s dilemma, where A represents one of the parties in power and B represents one of the parties in opposition\(^4\) (because we assume that in general, the parties in power will cooperate between them, and the cooperation of opposition parties is largely irrelevant because it will not determine the adoption of legislative acts). This game is depicted in Figure 5.

**Figure 5. Interactions between governmental parties and opposition parties in a typical national legislature\(^6\)**

<table>
<thead>
<tr>
<th></th>
<th>A</th>
<th>Cooperation (C)</th>
<th>Competition (c)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cooperation (C)</td>
<td>[2,4)</td>
<td>[4,6)</td>
<td>[6,8)</td>
</tr>
<tr>
<td>Competition (c)</td>
<td>[6,8)</td>
<td>0</td>
<td>[2,4)</td>
</tr>
</tbody>
</table>

\(^3\) This is not a normal-form negotiator’s dilemma because the payoff matrix is significantly dissimilar.

\(^4\) This example is valid for a typical minimal-size government (either consisting of one party or of a coalition of parties) or an oversized coalition, excluding the atypical case of minority government (Lijphart, 1999, pp.98-99), where a high level of cooperation is forced through the partisan arrangement.

\(^6\) For a better understanding of the payoff matrix I have used a numerical form and not a literary one as Lax and Sebenius use in their original model. However, it is important to notice that the numerical form consists of a range of values, not a single figure, due to the fact that, as previously mentioned, unlike in the prisoner’s dilemma where outcome effects and utility fluctuations are similar to both players, in this model outcomes produced by legislative negotiations impact players in differentiated ways.
The payoff matrix can be explained in the following manner:

- **in profile (C, C)** bilateral cooperation is translated into the adoption of legislative acts proposed both by parties composing the government and by opposition parties. Thus, the utility range [2,4) of the party in power does not reflect the fact that favourable legislative acts were adopted, but is rather an indicative of the benefits gained by the lack of parliamentary opposition, benefits which are principally materialized in terms of electoral gains (as the opposition does not attack governmental positions). On the other hand, the utility range of the opposition party is significantly increased, as the benefits obtained through the approval of favourable legislative acts are greater than a potential gain derived from contesting governmental policies.

- **in profile (c, C)** the utility range of party A is maximized, as it does not introduce policies proposed by the opposition, thereby consolidating its own position, and does not lose electoral power because party B cooperates and therefore refuses to use the contesting mechanisms specific to the opposition, losing in this manner in the short term because of the fact that no favourable policy is implemented and in the long term because no electoral gains are achieved.

- **in profile (C, c)** the utility range of party A is 0, because it is disadvantaged by the implementation of opposition policies and does not gain anything in terms of electoral power. In contrast, party B wins from both standpoints.

- **in profile (c, c)** the utility range of party A is superior to the one characterizing the first profile, because the potential electoral loss is compensated by the fact that the opposition parties have no means through which they can implement favourable policies, and A’s political position is consolidated. Party B on the other hand, has an inferior utility range by comparison with the one characteristic to profile (C, C), but still existent because of the fact that in the long term electoral gains can be made through combating governmental policies.

In these conditions the solution of the game and the Nash Equilibrium is (c, c). Although the outcome is more favourable to party A than to party B, the latter will prefer it because using a cooperative strategy when it is obvious that its game counterpart has no reason to adopt a cooperative attitude will produce an even higher increase in the utility function of its opponent, while at the same time its own utility function will be lower than if the alternative strategy would be used. Therefore, even if the game has a repetitive nature and an infinite number of rounds, Axelrod’s cooperation incentives (Axelrod, 1984, pp.16-17), already specified in a previous segment, have no impact on party A, as the profile (c, c) is from a utility-interested point of view, superior to profile (C, C), and using a cooperative strategy would have the least desirable impact on A’s utility function, regardless of the choice made by B. Concluding, the general level of cooperation within a typical national Parliament is relatively low, as in spite of the fact that between the parties in power an almost permanent cooperation exists, there are no incentives for cooperation between governmental parties and opposition parties. Also, in interactions between

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38 Because if party A’s cooperation signifies that party B’s legislative proposals will be supported, party B’s cooperation signifies that the specific instruments available to the opposition for contesting governmental parties and policies will not be deployed

39 Unlike in a normal-form game of prisoner’s dilemma or negotiator’s dilemma.
opposition parties no cooperation is required because such cooperation would not be translated into policy implementation, and therefore it would be more fruitful for both parties to maintain an unaltered ideological position, with the purpose of consolidating and expanding their electoral partisan segment.

As opposed to the situation existing in national Parliaments, interactions between EP political groups can be modelled as in Figure 6.

**Figure 6. Interactions between political groups within the European Parliament**

<table>
<thead>
<tr>
<th></th>
<th>Cooperation (C)</th>
<th>Competition (c)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cooperation (C)</td>
<td>[2,4)</td>
<td>0</td>
</tr>
<tr>
<td>Competition (c)</td>
<td>[4,6)</td>
<td>0</td>
</tr>
</tbody>
</table>

The particularity of these interactions is the fact that because no party can be sure its favoured legislative acts will pass\(^{40}\), it is impossible for any parliamentary group to negotiate from a position similar to the one adopted by party A in Fig. 5. Therefore, cooperative and competitive strategies will not have the same characteristics as in a national Parliament. Bilateral cooperation will generally be insufficient\(^{41}\) to ensure approval of legislative acts, but it will be decisive in the process of aggregating political factions behind a certain position. Bilateral cooperation between political groups in the EP can therefore be understood as a process in which both parties submit proposals favourable to their respective positions, and reach a consensus which encompasses policies propounded by both parties. Also, in opposition to the situation existent in national legislatures, competitive strategies do not have an electoral target in the EP, as the studies conducted by Irwin (1995) and Smith (1999) point out, by demonstrating that the role of national parties is prevalent in the elections for the European Parliament while transnational party politics are not significant (Whitaker, 2005, p.9). A competitive strategy employed by parliamentary groups can thus be translated as representing the refusal to give concessions to its negotiation partners.

Keeping these elements in mind, the payoff matrix can be explained in the following manner:

- in profile (C, C) the utility functions of both players will increase as the chances that their legislative proposals will be adopted are maximized. However, due to the fact that following the negotiation process, the outcome will reflect both their

\(^{40}\) As would be the case of a governmental party in a cabinet which holds a majority of seats in a national parliamentary system legislature.

\(^{41}\) Excepting when a simple majority is needed, as is the case of the first reading during the ordinary legislative procedure, in which case the popular group and the social-democrat group can pass amendments without cooperating with other parties.
own positions and the positions of their negotiating counterpart, neither utility function will be maximized as the consensus reached does not contain the entire set of proposals favourable to a party, and during negotiations each of them are forced to abandon some of their initial proposals and/or to support proposals which are not entirely favourable, in order to appease the other party.

- in profile \((c, C)\) party A will maximize its utility range as a consequence of maximizing the chances to pass favourable legislation, which because of the cooperative position adopted by party B will completely reflect its own positions. On the other hand, party B will not register any utility increase as the competitive strategy employed by party A will lead to the rejection of proposals made by it.

- in profile \((C, c)\) the situation will be similar to the precedent, but with reversed utility gains. Therefore, in this outcome, party B will maximize its utility range and party A will not gain any marginal utility.

- in profile \((c, c)\) neither parties gain any utility, as neither of them have an increased chance of passing their proposals through Parliament. Bilateral competition represents in this case a disagreement between parliamentary groups, following which none of the groups has anything to gain, either from the perspective of passing favourable legislation, or from the perspective of electoral gain through the preservation of ideological consistency, because as I have previously mentioned, elections for the EP are not determined by transnational party politics.

In this type of interaction evaluating the game result is not as straightforward as in the precedent case, especially because the minimax strategy is inapplicable as the minimum utility obtained through cooperation is equivalent to the one obtained through competition. However, in a single-round game, the Nash Equilibrium is \((c, c)\) due to the fact that when the minimum utility gained is the same regardless of the strategy employed, players will rationally choose the highest maximum, which is for both players, a profile where they opt to use a competitive strategy and the opponent uses a cooperative one. Therefore, in a single-round game, both players will act competitively while hoping that the other player will cooperate.

In the hypothesis that the game has an unlimited number of turns however (which is the case in a legislature), player strategies become mixed as both will use cooperation and competition in different combinations, with the purpose of maximizing their general utility. In trying to determine what strategies would be optimal in the long-run, we can observe that the payoff matrix is similar\(^42\) to a classical game of prisoner’s dilemma, analyzed by Axelrod (1984) in his series of tournaments. Following his study, Axelrod determined that the best strategy, which won both tournaments, is “TIT FOR TAT”, a strategy in which the player cooperates in the first round of the game and then imitates the choice made by the opponent in the previous round. Further, based on the final standings registered, Axelrod formulated four general principles which a strategy must meet in order to produce a high level of utility: never defect unprovoked (in this particular case meaning that a party should never act competitively if the other party does not provoke such a

\(^{42}\) The only difference being that unlike in the classical version of the prisoner’s dilemma, the payoff received for a mutual defection is just as low as the one received for a cooperation in the context of an opponent’s defection. This is not of particular importance however, because as I have shown earlier in a single-round game the solution is common to both games.
behaviour), be forgiving (in this case meaning that a player should not permanently act competitively in response to a one-time competitive move by the other player), retaliate (meaning in this case to respond to a competitive move with a competitive move) and be clear (meaning that it should be based on an easily identifiable algorithm) (Axelrod, 1984, pp.25-54). 

