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Sabancı University hosts MAXCAP's Midterm Conference and Young Researchers Workshop

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## Editorial

Dear friends and colleagues,

In April 2015, two years after MAXCAP's kick-off conference in Berlin, our consortium met again in Istanbul for two MAXCAP milestones: the Midterm Conference and the Young Researchers Workshop.

Hosted by MAXCAP partner Sabancı University, the Midterm Conference aimed at presenting our current state of research on the integration capacity of the European Union. MAXCAP scholars, policy-makers, civil society representatives as well as "friends of MAXCAP" discussed interim research results as well as lessons learned so far. The good news from our MAXCAP research is that in contrast to wide-spread expectations before 2004, decision-making and legislative output in the European Union have not been negatively affected by the Eastern enlargement of 2004-2007. Further, the EU has contributed to economic recovery and diversification and upgrading of production in the member states from Central and Eastern Europe (CEE) in the pre-accession period. Our research on how citizens perceived enlargement showed that due to the high expectations citizens in the new member states had of their countries' accession, the positive effects are not always appreciated. Some citizens in older member states perceive their economic position to be threatened by the free movement of labour in the EU after transition restrictions have passed. Yet others see the value of enlargement in the rules and institutions promoted by the EU and would like to see the EU as a community of rules. Some less encouraging news from our MAXCAP research is that political change in the member states from Central and Eastern Europe is not locked in. The EU's tools and strategies to promote political integration and better governance have not constrained backsliding in CEE member states. Economically, the EU currently lacks strategies and mechanisms to overcome persisting competitive asymmetries among the EU28 in the post-accession period. A policy brief summarizing these and other key findings and the policy recommendations that follow from them is in the pipeline and will soon be published on our website.



Prof. Tanja A. Börzel



Dr. Antoaneta Dimitrova

Just before MAXCAP's Midterm Conference started Sabancı University welcomed PhD students and young researchers to its Young Researchers Workshop. The workshop with its focus on EU related issues provided a platform for PhD students and young researchers with various research traditions and backgrounds to present and discuss their research. Combined with training sessions by MAXCAP scholars, the workshop was a great success. We have shared developments in the conference and the young scholars workshop via social media and especially twitter and we invite our friends to follow AXCAP also in the future.

As part of our efforts to disseminate our findings as widely and openly as possible, a great number of our completed deliverables have been published as working papers. We are proud to announce the publication of seven new papers in our MAXCAP Working Paper Series! Abstracts of all papers form part of this issue. For access to our MAXCAP Working Papers Series, please visit our website ([www.maxcap-project.eu](http://www.maxcap-project.eu)).

As work under MAXCAP progresses further, we are aware of the challenges the European Union is facing in its Eastern neighbourhood. The MAXCAP team follows closely the review of the European Neighbourhood Policy. We contributed actively to this process with a policy brief that is based on our findings and lessons and which will be published soon on our website. This is an expression of our commitment to high quality academic research, critically assessing and supporting policy development. We are happy that the network of colleagues who share our interests and MAXCAP themes has been growing in the last years.

Have a nice summer and stay in touch!

Tanja A. Börzel  
Project coordinator

Antoaneta Dimitrova  
Project co-coordinator

**MAXCAP in Istanbul**

# “MAXCAP in Istanbul - Two Years after Berlin: EU Integration Capacity - Past, Present and Future”

*Elitsa Kortenska and Bidzina Lebanidze*

In April 2015 the MAXCAP consortium entered the third and final year of the project's life-span. On the occasion, Sabancı University hosted over 50 guests – experts, policy-makers and scholars – in Istanbul, Turkey for an entire week of events, among them two MAXCAP milestones: the Midterm Conference and the Young Researchers Workshop (20 – 23 April). On 20 – 21 April the Young Researchers Workshop gave the young generation of MAXCAP academics the opportunity to discuss their work with peers and leading scholars of European integration. At the project's Midterm Conference, MAXCAP scholars, policy-makers, civil society representatives and practitioners as well as friends of MAXCAP discussed their research progress, the interim results of MAXCAP partners as well as the upcoming steps and challenges until the end of the project in 2016 and beyond. The week concluded with a Public Round Table at *The Seed*, located at Sabancı Museum, on the shore of the Bosphorus, to highlight and open for public debate the most intriguing and insightful conclusions of the Midterm Conference. The following reports provide a peek into the discussions, findings and conclusions of the three events.