Ceteris paribus, this generally cooperative strategy of action is in itself an optimal one for the non-cooperative game displayed in Fig.6. There are however, at least two reasons why parliamentary groups in the EP do not use this strategy in a constant manner. The first one is related to the concept of “bounded rationality” introduced by Simon (1957), according to which individuals are cognitively limited and their behaviour is to a large measure indeterminable and not completely rational. The second one refers to the multiple factors involved in the decision-making process of politicians and the specific nature of the players involved in the game. For example, generally speaking, the compromises which a parliamentary group like EUL/NGL will have to negotiate with EPP-ED in order to obtain a (C, C) profile will be significantly more difficult to achieve than the compromises between EUL/NGL and G/EFA, considering the ideological proximity and relatively similar preferences for European integration (see Fig.3) of the two groups. Taking these circumstances into account, we can deduce that the utility gained by EUL/NGL following an interaction with EPP-ED will lie somewhere in the vicinity of the lower margin of the specified utility range if the resulting profile would be (C, C) and the utility gained following an interaction with the resulting profile (c, C) would approach the superior limit of the utility range. Therefore, even analyzed through a rational choice perspective, the strategies used by parliamentary groups also depend on the ideological position of their negotiation counterpart, as each group tries to obtain a utility value which is as close as possible to the upper bound of the utility range.

We can extract at this point a general model from the theoretical propositions advanced in this section. EP political groups, representing rational (but cognitively limited) actors, aim to maximize their utility functions, and therefore, during a non-cooperative game with an unlimited number of rounds, use a strategy which respects the four principles formulated by Axelrod, but slightly differentiated according to the ideological substratum of the other player involved in the bilateral interaction.

Section seven. Conclusions

The conclusions of this paper can be synthesized in the following manner: the decisional process intrinsic to the European Parliament is largely defined by interactions between parliamentary groups, as the rational behaviour of their respective members determines them to follow the voting line decided by the leadership. In turn, the interactions described heavily affect the legislative process of the European Union, as each parliamentary group represents a conditional veto player with the possibility to formulate amendments and furthermore, a Parliamentary majority can unilaterally block legislative acts. The strategies which parliamentary groups employ in their interactions have the purpose to maximize their utility functions, so the groups will generally use a strategy which respects the four rules proposed by Axelrod and specified in the section VI, but they are also influenced by

43 Considered for this example player A.
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contextual particularities, either institutionally-based, ideologically-based, or determined by bilateral relations. However, as I have demonstrated in section V, the contextual particularities which characterize the EP are, at least for the time being, favourable to the development of cooperative behaviour, especially on a bilateral dimension. We can therefore conclude that in the European Parliament the general level of cooperation is at present significantly high (by comparison to the level existent in national legislatures).

From an unrelated perspective however, we can observe another interesting aspect. Because strategies used by parliamentary groups are not entirely rational and greatly depend on contextual circumstances, the institutional evolution of the EP is particularly conclusive in defining the choices made by the decisional groups. We can, through this perspective, remark that the institutional constraints which promote cooperation, like the necessity of attaining an absolute majority for amending legislative proposals at the second reading during co-decision, the non-existence of a parliamentary coalition to support the government, the restrictions regarding areas of co-decision usage, etc., are also the institutional constraints which diminish Parliamentarian power within the institutional system. In these conditions, we can extract the following conclusion, paradoxically through its implications: as the sphere of powers acquired by the European Parliament is expanding within the EU, and at a qualitative level, its citizens are better represented, the intensity of bilateral cooperation among parliamentary groups declines, thus determining a significant decrease in the number of EU citizens genuinely represented in the institutional system.

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Les partis politiques européens: les grands absents de la politique européenne

Cristina Stânculescu*

Abstract: Almost twenty years after their first legal recognition by the Treaty of Maastricht, the European political parties have not induced, as some political elites expected it, a “new era of European politics”. The 2009 European elections or the current European debates show that these parties remain marginal actors of the European decision-making process. In this context, this article approaches two questions related to the European political parties: first - why have these parties formed and developed if they do not play the role classic political parties do; and second - why aren’t they playing this role? The author argues in this article that the answer to the first question is to be found in the spillover process that has been caused by the growth of European Parliament’s competencies and by the debate on EU’s democratic deficit. As for the second question, both the structure of the European political system and the internal heterogeneity of the European political parties limit their capacity to develop. Thus, it seems that EU’s founding compromise between supranational and intergovernmental positions is the most appropriate explanation for European political parties’ capacity/incapacity to establish themselves as “key” European actors.

Keywords: European political parties, European democracy, democratic deficit, European elections, spillover

Introduction

En novembre 2007, à l’occasion de l’adoption de la réforme du financement des partis politiques européens, le Vice-président de la Commission européenne (CE) de l’époque, Margot Wallström, affirmait que ces nouvelles réglementations vont « renforcer la communication, le dialogue et l’implication active des citoyens » dans le processus décisionnel européen, permettant ainsi à l’Union « d’atteindre ses objectifs » 1. La même réforme était vue


par le président du Parti populaire européen, Wilfried Martens, comme un moment clé de la démocratisation de l’Union européenne (UE), car son implemementation permettra aux partis politiques européens d’être « au centre du processus politique » dans une « nouvelle époque de la politique européenne »2. Le contexte dans lequel ces nouvelles règles voient le jour est celui de la préparation de la campagne électorale pour le scrutin européen de 2009, l’objectif du Parlement européen (PE) étant de renforcer la participation des électeurs à travers la création d’un « véritable paysage politique européen »1.

Pourtant, tant les campagnes électorales qui ont précédées le scrutin européen de 2009, que l’actualité européenne nous montre que « l’étape décisive vers une véritable démocratie européenne et vers un public européen » n’a pas été réalisée à travers la réforme du financement des partis politiques européens, comme certains acteurs politiques européens l’attendaient1. En effet, lors des débats qui ont précédé les élections de juin 2009, les références aux partis politiques européens « sont restées très limitées » et leur présence « n’a pas été guère plus visible qu’auparavant »5. Ce constat, fait sur base d’une analyse qualitative et quantitative des références aux partis politiques européens dans la presse écrite d’une dizaine de pays de l’UE, est également pertinent pour le cas de la Roumanie. Mentionnés dans les programmes politiques des principaux partis politiques roumains, les partis politiques européens n’apparaissent pourtant que très rarement dans l’espace publique lors de la campagne électorale de mai et juin 2009. Et même quand ils sont mentionnés, ils ne semblent pas être des acteurs à part entière dans le débat, mais plutôt des ressources pour les conflits et controverses entre les partis politiques nationaux. C’était, par exemple, le cas lors du « scandale » autour de l’inclusion de Monica Macovei dans la « Liste des 12 plus mauvais candidats au Parlement européen » publiée par le Parti socialiste européen (PSE) ou encore quand le Parti populaire européen (PPE) a demandé au député européen Adrian Severin de s’excuser auprès du Commissaire européen Jacques Barrot pour les accusations de corruption qu’il lui avait adressées6.

De plus, les partis politiques européens semblent être encore moins présents dans l’espace publique européen ou dans les différents espaces publiques nationaux depuis les élections européennes de 2009. En dépit du fait que la politique européenne ait régulièrement été une des journalistes, les partis politiques européens n’ont été mentionnés ou présents que d’une manière marginale. Certes, ces formations politiques prennent régulièrement position sur les sujets à l’ordre des jours, comme la réforme de la zone euro, l’espace Schengen, la migration qui a suivi les révolutions dans le monde arabe ou la sûreté nucléaire, à travers leurs communiqués de presse. Néanmoins, leurs positions ne sont presque jamais relaies, car ils restent principalement en dehors du processus de

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3 Idem.
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prise de décision. Les grands espoirs de placer les partis politiques européens au centre du processus politique européen⁷ ne se sont pas accomplis.

Dans ce contexte, cet article se propose d’aborder deux questions relatives aux partis politiques européens. Ainsi, vue leur faible participation au processus de prise de décision, comment peut-on expliquer tant leur reconnaissance au niveau européen, que leur renforcement progressif dans la législation européenne ? L’explication principale qui sera avancée est que le développement de ces formations est le résultat d’un processus d’engrenage dont les impulsions sont la montée en puissance du Parlement européen et le débat autour du déficit démocratique. Dans la deuxième partie nous allons nous demander pourquoi ces formations politiques peinent à s’imposer sur la scène politique européenne. Deux types de raisons, étroitement liées, seront avancés dans cet article : d’une part la structure du système politique européen et d’autre part l’hétérogénéité interne de ces partis politiques. Ainsi, il nous semble que le compromis fondateur entre une tendance supranationale et une autre intergouvernementale est la clé de compréhension de la capacité/l’incapacité des partis politiques européens à s’imposer comme acteurs à part entière dans l’espace politique européen. Mais avant d’aborder ces deux questions, nous allons brièvement expliquer ce que sont les partis politiques européens.

Un parti politique européen : c’est quoi ?

Les partis politiques européens sont des entités juridiques autonomes, tant par rapport aux groupes du Parlement européen, que par rapport aux structures partisanes nationales. Ces formations européennes sont différentes par rapport aux groupes politiques, car elles mènent leurs activités en dehors du Parlement européen. De plus si les groupes parlementaires sont composés par des députés, les membres des partis politiques européens sont les partis politiques nationaux. Ainsi, chaque parti politique européen détient « un statut, des mécanismes de prise de décision, des structures dirigeantes, un budget et un secrétariat qui lui sont propres »⁹. La législation européenne définit un parti politique européen comme une association de citoyens qui a des objectifs politiques et qui est défini comme tel par au moins un Etat membre, ou comme une alliance de partis, donc une structure de coopération entre aux moins deux organisations partisanes⁹.

Quatre conditions sont définies par la législation européenne pour qu’une formation politique puisse être appelée « parti politique européen » et qu’elle puisse ainsi avoir le droit à un financement du budget européen.

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Tableau 1 : Les quatre conditions d’existence d’un parti politique européen

| Avoir une personnalité juridique dans l’État où la formation politique a son siège central | Etre représenté dans au moins un quart des État membres, dans le PE ou les parlements nationaux ou régionaux OU avoir obtenu au moins 3% des votes dans chaque État membre dans au moins au quart des États de l'Union aux dernières élections pour le PE | Respecer, dans ses manifestes et les actions, les principes fondateurs de l’UE, de liberté, démocratie, respect des droits de l’homme et des libertés fondamentales, ainsi que de l’État de droit |

La reconnaissance législative de l’existence de ces formations a été faite en 1992 par l’entrée en vigueur du Traité de Maastricht qui stipule que « les partis politiques au niveau européen contribuent à la construction d’une conscience européenne et à l’expression de la volonté politique des citoyens de l’Union ». Le règlement qui permet le financement des partis politiques européens par le budget de l’UE a été introduit plus tard, en 2003. Celui-ci ne permet pas que les subventions données à une formation politique européenne dépassent 75% de son budget annuel. Le budget européen est la principale source de financement des partis européens. Pour exemplifier, en 2009, le budget total du PSE a été de 4 millions d’euro, dont 3.1 millions venait du budget de l’UE et 750.000 étaient des contributions des partis nationaux membres10. Le fait de recevoir des subventions de la part de l’UE oblige les partis politiques à maintenir une transparence totale de leurs budgets et à ne pas recevoir des donations de la part des groupes politiques du PE ou des donations anonymes. Les partis politiques européens peuvent utiliser leur budget afin de mettre en application leur programme politique, mais ils ne peuvent en aucun cas financer directement ou indirectement des partis politiques nationaux. Un des instruments à la disposition de ces formations sont les fondations politiques, mises en place par la réforme de 2007, qui ont le rôle de lier le monde de la recherche et les partis et d’être un forum de débats, qui permet la naissance de nouvelles idées et analyses nécessaires au développement de l’intégration européenne.

En dépit du fait que la législation européenne a formalisé la notion de « parti politique européen », les chercheurs intéressés par le sujet ont souvent contesté l’utilisation du mot « parti » dans leur dénomination, vu leur manque de lien direct avec le processus législatif, mais aussi avec le processus électoral11. Ainsi, la littérature sur les partis politiques européens ne les présente pas comme des vrais partis : ils sont formés principalement par des structures partisanes nationales et pas par des individus ; ils n’ont pas de lien direct

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avec des fonctions législatives ou exécutives ; ils ont une structure organisationnelle faible et n’ont pas des électeurs propres. Les partis politiques européens ne remplissent ni la fonction de médiation, ni celle de gouvernement, qui était traditionnellement la fonction des partis politiques\textsuperscript{12}. Ainsi, on les voit plutôt comme des associations ou des fédérations qui réunissent des partis politiques nationaux en fonctions de leur idéologie\textsuperscript{13} ou en tant que forum de discussion entre les responsables politiques nationaux ou européens qui appartennent à la même famille partisane\textsuperscript{14}. De plus, les partis politiques ne contrôlent ni la manière dont les responsables politiques sont élus, cela étant décidé au niveau national, ni leurs actions au niveau européen.

Dans ce contexte, comment peut-on expliquer le fait que les partis politiques européens ont été reconnus comme tel par la législation européenne et qu’est ce qui explique le développement progressif de leur statut législatif ? C’est cette question que nous allons aborder dans la prochaine section.

**Un développement par engrenage**

La naissance, la reconnaissance formelle et le développement des formations qui allaient devenir des partis politiques européens semble être principalement le résultat d’un processus de *spillover* (d’engrenage)\textsuperscript{15} provoqué par l’approfondissement de l’intégration européenne. L’impulsion de cet engrenage est donnée par le « processus de parlementarisation du régime » de l’Union européenne qui se traduit, selon un certain nombre de chercheurs, par trois évolutions : la montée en puissance du PE, l’évolution des rapports entre les institutions, mais aussi l’affirmation du caractère démocratique de l’Union\textsuperscript{16}. Deux de ces évolutions ont eu un impact considérable sur les futurs partis politiques européens : la croissance des pouvoirs du PE et le débat autour du fonctionnement démocratique de l’UE.

*La montée en puissance du Parlement européen comme impulsion*

Le premier élément, la progression du législatif européen explique les premiers pas des partis politiques européens. En effet, c’est sous l’impulsion de l’introduction du principe des élections directes pour le PE, au début des années 1970, que voient le jour des fédérations européennes de partis : en 1974, la Confédération des partis socialistes de la Communauté européenne ; en 1976, la Fédération des partis démocrates et libéraux et le Parti populaire européen\textsuperscript{17}. Certes, pour ce qui est des socialistes et des chrétiens-démocrates des embryons de ces organisations existaient aussi avant 1974 et 1974. Néanmoins, il s’agissait d’organisations minuscules, ayant comme modèle l’organisation

\begin{itemize}
  \item \textsuperscript{13} Francisco Roa Bastos, « Des « partis politiques au niveau européen ? ». Etat des lieux à la veille des élections européennes de juin 2009 », *Notre Europe*, 2009, p.3.
  \item \textsuperscript{17} Wilfried Martens, cité dans Mathieu Monot, *Socialistes et démocrates-chrétiens et la politisation de l’Europe*, L’Harmattan, Paris, 2010, p.76.
\end{itemize}
des internationales au sein desquelles ces embryons des fédérations européennes sont nés. Aussi avaient-elles qu’une organisation minuscule ayant comme organe principal le Bureau, qui se réunissait à des intervalles irréguliers. Selon Simon Hix, ces structures minimalistes ne se sont développées plus car « il n’y avait aucun impératif pour les partis politiques nationaux d’être intéressées par la coopération partisane tant que l’intégration politique au niveau européen n’allait pas s’approfondir »18. Mais l’introduction du principe des élections directes pour le Parlement européen constituera l’occasion qui permettra aux fédérations européennes de partis de se former, car elles s’assigneront la tâche de produire des manifestes pour les scrutins européens. L’écriture de ces manifestes met ensemble les partis nationaux de l’UE appartenant à la même famille politique et les oblige à se mettre d’accord sur des propositions électorales. L’exemple des socialistes est parlant : des réunions sont organisées, des groupes de travail sont mis en place et un déclaration commune en vue des élections de 1979 est présentée devant les journalistes et votée par le Congrès de la Confédération. Certes, les partis politiques nationaux vont rédiger leur propres manifestes pour ces élections et la déclaration commune des socialistes ne lie en rien les députés européens qui seront élus, mais il faut noter que c’est pour « la première fois dans l’histoire de la coopération socialiste quand tous les dirigeants des partis politiques nationaux montrent un vrai intérêt personnel » dans la coopération au niveau d’une organisation au niveau européen19.

Ainsi, tel que Geoffrey et Pippa Pridham l’ont montré dans un des premières recherches qui portaient sur la coopération au niveau européen entre les partis politiques nationaux, les décisions de créer des fédérations européennes de partis à la moitié des années 1970 sont étroitement liées au stimulus fourni par la perspective des élections et à la conscientisation des implications du processus de politisation des Communautés européennes20. Cette naissance des fédérations est suivie par une période de stagnation, ces formations étant vite cataloguées comme marginales au processus d’intégration européenne, car à part l’élaboration des manifestes (qui ressemblent plutôt à des déclarations communes), elles n’ont pas un rôle clairement défini21.