## “Report: MAXCAP Young Researchers Workshop (20 - 21 April 2015)”

On 20 – 21 April, MAXCAP partner Sabancı University hosted the Young Researchers Workshop to warm-up PhD Candidates and leading European integration scholars for the MAXCAP Midterm Conference in Istanbul and a whole week of MAXCAP events.

The workshop took place at the Sabancı University Campus and included both training sessions by senior scholars who shared scientific excellence practices and paper panels in which junior scholars discussed their own work and research experience.



Presentation at the Young Researchers Workshop

**On the first day** of the workshop, **Brooke Luetgert** (Sabançi University) opened the workshop with the first training session, centered on the use of mixed methods approaches in European integration studies. **Luetgert** outlined the advantages and disadvantages of using either qualitative methods or quantitative methods on their own and the methodological tensions between researchers from the two research traditions. According to Luetgert, the long lasting disagreements between ‘qualies’ versus ‘quanties’ can be solved by applying mixed methods approaches, as they balance out the weaknesses of both methods.

The afternoon continued with the first paper panel on the topics of public opinion and discourses on EU enlargement in EU member states and candidates and the EU’s democratization approaches in candidate countries. First, **Osman Zeki Gokce** (Sabançi University) presented the joint research of an interdisciplinary team of social and computer science scholars at Sabançi University under a broader project titled: “Identifying Policy Opinion Shapers and Trends in Turkey”. The study analyzes Twitter content data for over 10 million Turkish users to reveal the structure and content of their online political debates. This allowed the team to identify online opinion leaders who have a great impact on the political debates.

**Elitsa Kortenska** (Leiden University) continued the ‘quanties’ vs ‘qualies’ discussion and argued for the strengths of an alternative approach – the Q method – to exploring political discourses among citizens. Kortenska addressed the conceptual differences between the phenomena of public opinion and political discourse and referred to scholarly debates dating back to the invention of respective research instruments. Kortenska pointed out that Q methodology allows the investigation of discourses among citizens on EU enlargement in a statistically sound and replicable manner. It starts with the individual subjective views and ends with Q factor analyses to arrive at shared viewpoints and understandings among citizens.

**Emre Hatipoglu** (Sabançi University) underlined the added value of the truly bottom-up foundations of Q methodology for identifying the grass-roots of popular narrations: their origins and diffusion in the public. In his view both the twitter and Q studies of discourses demonstrate the challenge to identify the core of political discourses among citizens. **Anna Plachkova** (Sofia University) then concluded the panel with an extensive literature review of the EU’s power (or the lack thereof) to promote democratic development in candidate countries and member states. She focused on the question why EU policy for democratization that had proved successful for years now seemed to fail as Central and Eastern European countries are already full members of the EU and new candidates wait in line for EU membership.

In the second panel chaired by **Meltem Müftüler-Baç** (Sabançi University), participants centered on topics of Europeanization and harmonization in the EU’s external relations along various policy areas. First, **Damla Cihangir-Tetik** (Sabançi University) presented her work on developmental policies of the EU and Turkey. She argued that the evolution of Turkey’s development assistance policies reflected the country’s foreign policy objectives and strategic interests. She proposed three main indicators for the convergence between the EU’s and Turkey’s development policies: a) Turkey’s increasing involvement in global development networks using normative instruments in foreign policy; b) Turkey’s increasing contribution to global development commitments; and c) increasing cooperation of Turkey’s government with Turkish business groups and NGOs.

Right after this, **Rahime Suleymanoglu-Kirim** (Suleyman Sah University) continued with her comparative study of the Europeanization of national foreign policies in Poland, FYR Macedonia and Ukraine. Suleymanoglu-Kirim argued that a membership perspective remains the strongest instrument for triggering harmonization in candidate countries, as the case of Poland shows prior to 2004 accession. However, the lack of EU engagement with and incentives for Ukraine after the Orange revolution has limited EU impact on Ukraine’s foreign policy. Finally, **Bidzina Lebanidze** (Freie Universität Berlin) discussed how and why the EU democracy promotion agenda has failed in the Eastern Partnership countries (EaP) and even more so after the adoption of the European Neighbourhood Policy (ENP) in the post-soviet countries. Lebanidze blamed the inconsistent application of political conditionality by the EU for the lack of democratization in the EaP countries.