L’intérêt pour le phénomène partisan renaît à la fin des années 1980 et au début des années 1990 dans le contexte des négociations du Traité de Maastricht. Vus la fréquence des réunions européennes à l’époque et le temps nécessaire à la création du consensus, les partis politiques nationaux prennent de plus en plus conscience qu’une collaboration plus institutionnalisée est nécessaire au niveau européen. C’est ainsi que dans un logique d’engrenage voient le jour au sein de chaque parti des Conférences des Leaders, qui se tiennent juste avant les Conseils européens et qui commencent petit à petit à contribuer à la coordination des positions qui y seront soutenues par chaque famille politique au niveau européen22. Par conséquence, Wilfried Martens, président du Parti populaire européen et Premier ministre belge, propose l’introduction dans le Traité de Maastricht d’un article

19 Idem, p.29.
qui fasse référence aux partis politiques européens. Selon Martens, la justification de cette proposition vient du fait que, tout comme au niveau national, les partis politiques européens permettraient d’assurer le bon fonctionnement de la démocratie européenne. C’est donc dans le contexte du débat autour du déficit démocratique au niveau européen que la reconnaissance formelle des partis politiques européens sera faite. Ce débat pousse les élites politiques européennes à essayer de récréer au niveau de l’UE les institutions nationales et leurs logiques de fonctionnement.

Le déficit démocratique comme impulsion

La notion de « déficit démocratique » est basée sur l’idée que « les décisions dans l’Union européenne ne représentent pas assez les nations et peuples européens »24. Son succès peut être expliqué par la fin du « consensus permissif » qui a longtemps caractérisé le processus d’intégration européenne. Car, tel que Lisabeth Hooghe et Gary Marks l’ont souligné, la période depuis 1991 peut être plutôt caractérisée par « des dissensions contrainantes », dues au fait que le processus décisionnel européen est entré dans le monde de la compétition partisane, des élections et des référendums25. Ainsi, la politisation de l’intégration européenne a créé un consensus entre les hommes politiques et une large partie des chercheurs, tous étant d’accord que l’UE souffre d’un sérieux déficit démocratique26. Les principaux arguments en faveur de cette thèse soulignent que l’intégration européenne a augmenté les pouvoirs exécutifs et a diminué le contrôle parlementaire national, que le PE reste trop faible par rapport aux autres institutions, qu’il n’y a pas de vraies élections européennes, que l’UE est trop éloignée des électeurs européens, que ses politiques ne sont pas soutenues par une majorité de citoyens, qu’il n’y a pas de peuple européen et que l’émergence d’une identité et d’un espace publique européennes seraient essentiels au fonctionnement démocratique de l’UE27.

La formalisation de l’existence des partis politiques européens est vue comme une possible solution au déficit démocratique et elle est « étroitement liée à l’évolution du rôle institutionnel du PE, car le Traité de 1992 est un moment clé dans l’affirmation du Parlement comme co-législateur28. Ainsi, l’article qui sera introduit dans le Traité de Maastricht stipule que « Les partis politiques au niveau européen sont importants en tant que facteur d’intégration au sein de l’Union. Ils contribuent à la formation d’une conscience européenne et à l’expression de la volonté politique des citoyens de

En effet, le renforcement des pouvoirs du Parlement européen n’apparaît plus, au début des années 1990, comme la seule solution qui pourrait être trouvée à ce déficit. Les partis politiques doivent être renforcés, car ils peuvent avoir une influence essentielle dans le développement de la démocratie. Tel que le remarque Maurice Duverger dans une édition du mois de janvier du journal *Le Monde*, l’absence de partis politiques dans le cadre de la Communauté empêche ses députés « de devenir effectivement ce qu’ils sont de droit : des représentants des peuples ».

Néanmoins, l’introduction de l’article 138a, sur les partis politiques européens ne va pas engendrer la démocratisation espérée. Certes, les fédérations de partis sont plus institutionnalisées qu’avant ; elles renoncent au nom de « fédération » pour reprendre celui de « parti », l’accord autour des manifestes électoraux se forme plus facilement et les Conférences des Leaders s’imposent petit à petit sur l’agenda des dirigeants européens. Mais le problème principal vient du fait que deux positions subsistent quant au rôle de cet article : Pour certains, l’article 138A constitue une base en vue de l’adoption d’un cadre juridique approprié pour les partis politiques européens et il aurait pour effet « de doter les organisations déjà existantes d’une personnalité juridique qu’elles n’ont pas actuellement et permettrait l’établissement de règles de financement précises et transparentes ». Pour d’autres, il s’agit d’une « disposition de type énonciatif ne pouvant nullement constituer la base juridique d’un acte réglementaire; elle serait une « disposition non normative », un article ayant une importance symbolique, mais privé d’une quelconque valeur juridique ». Dans ce contexte, les trois promoteurs de la cause des partis politiques (le président du Parti populaire européen, Wilfried Martens, le leader des socialistes, Willy Claes, et celui des libéraux, Willy de Clercq) essaient, suite à cette reconnaissance formelle, de pousser vers une clarification de leur statut juridique à travers des réunions au niveau du Parlement, des rapports et propositions, ainsi que des appels auprès la Commission européenne, car celle-ci détient le droit d’initiative.

Lors des discussions autour de cette clarification, la question de la nécessité de combler le déficit démocratique et le rôle que les partis politiques européens pourraient y jouer est soulagée à des nombreuses reprises. Par exemple, M. Tsatsos, rapporteur du PE sur le statut constitutionnel des partis politiques européens, affirme en 1996 que la constitution des formations politiques au niveau européen est intimement liée à la création d’une citoyenneté européenne et fait ainsi partie de la stratégie de « renforcement des instruments de participation démocratique des citoyens à l’établissement de la politique de l’Union ». De même, lors du débat dans la plénière du PE qui a suivi le rapport écrit par M. Tsatsos, on souligne le fait que « si nous croyons qu’il existe une société

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européenne, qu’il existe des institutions démocratiques européennes, qu’il existe un tissu démocratique (…) il semble raisonnable de reconnaître l’existence des partis politiques européens36.

Toutefois, ce n’est que lors de négociations du Traité de Nice que la décision de compléter l’article sur les partis politiques européens est prise. Ainsi, le paragraphe qui est ajouté stipule le fait qu’un statut pour ces formations, ainsi que des règles concernant leur financement doivent être spécifiés à travers la procédure de codécision37. A cette reconnaissance juridique suivent en 2003 un statut des partis politiques au niveau européen38 et en 2007 un règlement qui permet aux partis politiques de mettre en place des fondations politiques (selon le modèle allemand) et de financer des campagnes électorales au niveau européen39.

Ces différentes réglementations sont le résultat direct du processus de reconnaissance des partis politiques européens qui avait été entamé à partir du début des années 1990. Elles sont également directement liées au débat autour du déficit démocratique, le renforcement juridique du statut des partis politiques étant du point de vue des acteurs impliqués justifié par la nécessité de combler les manques démocratiques de l’Union40.

En dépit de ces avancées juridiques qui ont, sans doute, engendré une institutionnalisation plus grande des partis politiques au niveau européen, à présent, comme l’observe un député européen lors d’un récent débat au PE « personne sait très bien ce qu’ils font, quel est leur statut et s’ils ont une valeur ajoutée »41. Dans ce contexte, nous allons nous attarder maintenant sur la deuxième partie de notre article qui vise justement à discuter les raisons pour lesquelles les partis politiques européens peinent à s’affirmer sur la scène politique de l’UE.

Les limites du développement des partis politiques européens

Deux types de facteurs peuvent expliquer pourquoi en dépit du développement juridique des partis politiques européens et des attentes qui l’ont accompagné, ils peinent à s’imposer dans l’espace politique et publique européen comme des acteurs à part entière.

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Une première série de facteurs explicatifs tiennent à la nature du cadre institutionnel de l’Union européenne. En effet, l’UE a un système politique qui est acéphale. Ainsi, même si l’existence de ces formations politiques est liée à l’organisation des élections européennes, elles n’ont aucun rôle dans la désignation de la Commission européenne, s’éloignant ainsi du modèle national, où les partis politiques parlementaires désignent l’exécutif juste après les élections. Et tant que les élections vont se jouer uniquement sur un programme et pas aussi sur les postes qui permettront de mettre en place ce programme « rien ne bougera réellement », comme l’affirme Jean-Luc Sauron. Certes, le Parti populaire européen a désigné avant le scrutin de 2009 Jose Manuel Barroso comme son candidat aux élections et le lendemain des élections le parti a revendiqué le poste de Président de la Commission européenne. Néanmoins, le PSE n’a pas réussi à se mettre d’accord autour d’un nom parce que « quelques-uns des partis gouvernants principaux, tels que le Parti Travailliste britannique et les socialistes espagnols et portugais, refusèrent de nommer un candidat socialiste ; ils ont en fait appuyé le prétendant au poste désigné par le PPE, et ce, alors qu’un précédent congrès du PSE avait donné son accord de principe sur une candidature socialiste ». Les traités spécifient que le Conseil européen doit proposer au Parlement européen un candidat en tenant compte des résultats aux élections européennes. Une question se pose alors : comment le Conseil européen peut-il prendre en compte les résultats du scrutin si les candidats potentiels ne se sont pas manifestés avant les élections, à l’exception du PPE? Ainsi, les partis politiques européens manquent l’occasion de s’institutionnaliser plus sous les contraintes de la discipline demandée par la formation et la composition d’un exécutif.