**The second day** started with a session devoted to the EU enlargement process and its role in the Balkans. **Simonida Kacarska** (European Policy Institute in Skopje) talked about the evolution of EU conditionality in the non-acquis areas of the EU accession process, focusing on national minority policies. By using the example of Croatia's accession negotiations, Kacarska examined the role of new instruments such as chapter 23 in the EU negotiations dealing with judiciary and fundamental rights. **Biljana Stojanoska** (Balkan Civil Society Development Network) presented a joint research proposal with Elitsa Kortenska on social acceptance of the enlargement process in the Western Balkans as identified in the Q studies in Serbia and FYR Macedonia. **Sean Parramore** (Queen Mary University of London) finally concluded the panel with insights from the EU anticorruption strategy in the Western Balkans. Parramore stressed the absence of an "anti-corruption acquis" as a constraining factor for the EU anticorruption strategy which remained focused on "inducing change from above by supporting improvements of anticorruption frameworks and track records rather than recognizing and supporting sector-level change processes".

The ensuing session, chaired by **Dimitër Toshkov** (Leiden University), discussed Europeanization tools and convergence in various policy areas. **Ipek Demirsu** (Sabançi University) started the session by discussing the role of the EU in the legislative process of Turkey. Her research has clearly shown how the estrangement to the EU membership bid has reversed the democratization of security policies and has brought democratic aspiration to a halt. **Emre Bayram** (European University Institute) continued the discussion about the impact of the EU on domestic change in Turkey by focusing on the Turkish automotive sector. He demonstrated the genuine transformation and consequently the positive effects on the Turkish automotive sector as a result of the EU's impact on Turkey's foreign trade and domestic production. At the same time, similarly to the securitization policy, the recent "decline in Turkey's appetite for EU integration" has also been accompanied by negative developments in the local automotive industry. The session was concluded by **Cora Lacatus** (London School of Economics and Political Science). Lacatus presented her work on the institutional design of human rights institutions at the national level. She proposed several hypotheses about the strength of national human rights institutions based on insights from institutional theories. Among other factors, Lacatus identified 1) strong conditionality by the IO's; 2) presence of an "early adopter" country in the region and 3) being a "new democracy" as decisive for building national human rights institutions.

The presentations by PhD researchers were followed by two special sessions on methodological issues. **Arzu Kibris** (Sabançi University) shared her knowledge on game theoretical analysis about EU enlargement. **Dimitër Toshkov** (Leiden University) concluded the workshop by discussing general methodological issues on explanations, causality, and design-based inference in political science.

## "Report: **MAXCAP Midterm Conference** (22 - 23 April 2015)"

**The first day** of the conference started with a session devoted to the modes of integration and their effects on governance in the EU. **Tanja Börzel** (Freie Universität Berlin) opened the conference with her presentation focused on the political dimension of EU integration modes and the effects on state building and the rule of law. Börzel briefly outlined the development of EU modes of political integration. She argued that these evolved "through an incremental process of 'learning by doing' rather than a great master plan", and have travelled from the African, Caribbean and Pacific Group of States (ACP) to the Eastern enlargement process and further to the ENP. She identified the scope conditions for the EU's success in supporting the democratic-institutional change in candidate and neighbourhood countries. Next, **Adam Fagan** (Queen Mary University of London) demonstrated the EU's role in driving judiciary reforms in

Western Balkan countries. Fagan retraced the evolution of the EU strategy in the area of judiciary and the rule of law in the Balkan countries over time. Lessons learnt from previous enlargement rounds included, in his view, “greater emphasis on supporting change in practice, rather than just legal compliance”, improved dialogue mechanisms with local actors, and inclusion of non-state actors in the reform process.

“The lessons learnt from previous accessions have led to a new approach that prioritizes the rule of law in the integration process as being the foundation on which all other reforms are then built.”

*Adam Fagan*

**Julia Langbein** (Freie Universität Berlin) and **Visnja Vukov** (European University Institute) presented their joint research with **László Bruszt**, **Emre Bayram** and **Olga Markiewicz** (all European University Institute). They found that the EU pursues different goals and means for the management of economic integration in the context of enlargement and the ENP. These diverse EU modes of integration create different constraints and opportunities for domestic actors to shape developmental pathways of local industries. In the context of Eastern enlargement (Romania and Poland) the EU combined trade liberalization with more encompassing regulatory integration in a large number of interlinked policy fields that extends to the transformation of economic state capacities. By doing so, the EU fostered convergence between countries characterized by different starting conditions regarding state capacities. By contrast, in the case of Turkey and Ukraine the EU has so far combined trade liberalization with selective rule adoption and limited assistance. Economic state capacities in Turkey have been sufficiently strong to anticipate and alleviate potential negative externalities of trade integration. By contrast, due to Ukraine’s weak economic state capacities to mitigate the costs of trade integration with the EU, domestic resistance to further integration is likely to increase once citizens realize they cannot count on encompassing EU support for tolerating present economic hardships.

The second panel discussed the impact of enlargement on the EU’s internal integration capacity. The panelists concluded that public opinion in the EU has become increasingly skeptical of further enlargement. In the opening presentation, **Dimiter Toshkov** (Leiden University) demonstrated convincing evidence that the political system of the EU has not suffered from the enlargement rounds, yet the public opinion has grown increasingly hostile towards the further enlargement of the Union. Further, **Asya Zhelyazkova** (Eidgenössische Hochschule Zürich) presented research conducted by a group of MAXCAP partners about effects of enlargement on the EU’s legal system. The team’s empirical analyses generally confirmed that enlargement had not resulted in weakening of the EU’s legal system. The panel continued with the presentation by **Ulrich Sedelmeier** (London School of Economics and Political Science) who described his research on exploring the gap between formal and behavioural compliance in the EU’s post-communist new member states. Finally, **Georgi Dimitrov** and **Stoycho Stoychev** (both Sofia University) explored the analytical tools for measuring social-political distances between EU member states and membership candidates.

“[W]e can be pretty confident that accession has not had a major negative effect on the decision-making capacity of the EU.”

*Dimiter Toshkov*

The next session focused on the developmental effects of European integration. **László Bruszt** presented his joint work with **Zsuzsa Munkacsi** (both European University Institute). Bruszt talked about the relationship “between meeting EU economic conditionality and developmental outcomes”. He presented the first results of an innovative econometric analysis on the relationship between the regulatory integration and the different socioeconomic convergences. According to Bruszt the enlargement process was a unique and multidimensional process in the course of which the EU employed all possible policy paradigms of economic transformation at the same time, such as the “Washington Consensus”,

the “post-Washington Consensus” and the “Brussels Consensus”. **Isik Ozel** (Sabañçi University) focused on the regulatory harmonization in the context of the ENP, which remained “fairly limited” in the neighbourhood countries due to both domestic and external factors. Next, **Brooke Luetgert** (Sabañçi University) analyzed a fifteen-year trend in patterns of enforcement of the EU law across 15 member states. Results showed that institutional factors, legitimacy concerns and public awareness have accounted for the variation across both member states and policy areas. The session was concluded by **Antoaneta Dimitrova** (Leiden University) who further explored the lessons learnt on promotion of the rule of law in Bulgaria and Romania. Dimitrova argued that the EU’s efforts in promoting rule of law and anticorruption measures have shown mixed results. She then argued that EU success in this area is conditioned by intervening domestic factors.

In the last panel of the day **Meltem Müftüler-Baç** (Sabañçi University) and a group of scholars from Queen Mary University of London discussed different aspects of EU conditionality in candidate and potential candidate countries. Müftüler-Baç reviewed the evolution of Turkey’s accession process over the last decade and the declining impact of EU accession conditionality on political changes in Turkey. The panel was concluded by **Eli Gateva** (Queen Mary University of London) who discussed the unexpected consequences of the Cooperation and Verification Mechanism (CVM) for EU governance. She touched different aspects of the evolution of the CVM in Romania and Bulgaria, and compared it to the other EU instruments such as the EU Justice Scoreboard and the EU Anticorruption report.