A part d’être acéphale, le système politique de l’UE se caractérise aussi par son mode de prise de décision très segmenté, les compétences des différentes institutions étant relativement bien définies et délimitées. Au sein de ce système, les partis politiques européens ne détiennent pas une place suffisamment importante qui puisse les pousser à augmenter leur cohésion et discipline interne. Vu le fait qu’une majorité assez large est demandée au PE dans le processus de prise de décision au sein de cette institution s’est formé une habitude de construire des coalitions larges. Celle-ci ne permet pas de différencier les options de vote « si les différentes groupes politiques ne veulent pas affaiblir le Parlement européen » . Cela ne pousse donc pas vers un développement extraparlementaire du phénomène partisan. De plus, ce caractère segmenté du processus décisionnel européen

42 Paul Magnette, Le régime politique de l’Union européenne, Presses de Sciences Po, 2009, p.229
43 Jean-Luc Sauron : « Le traité de Lisbonne donne la possibilité aux citoyens de peser sur les décisions prises par les institutions européennes », Touteleurope.eu, le 1 décembre 2009.
44 Site du Parti populaire européen, Disponible en format electronique à l’adresse: http://www.epp.eu/parliament.asp?z=5C5F.
47 Sir Julian Priestley, op.cit., p.41
48 Stefano Bartolini, Restructuring Europe: centre formation, system building and political structuring between the nation-state and the European Union, Oxford University Press, 2005, p.329
50 Stefano Bartolini, op.cit, p.330
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empêche les partis politiques de construire des programmes politiques qui puissent être mis en place. « Concevoir un programme européen implique de tenir compte de la variété des modes d’action »51 et de l’imbrication entre les niveaux national et européen. Or, si les partis politiques européens procéderaient ainsi, les programmes politiques seraient beaucoup trop complexes et très peu lisibles. C’est pourquoi les manifestes européennes ressemblent « à de vagues listes de courses desquelles on ne peut dégager qu’à grand peine les thèmes de campagne »52.

Une deuxième série de facteurs qui ont un impact significatif sur le degré d’institutionnalisation des partis politiques européens est liée à leur hétérogénéité interne. Les partis nationaux qui les composent ont des conceptions idéologiques et des intérêts très différents. C’est difficile ainsi de comparer le travailisme britannique avec la social-démocratie des pays nordiques ou avec le Parti socialiste français. De même, le PPE a fait cohabiter pendant longtemps les conservateurs britanniques avec les chrétiens-démocrates belges, pour prendre un des exemples les plus saillants. Le faible degré de cohésion n’est pas une surprise dans ce contexte. L’élargissement perpétuel de l’UE y joue aussi un rôle, car chaque nouveau pays membre apporte ses spécificités idéologiques et complexifie la collaboration au niveau des partis européens. De plus, le caractère de second ordre des élections européennes53 fait que les partis politiques nationaux restent les maîtres du jeu électoral et que les formations partisanes européennes ne peuvent jouer qu’un rôle extrêmement limité. En effet, les règles électorales sont différentes, les ressources des partis politiques européens sont limitées, leurs manifestes ne sont presque pas visibles et les débats électoraux ont lieu dans des espaces publiques déconnectés qui se concentrent plutôt sur les questions nationales qu’européennes. Les partis politiques nationaux contrôlent ainsi le processus électoral européen, même si celui-ci reste, du point de vue juridique, la principale fonction des partis politiques européens.

Conclusion

Les formations partisanes européennes restent donc les prisonniers d’un des compromis fondateurs de l’Union européenne entre les tendances supranationales et celles intergouvernementales54. Le développement des partis politiques européens peut être expliqué à travers la première tendance, car c’est à travers un processus d’engrenage et d’approfondissement de l’intégration européenne, notamment sous l’impulsion du débat autour du déficit démocratique et de la croissance des pouvoirs du PE, que ces formations se développent. Cependant, le fait qu’ils peinent à s’affirmer comme des acteurs à part entière du processus décisionnel européen peut plutôt être expliqué à travers la logique intergouvernementale qui règit leur vie interne, mais aussi leur rapport avec l’électorat européen.

54 Nathalie Brack, Ramona Coman, Yann-Sven Rittelmeyer, Cristina Stânculescu, Despre Parlamentul European, democratizare și democrație, Maison d’édition Institutul European, Iași, à paraître en 2011., p.8.
Leur absence de l’actualité européenne est donc le résultat d’un paradoxe qui résulte de la coexistence de ces deux tendances: les partis politiques européens existent, même si la structure de l’Union européenne les empêche à jouer pleinement le rôle correspondant au terme « parti ». A cette situation paradoxalement deux types de solutions sont possibles : leur renforcement ou le status quo. Le renforcement des partis politiques européens, soutenu par les adeptes de l’intégration européenne, pourrait être obtenu par la reconnaissance des membres individuels qui puissent participer à leur vie interne (ci-inclus à travers des primaires censés désigner des candidats à la présidence de la Commission)55, le remplacement de la prise de décision par consensus par celle à la majorité au sein de l’UE, une différenciation de leur offre politique, un affaiblissement des règles de financement, une augmentation des subventions, introduction des mêmes règles électorales et des listes transnationales.

La deuxième solution consisterait à accepter les partis politiques européens comme des forums de discussions et à cesser de vouloir les développer. Les partisans de cette approche sont également ceux qui soutiennent que le débat autour de déficit démocratique de l’UE est un faux débat, car on ne peut pas appliquer les mêmes critères au système politique national et à celui européen. Selon les chercheurs qui soutiennent ce point de vue, le déficit démocratique est un mythe56. De ce point de vue, le fait que la structure institutionnelle européenne n’offre pas un cadre propice au développement des partis politiques devrait être accepté, car l’UE n’est pas et ne sera pas un État national.

Bien évidemment, choisir entre ces deux solutions, entre ces deux futurs pour les partis politiques européens, implique une clarification de la nature de l’Union européenne, car si la première perspective est supranationale, la deuxième est intergouvernementale. Entre temps, l’Union européenne reste « un objet politique non-identifié », tel que Jacques Delors l’avait baptisé en 1987, et ses partis les captifs du compromis fondateur entre les ambitions supranationales et les intérêts nationaux.

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55 Sir Julian Priestley, *op.cit.*, pp.57-64.
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**Documents officiels**

Les partis politiques européens : les grands absents de la politique européenne

Articles de journaux

Can Historical Institutionalism Explain the Reforms of the Common Agricultural Policy?

Nicoleta Lășan*

Abstract. Historical institutionalism, one of the three variants of new institutionalism, has been largely employed by scholars to explain the development of one of the first policies developed at the European level, namely the Common Agricultural Policy (CAP). Due to historical institutionalism’s claim that policies tend to follow the path set at their creation, it is not surprising that it could easily account for the development of the CAP before 1990s since this was one of the most resistant policies set by the member states of the European Union. The main challenge for historical institutionalism is to explain the shifts that occurred in this policy due to the reforms agreed after 1990, reforms that are often mentioned in the literature as being crucial. The aim of this paper is to show that historical institutionalism can accommodate the 1992 and 2003 reforms of the Common Agricultural Policy, and from this we can infer that the changes needed to adapt this policy of the EU to the conditions of an ever enlarging Europe will take place slowly, if at all.

Keywords: European Union, Common Agricultural Policy (CAP), new institutionalism, historical institutionalism, path-dependence.

I. Introduction

New institutionalism is an approach that has been successfully applied in the latest decades to the study of the European Union, and this success in explaining the politics and processes that take place at the European level owes much to the fact that the European Union is “the most densely institutionalized international organization in the world, with a welter of intergovernmental and supranational institutions and a growing body of primary and secondary legislation”1.

Historical institutionalism, one of the three variants of new institutionalism, has largely been employed by scholars to explain the development of one of the first policies developed at the European level, namely the Common Agricultural Policy. Due to historical institutionalism’s claim that policies tend to follow the path set at their creation, it is not surprising that it could easily account for the development of the CAP before 1990s since this was one of the most resistant policies set by the member states of the European Union.

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The main challenge for historical institutionalism is to explain the shifts in this policy that occurred due to the reforms agreed after 1990, reforms that are often mentioned in the literature as being crucial. The aim of this paper is to show that historical institutionalism can accommodate the 1992 and 2003 reforms of the Common Agricultural Policy. One of the strategies is to employ the so-called “critical junctures” approach, which states that changes take place in policies due to exogenous shocks. As this approach has its limitations because both of the reforms were also a result of internal causes, Paul Pierson’s theory regarding the tendency to undertake only incremental changes seems to be more useful. The drawbacks of the reforms and their failure to address the major problems in what regards agricultural policy show that the path settled for the CAP in the 1950s still influences the way policy looks nowadays and constraint the decision taken by reformers.

The first part of the essay has the role of identifying the main assumptions of historical institutionalism, while the second part will try to figure out how these assumptions can be applied in the case of the 1992 and 2003 reforms of the CAP. The main conclusions that can be drawn from this analysis are the subject of the last part of this paper.