**The second day** included three lively, thought-provoking panels presenting and discussing MAXCAP’s findings. The morning began with a panel dedicated to public opinion on the one hand, and findings of six studies of national discourses on EU enlargement among citizens on the other. First, **Emre Hatipoglu** (Sabañçi University) presented multi-level analyses of EU28 opinion towards accession of Turkey. The political ideology of domestic governments and the share of Turkish immigrants appear most significant amongst other individual and national level factors for explaining the variation in public support for Turkey’s accession across EU member states. Next, **Antoaneta Dimitrova**, MAXCAP co-coordinator, **Bernard Steunenberg** and **Elitsa Kortenska** (all Leiden University) presented the discourses on EU enlargement among citizens within Germany, The Netherlands, Poland, Bulgaria, Serbia and FYR Macedonia, which they found using the Q method, and further put them in comparative perspective.



Participants of MAXCAP’s Midterm Conference

**Antoaneta Dimitrova** summarized the discourses found within each country emphasizing the arguments, emotions, positions, and perceptions they contain. Most notably, she highlighted the surprisingly positive attitudes towards enlargement contained in a number of discourses.

Building on the team's within-country findings, **Bernard Steunenber** continued with a cross-country comparison of the discourses among citizens. He moved up the level of abstraction to present meta-analyses of the findings which reveal the core common arguments and outline the cleavages.

In the second panel, **Meltem Müftüler-Baç**, **Arzu Kibris** (both Sabancı University) and **Georgi Dimitrov** (Sofia University) focused on the previous and current design of the EU enlargement process regarding the strategies and negotiations dynamics. First, Georgi Dimitrov discussed the failure of the EU's approach and the Cooperation and Verification Mechanism adopted for Bulgaria as well as the failure of domestic political actors to achieve successful judicial reforms and strengthen rule of law. Meltem Müftüler-Baç presented a co-authored working paper with **Aylin Ece Çiçek** (Sabancı University) that compares Bulgaria's experience in the EU accession negotiations to the Turkish experience. The authors find that Bulgaria indeed performed better than Turkey along the political criteria, but the role of EU member states as 'veto' players in the Turkish case is much more visible. Kibris concluded the panel with a complex game theoretic analysis of the accession negotiations to predict the ultimate outcome of the EU enlargement games and the role of limited information in negotiations.

After lunch, **Frank Schimmelfennig** (Eidgenössische Hochschule Zürich), **Pierre Mirel**, former Director of DG Enlargement, and **Heather Grabbe** (Open Society European Policy Institute), who is a member of the MAXCAP advisory board, reflected on the lessons learnt, as well as limits of and prospects for EU enlargement. Schimmelfennig started with a synthesis of the interim research findings of MAXCAP's partners, which had been presented throughout the two conference days. He addressed strong criticism towards a statement made by the President of the European Commission, Jean-Claude Juncker, declaring that enlargement will not take place in the next five years. The MAXCAP results back up Schimmelfennig's criticism. The previous day panels had revealed that there is "no systematic negative impact on decision-making capacity, or the uniformity and strength of EU law, or on compliance or on further integration – widening or deepening". This in his view needs to be strongly communicated to both political leaders and citizens. Related to this is the public mood across Europe, in Schimmelfennig's view. Even though public support is indeed eroding, there is huge variation among countries. This was also made evident in the discourses revealed earlier.

**"Juncker wanted to send a signal by stating that enlargement will not take place in the next five years, but this signal is based on wrong assumptions, so it is actually the wrong signal."**