II. Historical institutionalism as theoretical approach to the study of the European Union

It is a well-known idea in the literature on new institutionalism that this approach does not constitute a unified body of thought, as three types of approaches which call themselves “new institutionalism” have developed in the late 1980s and in the beginning of the 1990s. The three approaches, namely rational choice institutionalism, historical institutionalism and sociological institutionalism, developed independently of each other and, most important, they paint quite different pictures of the world. This different view of the world that characterize the three types of new institutionalism is a consequence of the fact that each derives from different hypotheses, each has a different idea on what institutions should be analyzed, and each has its own research program and questions to be answered to in what regards the role of institutions. In spite of the differences between the three types of new institutionalism, one should not underestimate their common features. The most important link between them is their interest in seeking to elucidate the role that institutions play in determining the political outcomes.

The main claim of historical institutionalism is that political relationships have to be viewed over time. As Paul Pierson states, in contrast to the snapshot approach that most political scientists employ, placing politics in time can enrich our understanding of complex social dynamics and can give us a better explanation for the social outcomes. In other words, history is important because it creates the context which shapes the choices of actors.

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Institutions are defined by historical institutionalists in very broad terms as comprising both “formal and informal procedures, routines, norms and conventions embedded in the organizational structure of the polity or the political economy”\(^5\). In addition, it can be said that historical institutionalists take into account when talking about institutions the organizations and the rules promulgated by these organizations.

For a better understanding of the main concepts employed by historical institutionalists, an analysis of the main features of historical institutionalism as defined by Hall and Taylor will follow.

A. The first characteristic of historical institutionalism is its tendency to conceptualize the relationship between institutions and individual behaviour in rather broad terms. In fact, we can say historical institutionalists differ over the role that culture plays in institutional influence\(^6\), and thus we are confronted with two types of historical institutionalists, one camp writing from a “calculus” perspective and the other camp from a more “cultural” perspective. Therefore, the first camp is more close to the rational choice institutionalism, which sees institutions as being tools set by rational maximizing actors in order to solve the uncertainties that arise in any strategic interaction, while the second camp is more close to sociological institutionalism, which sees institutions as providing moral and cognitive templates for interpretation and action.

As Mark Pollack observes, the two camps make historical institutionalism a “theoretical big tent” which is capable of accommodating the insights of the rival rationalist and sociological institutionalists\(^7\). In general, historical institutionalists argue that not only the strategies but also the goals of the actors are shaped by the institutional context. Institutions can shape and constrain political strategies in important ways, being also the “outcome (conscious or unintended) of deliberate political strategies, of political conflict, and of choice”\(^8\).

B. The second feature of historical institutionalism is the prominent role given in such analyses to power and asymmetrical relations. Historical institutionalists have paid great attention to the way in which “institutions distribute power unevenly across social groups”\(^9\), making some groups better off than others, and thus having the capacity to shape institutions according to their preferences.

C. The third and probably the most important feature that characterizes historical institutionalism is its distinctive perspective on historical development, the so-called path-dependence perspective. Although there are many scholars writing from an historical institutionalist perspective, it is often mentioned in the literature that the concept of path-dependence has not been properly defined\(^10\), and most of the time scholars interpret it as meaning that history matters and that the choices made in the

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\(^5\) Peter Hall and Rosemary Taylor, *op. cit.*, p. 938.
\(^6\) Mark Aspinwall and Gerald Schneider, *op. cit.*, p. 11.
\(^7\) Mark A. Pollack, *op. cit.*, p. 139.
\(^9\) Peter Hall and Rosemary Taylor, *op. cit.*, p. 941.
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past influence the alternatives exiting in the present. James Mahoney\(^\text{11}\) has tried to explain the concept of path-dependence by stressing the main characteristics of any path-dependence analysis. The first characteristic is considered to be the fact that these analyses study the processes that are sensitive to events that took place in the early stages of a historical sequence. This means that events taking place at an earlier stage are much more important than later events, because earlier events constrain the options available at a later stage\(^\text{12}\). The second feature of path-dependence analyses is that early events are contingent, which implies that they can not be explained by theory. Inertia is considered to be the final characteristic of this type of analyses. In practice, this is understood as meaning that processes set into motion at a particular moment in time tend to stay in motion and to continue on the same path, thus reproducing themselves in time, even in the absence of the original conditions that made them possible. This process has also been termed “lock-in” by scholars as it suggests that actors get stuck in the institutional environment set in the past.

Paul Pierson\(^\text{13}\) is one of the historical institutionalists that tried to find the causes why the so called “gaps” appear between institutions on the one hand and the preferences of actors that set the institutions on the other hand, and why these gaps are difficult to close. The causes that he lists for the appearance of gaps are: the partial autonomy that institutions build up in time, the restricted time horizons in which political decision-makers act, unanticipated consequences of decisions taken in the past, and shifts in actors preferences in time. Moreover, not like in economy where the corrective mechanism such as learning and competition may close in time these gaps and eliminate path dependence, in politics these mechanisms do not function. Gaps are hard to close because of the resistance of supranational actors, institutional barriers to reform (meaning that institutions are sticky and often very difficult to reform), sunk costs and rising prices to exist from an institutional arrangement or a certain policy.

All these would make any observer believe that historical institutionalism actually offers explanations for continuity rather than change and certainly this is one of its main limits addressed in the literature\(^\text{14}\). But this is certainly not the case. Pierson analyzed the whole range of explanations for change that are present in the historical institutionalist literature\(^\text{15}\) and these can be summarized as being: the occurrence of critical junctures due to exogenous shocks which set the institutions on another path, the role of marginal groups in generating institutional change, the significance of overlapping processes and the role of institutional entrepreneurs. But at the same time, Pierson admitted that these attempts are rather unsuccessfully because they do not address the problem of when we should expect changes to occur and are generally derived from case-studies which cannot be always generalized\(^\text{16}\).

\(^{\text{11}}\) Ibid., p. 510-511.

\(^{\text{12}}\) Paul Pierson, Politics in Time. History, Institutions, and Social Analysis, p. 45.


\(^{\text{14}}\) Kathleen Thelen and Sven Steinmo, op. cit., p. 14.


\(^{\text{16}}\) Ibid., p. 139.
Despite this lack of theorizing the problem of changes in institutional settings, all historical institutionalists recognize that changes do occur, although we should expect them to be rather incremental and not radical. To use the words of Paul Pierson, “in institutions will generally be far from plastic, and when institutions have been in place for a long time most changes will be incremental”\(^{17}\).

The last feature of historical institutionalism is its recognition that although institutions are very important they are not the only causal force in politics. As Thelen and Steinmo assert “institutional analyses do not deny the broad political forces that animate various theories of politics. Instead they point to the ways institutions structure these battles and, in so doing, influence their outcomes”\(^{18}\).

Having established the theoretical assumptions of historical institutionalism, the next step is to analyze the way that these assumptions can accommodate the changes that took place in the Common Agricultural Policy due to the 1992 and 2003 reforms.

III. Can historical institutionalism explain the 1992 and 2003 reforms of the Common Agricultural Policy?

The Common Agricultural Policy has long been recognized as an ideal case study of a path dependent process\(^{19}\). A short overview of the setting of CAP and of the way in which it worked before the 1990s surely demonstrates that all the assumptions of historical institutionalism apply to this often considered special domain of European integration. Starting with the creation of CAP, although some scholars try to present the special features of agriculture as reasons for the emergence of CAP\(^{20}\), it cannot be denied that at the same time all states benefited and gained more or less by setting the CAP. It was not only a bargain between France and Germany, the former pushing for a CAP as a price for its participation in the industrial market, but also a need recognized by all member states\(^{21}\).

The objectives of the CAP settled in the Treaty of Rome are as follow: to increase agricultural productivity, to ensure a fair standard of living for the agricultural community, to stabilize markets, to assure the availability of supplies, to ensure that prices are reasonable. The principles that should govern the CAP were settled by member states in 1960 and these are: a single market with a system of fixed prices, community preference and joint financing. These objectives and principles are very important because a simple analysis of them over time demonstrates that they have constrained the strategies available to members for managing and reforming the CAP during the last decades. To give just one of the most obvious examples listed in the literature, the system of fixed prices, although thought to be at the beginning just a transition solution, became in time very difficult to replace with the system of direct payments to farmers.

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\(^{17}\) Ibid., p. 153.

\(^{18}\) Kathleen Thelen and Sven Steinmo, op. cit., p. 3.

\(^{19}\) Adrian Kay, “Path dependency and the CAP”, Journal of European Public Policy 10, no. 3 (June 2003): 408.


The second feature of historical institutionalism tells us that once a policy is being set it will induce some asymmetrical power relations between the actors that set them. The joint financing principle of CAP means in practice that there is a redistributive effect of the CAP and the reality is that some states are winning more than the others from this policy, making them reluctant to any changes in the system\(^{22}\). Moreover, CAP has empowered farmers\(^ {23}\) in the detriment of consumers, and the evolution of the CAP has shown that most of the time reforms took into account the interests of the former group rather than of the latter.

But probably the most significant feature that applies in the realm of agriculture at the EU level has been its resistance to significant changes before the 1990s and its tendency to path dependence. Although there could have been many incentives to reform CAP, to mentions just a few: the budgetary burden of the CAP, its inefficiency, its redistributive character, pressures from non-EU states to liberalize this domain, and environmental problems\(^ {24}\), all the reforms conducted before 1990 were minimal and did not affect the understanding of the principles and objectives of CAP. There were even failed attempts to reform the CAP, as the Mansholt plan dating from 1960s shows.

If historical institutionalism is comfortable when it comes to explaining the CAP before the 1990s, not the same can be said when analyzing the reforms conducted in 1992 and 2003 in the agricultural sector at the EU level. Although in between these two reforms it is situated the 1999 reform, this will not be the subject of our analysis as it is considered to have made little changes in the functioning of the CAP.

At the first glance it would seem impossible for historical institutionalists to account for the 1992 reforms and 2003 reforms of the Common Agricultural Policy, as these are considered by some scholars to be major shifts in the evolution of the CAP that have undermined all of the principles and arrangements that used to characterize this policy before 1990. The new track on which the CAP was settled due to these reforms can be said to have eliminated the historical institutionalism claim that once a path has been established it is difficult to change it even if the preferences of the actors change in time, as it becomes deeply embedded in the system. In addition, historical institutionalism has not developed a strong theory in what regards major shifts in a policy and on the other hand it can only accommodate incremental changes in policies.

The 1992 reform let aside the original rationale of CAP, namely the system of high guaranteed prices, leading to a dramatic decrease in the level of support given to farmers\(^ {25}\): a reduction of 30 percent for cereals and oilseeds crops and a reduction of 15 percent for beef. To compensate for this loss in revenues, proportional, direct payments were granted to farmers on the basis of the area of land cultivated and according to historical estimates of yields. Also a set-aside scheme was introduced and its aim was to compensate for


taking 15 percent of their land out of production. This reform is considered to be crucial because, as Adrian Kay correctly states\textsuperscript{26}, “the first substantial cuts in support prices in the history of the CAP” became a reality.

The other focus of our analysis, the 2003 reform of the CAP, continued on the same track set by the MacSharry reform and comprised: the introduction of the single farm payment for European farmers, independent from production and subject to compliance with environment, food safety, animal and plant health and animal welfare standards, as well as requirements to maintain the land in good agricultural and environmental condition\textsuperscript{27}. The price support system was thus replaced to a certain extent by direct payments decoupled from production but the idea of subsidizing farmers and protecting them from the market remained intact\textsuperscript{28}.

The first way for historical institutionalism to accommodate these changes would be to employ the “critical junctures theory” that views the development of a policy as a “punctuated equilibrium” path, which means that at certain times, due to exogenous factors, critical junctures set the policy on a new path which is then followed until a new critical juncture occurs. Both 1992 and 2003 reforms were in part a consequence of exogenous shocks, namely the critical stage of the Uruguay Round which began in 1986 under the auspices of GATT. This round for the first time included the agriculture as another domain for liberalization and the European Union was forced by the other states participating in these multilateral talks to change at least some of the features of CAP in order for a deal to be made. In the case of the 2003 reform, again external pressures, this time from the Doha Round, made some changes necessary.

Some scholars\textsuperscript{29} even see the 1992 reform as being a critical juncture in the evolution of the CAP, as it set the main instruments for reforming the CAP and thus constrained the future reform decisions. The decoupling of direct payments from production, concern for the environment and successive reduction in the fixed prices for some products are going to be from now on the main topics to be addressed in any reform of CAP. But the truth is that “critical junctures” approach has its limitations as other factors, this time internal to the EU system, were also important in deciding the initiation of these reforms.

The other way for historical institutionalism to explain the reforms of the CAP is to demonstrate that these have not been as radical as some scholars thought and that the path set at the beginning of this policy still influences a lot the way it looks nowadays. This strategy is, from my point of view, much more successful since these reforms had many drawbacks and have not put into question some of the most crucial problems encountered in the agricultural sector.

The first point to be emphasized from this perspective is the limited change that has been decided in comparison to the generous proposals made by the European Commission in what regards the 1992 and the 2003 reforms. It can be said that the member states have been willing to make just some limited changes that were crucial in maintaining the European Union in the international negotiations conducted at GATT level. Both in 1992

\textsuperscript{26} Adrian Kay, op. cit., p. 414.

\textsuperscript{27} Nicholas Moussis, Access to European Union law, economics, policies, 15\textsuperscript{th} edition, (European Study Service, 2006), p. 440.

\textsuperscript{28} Peter Nedergaard, op. cit., p. 213.

\textsuperscript{29} Adrian Kay, op. cit., p. 417.
and 2003 the Commission has proposed fundamental changes in the agricultural policy. As Eve Fouilleux states, in 1992 the Commission’s original proposal has largely been rewritten in order to accommodate the interests of all member states and for that reason “the outcome of the 1992 was not quite as innovative as it might have been”30. Moreover, the negotiations took no less than eighteen months, which demonstrates the reluctance to major changes in the system.

The same scenario could be seen in 2003, when negotiations took almost a year and in the end “the shift to direct payments was deferred until 2005, and states could apply for exceptions until 2007 to continue to subsidize production”31. This difficulty to reform the system can be attributed to the number of actors that had a saying in the reform, and in this regard the most important ones are the agricultural lobby groups. Furthermore, it has been pointed by scholars the reluctance of member states to give any substantial power to the European Parliament in the agricultural sector, the main powers to agree substantial legislation having been retained by the Council of Ministers32, one of the most conservative councils at the European level.

Looking more closely at the reforms it can be observed that only small reductions in the system of price support have been agreed on and these reductions applied only to some products. Moreover, it seems that the concerns for the farmers still retain much of the attention of reformers, this being demonstrated by the fact that even with the 2003 reform there was no plan to reduce the support given to the EU farming sector33, although the burden place by agriculture on the EU budget impeded other sectors which are more efficient to properly develop. This is the consequence of including the responsibility for farmers’ income in the Treaty of Rome, part of the constitutional setting of the EU, which is difficult now to change due to the unanimity requirement for any changes in the treaties. Thus, decisions taken some fifty years ago based on the conditions exiting at that time still constrain the options of the reformers.

European leaders have even tried to label the 2003 reform as a reform with less bureaucracy. But, as Peter Nedergaard explains, the reform did nothing about the paperwork that has to be done by farmers and about the number of officials that administrate the CAP. Quite the contrary, the need for farmers to comply with some safety and environmental requirements is complicating more the handling of payments from the CAP system34. The ‘cross-compliance’ principle will need an enormous system of surveillance to keep track with what is happening on the farm and to implement the reform as it was envisaged.

Furthermore, the unevenly distribution of payments within the agricultural sector remains not only in what concerns the distribution among member states but also between large and small farms. Although the shift to direct payments has improved transfer efficiency, large farms still receive most of the EU agricultural budget. The creation with the 2003 reform of a single agricultural support system has produced “an increase in

30 Eve Fouilleux, op. cit., p. 255.
31 Ian Bache and Stephen George, op. cit., p. 396.
32 Elmar Rieger, op. cit., p. 172.
33 Peter Nedergaard, op. cit., p. 218.
34 Ibid., p. 219.
social and economic inequalities, from which large farmers, with considerable political clout, have profited disproportionately.”

Another problem regards the implementation of the reforms of the CAP. Starting with the 1999 reform and more evident with the 2003 reform, member states have gained some powers in implementing the reforms. States have now not only several options on how to implement the new regime of decoupled income payments, but, as it was mentioned before, they can delay the implementation of the reforms if they consider it necessary. As Elmar Rieger notes, “because member governments decide themselves on the design of the environmental measures accompanying the new system of direct payments, there is no way that the Union - in the form of the Commission - will be able to allocate funds in the zones with the greatest agri-environmental problems and/or potential.” Not only did the Commission lose some of its powers in the implementation sector, but these areas where transferred under the responsibility of member states which can decide to do whatever is considered best for their national interests and not for the wellbeing of CAP.

There have already been doubts raised regarding the ‘greening’ of the CAP as the expected benefits from the reforms in the environmental sector, which is now one of the objectives of CAP, are not that obvious. Even with the so-called second pillar of the CAP, rural development, things are moving slowly as not many funds are allocated for it. This is just to demonstrate that reforms, even if they would have radical provisions, do not always succeed in attaining the objectives settled by the reformers. The reforms have been mostly incremental and this is exactly what historical institutionalism tells us about policies that are path-dependent.

IV. Conclusion

The CAP appears to have survived to major changes even if ten new members states, and from the 1st of January 2007 two other more, with farming sectors resembling those in Western Europe in the 1960s have joined the European Union. From the reluctance of member states we can see that CAP is a very highly politicized sector, in which reforms that are really radical are not likely to happen.

The analysis of the 1992 and 2003 reforms shows that the policy is likely to follow the path settled some fifty years ago and that the EU member states are reluctant to any changes that would radical change the CAP. This is because fifty years of practice in the agricultural realm cannot just be deleted from the memory of the member states and of the farmers. The reforms of the CAP can be seen as limited, constrained and incremental and this is exactly what historical institutionalists claim about institutions and policies that are path-dependent.

35 Elmar Rieger, op. cit., p. 166.
36 Ibid., p. 175.
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**Book Review** by Flavia Durach

**Abstract:** “The Schengen Exam. In Search of the European Public Sphere” focuses on the Romanian public sphere and its connectivity to European issues. The public sphere is interconnected to other essential processes, such as establishing legitimacy, public opinion formation, ensuring representation of all positions and opinions, collective identity formation, and deliberation processes. The author tests the viability of the concept of “Europeanized public spheres” in the particular context of the negotiations for Romania’s accession to the Schengen area of free movement. As result of a research project carried out between 10th of January and 22nd of March 2011 by The Centre of Research in Communication, at the Faculty of Communication and Public Relations (The National School of Administrative and Political Studies, Bucharest), the book addresses the following areas: the coverage of the Schengen subject in foreign mass-media, media coverage and framing in Romania, the public perception on the matter and the opinion of Romanian high profile actors involved in European affairs. Overall, the entire research indicates a predominantly local, national perspective when dealing with the Schengen affair, thus suggesting that the Romanian public sphere is largely disconnected, even isolated from EU trends.

**Keywords:** Schengen, Europeanization, Romania, public sphere, communication, democratic deficit

In its document “Communicating Europe in Partnership” (2007), the European Commission admitted that many political decisions with significant impact on European citizens’ lives are made in Brussels. As a direct consequence, communication about those policies must transcend national borders. The main goal of the Communication Policy of the European Union, as described in official documents (such as the one cited above), is to promote debate and dialogue on issues of common concern reflecting the European agenda, to strengthen an informed and genuine debate on European issues and to contribute the development of a “European public sphere”.

The emergence of a European public sphere represents not only a concern for the Commission, but also a new and challenging area of research at the crossroads of many fields: political sciences, communication, European integration and others. Alina Bârgăoanu’s latest book, “The Schengen Exam. In Search of the European Public Sphere” focuses on the Romanian public sphere and its connectivity to European

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issues. The relevance of such a subject lies in the role played by the public sphere in a supranational entity, such as the European Union. The public sphere is interconnected to other essential processes, such as establishing legitimacy, public opinion formation, ensuring representation of all positions and opinions, collective identity formation, and deliberation processes. Scholars suggest that the emergence of a European public sphere is essential for the European identity formation, with an emphasis on the role played by mass media in setting the agenda of discussions in the public sphere, as well as in organizing, selecting, publishing and providing interpretation of the pieces of information presented to the public.

Alina Bârgăoanu’s approach is both inspired and pragmatic: testing the viability of the concept of “Europeanized public spheres” in a particular context, that of the negotiations for Romania’s accession to the Schengen area of free movement. This was a hot issue for journalists, members of the government and the general public between the end of 2010 and the beginning of 2011, due to the letter signed and given to publicity on the 21st of December by the French and German Ministers of Internal Affairs. The two officials requested to the European Commission and the Belgian and Hungarian presidencies of the European Union a delay in Romania’s and Bulgaria’s accession to the Schengen area, which was intended for the year 2011.

The book “The Schengen Exam. In Search of the European Public Sphere” focuses on that particular moment and is the result of a research project carried out between 10th of January and 22nd of March 2011 by The Centre of Research in Communication, at the Faculty of Communication and Public Relations (The National School of Administrative and Political Studies, Bucharest). The research project addressed the following areas: the coverage of the Schengen subject in the mass-media from France, Germany, Great Britain, Bulgaria and Hungary, media coverage and framing in Romania (TV news, TV talk-shows and online articles published by the major news portals and news websites), the public perception on the matter and the opinion of ten Romanian high profile actors involved in European affairs.

The first section of the book creates the theoretical background against which to discuss the current state of the Romanian public sphere. The first chapter offers a thorough analysis of the various crises currently affecting the European Union at the moment. The author pays attention to the “Euro crisis”, which is considered to be not so much a crisis of the single currency as the most visible part of a series of weaknesses underlying the EU – be they economic, political or financial in nature. The second chapter addresses the subject of the European public sphere and the way in which it is influenced by the EU crisis. The concept of public sphere, as introduced by Jürgen Habermas, and its extension to the EU public sphere are presented in detail so as to create the premises for discussing other relevant phenomena at the EU level, such as public communication, communication deficit, democratic deficit, opinion formation, legitimacy and identity creation. Three theoretical models proposed in relation to the topic of public sphere are presented – the pan-European public sphere, the Europeanized national public spheres, and the European public sphere ad hoc, arising from common themes or concerns.

The research – whose results are presented in the second section of the book – is premised on the second theoretical model, that of Europeanised public spheres. The first research interest was to explore how visible the Schengen topic was in the international
press. 101 articles published between 21st December 2010 to 21st January 2011 in the French, German, British, Hungarian, and Bulgarian press were analysed, out of which 40 which were exclusively dedicated to the Schengen case. The analysis of the media sources in other member states has revealed a low interest in the Schengen affair. This topic was constantly placed in a modest position among the priorities of the international press. Most articles avoided supporting the point of view of one or another of the parties involved, and generally limited to display and frame the facts. Research into the coverage of the Schengen topic in Romanian mass media focused on issues such as visibility, prominence, and actors, using both quantitative and qualitative approaches. All prime-time news broadcast on the public television channel, TVR1, and on two private channels, Pro TV and Antena 1 (meaning 2,408 TV news) and all news dealing with the Schengen topic published on the news portals hotnews.ro and ziare.com and on gandul.info and adevarul.ro during the period 21st of December 2010 to 21st of January 2011 were content analysed, showing that the Schengen topic enjoyed little visibility on the media, with more visibility in the online media. The problem raised by postponing Romania’s accession to the Schengen Area was covered by the media in a national perspective, as an internal, rather than an EU affair. The European Union was seen both in the online news and the TV talk-shows as an instance punishing Romania. Both sources generally deployed a pessimistic tone, stating that Romania was guilty for its isolation in Europe, and that things were not going to improve for the Romanian population.

The public perception on Schengen’s accession was measured in a poll carried out from 14th to 19th of January 2011. Research has shown that the Schengen topic was perceived as a “remote” and rather “technical” topic, “something having to do with borders and free movement”. The problem of euro scepticism is further investigated in the book, resulting a standard description of euro sceptic trends. Alina Bârgăoanu makes an important amendment: the new found euro sceptic feelings are not necessarily the result of a disappointment, but could be the result of abandoning the initial euphoria which deemed the EU as “our saviour”.

Finally, the research included a series of interviews with 10 Romanian high-profile figures: Teodor Baconschi, (then) Minister of Foreign Affairs, Vasile Blaga, former Minister of Internal Affairs, Daniel Dăianu, former MEP, Gyorgy Frunda, president of the Juridical Commission of the Parliamentary Assembly of the Council of Europe, Teodor Meleşcanu, former Minister of External Affairs, Norica Nicolai, MEP, Leonard Orban, (then) Presidential Advisor on EU Affairs, Ioan Mircea Pașcu, MEP, Vasile Pușcaș, former negotiator for Romania’s accession to the European Union. Different from the opinion of the general public, the ten personalities interviewed considered the accession to the Schengen Area a measure for the “real” and deep integration within the EU. The reaction of the Romanian officials to the proposal to postpone the accession is deemed fair and justified by the representatives of the government, and emotional or utterly wrong by the representatives of opposition. There is a common point in the interviews – the solidarity that a major European affair such as the Schengen case asks for.

Overall, the entire research indicates a predominantly local, national perspective when dealing with the Schengen affair, thus suggesting that the Romanian public sphere is largely disconnected, even isolated from EU trends. The author underlines that, if we consider Romania’s accession to Schengen to be the most important exam since the
accession to the EU as such, it is a failed examen, at least in terms of Europeanization. The Schengen affair was merely a rhetoric reference, against which to debate strictly internal affairs.

“The Schengen Exam. In Search of the European Public Sphere” is a challenging work not only for scholars in the fields of political studies, European affairs and communication sciences, but also for the general public. Alina Bârgăoanu’s book represents a thought-provoking case study, depicting the Romanian perspective on the European Union, but it does not provide ultimate answers. It is up to the vigilant reader to meditate on the emergence of a European public sphere (or of the Europeanized national public spheres) and to imagine the future of the European Union in a global world.

About the author of the book:

Alina Bârgăoanu is a professor and PhD advisor at the National School for Political Studies and Public Administration, Faculty of Communication and Public Relations. Her areas of interest and expertise are EU Communication, EU Public Sphere, EU Regional and Cohesion Policy, management of EU-funded projects. She has authored, co-authored or edited 9 books and has written more than 30 articles on the European public sphere, EU communication and the euro zone crisis, the communication campaigns for the EU-funded projects, mass media and society, EU Regional and Cohesion Policy.
Rien ne se crée sans les hommes. Rien ne dure sans les institutions.

Jean Monnet