*Frank Schimmelfennig*

The highlight of the conference was the contribution of **Pierre Mirel**, former Director of DG Enlargement units for various countries in Central and Eastern Europe, the Western Balkans and Turkey starting from 1993 up until 2013. Mirel elaborated on his perspective of the major lessons that scholars, practitioners and politicians could draw from the 'big bang enlargement'. He viewed the Balkan experience as evidence that "when short term political gains, privileges and state capture are given preference over expected EU membership long term benefits, EU power cannot be effective". In his view, the current candidates' accession process underlines once again the uniqueness of the 5th enlargement round of 2004–2007. The latter, Mirel argued, was successful due to "first and foremost the wide societal consensus and the strong political determination to undertake the reforms rapidly, at any short term cost". The EU's effectiveness in the Western Balkans however is reduced by the 'double sovereignty paradox'. Namely, the EU facilitates the building of newly born sovereign states, while at the same time their further EU integration and EU membership demands the transfer of national sovereignty and competences. Mirel further touched upon in-



creasingly complex geopolitical issues. The EU, he argued, is undergoing both its “biggest crisis ever” and “a deep economic and societal mutation”, while it “does not possess ‘hard power’ to back up its soft one”.

**“The EU does not have geopolitics in its DNA.”**

*Pierre Mirel*

**Heather Grabbe** emphasized that Schimmelfennig’s synthesis illustrates the power of the MAXCAP consortium’s empirical findings that “had busted all myths about enlargement”. She found even more worrisome the comment of Jean-Claude Juncker because it demonstrated “a completely outdated understanding of federalism [...] which is stuck somewhere between Maastricht and Amsterdam”. She viewed looking into the enlargement process from 2004 until now as a huge difficulty due to the massive transformations and new additional factors that currently intervene in the enlargement process. Grabbe further agreed with Mirel that enlargement is a proxy for the debate about European integration altogether.

## **“Report: Public Round Table at *The Seed*, Sabançi Museum (23 April 2015)”**

MAXCAP’s Midterm Conference concluded with a public round table led by **Meltem Müftüler-Baç** (Sabançi University) at *The Seed*, Sabançi Museum. Scholars, policy-makers, civil society representatives and the general public discussed the conclusions and policy implications of the interim scientific results.

**Tanja Börzel** (Freie Universität Berlin) emphasized that MAXCAP findings evidenced

the positive effects of enlargement, but argued that these remain unrecognized among officials, politicians and the European public. The first major conclusion she drew was that the future dynamic of EU enlargement will depend on a change in the publics’ and elites’ opinions on European integration and the recognition of the positive impact of enlargement. The bad news is, in Börzel’s view, that “the integration capacity of the EU is weakened by the failure to achieve economic and social cohesion between the East and West”. The financial and economic crisis that swept Europe overshadowed and almost diminished any positive effect the 5th enlargement has had. This has resulted in a common misperception that the EU had suffered from enlargement, while MAXCAP findings largely refute this claim.



Round Table at *The Seed*, Sabançi Museum

**“Enlargement has not done any damage to the integration capacity of the EU.”**

*Tanja Börzel*

**Antoaneta Dimitrova** (Leiden University) insisted on the importance of democratic consolidation and deliberation, and the inclusion of the public in the decision-making process for improving the future prospects of enlargement policy. She appealed for allowing the European citizens a voice in the process of enlargement. This, in her view, could bring new energy and driving force for enlargement, given that political elites seemingly refuse to lead the process in the future. “We should find ways to use structural funds and various funding in more flexible ways – with scholarships and exchange, we have to keep those [EU member states’] borders open even when politicians do not want to”. She stressed that citizens are disappointed of enlargement rather than opposed to it. Further, Dimitrova stressed that MAXCAP’s research findings show that ordinary citizens are capable of making well reasoned judgements on the enlargement of the EU.

“Without renewed attention for democracy, the EU would let the citizens of the new member states down, because the good governance they expected is not yet there. What people wanted from enlargement was democracy and good governance, rule of law, accountable leaders, consistency, and impersonal rules as results of the accession process. That is a reasonable demand.”

*Antoaneta Dimitrova*

**Pierre Mirel** talked about the motivations of the EU to enlarge and of European countries to aim at EU membership from his perspective as a former EU official. He stressed a single and very simple answer as to why even Turkey should consider EU membership. The answer boiled down to the fact that “enlargement is at the heart of the European project as peace and stability are natural for the European Union”. Most importantly, in his view, the positive effects of enlargement illustrate that the EU has continued to symbolize peace and stability, as evidenced by the consortium results so far, however “because the EU has not continued to bring prosperity, it has faced a fatigue”. Yet, this is not an ‘enlargement fatigue’, but an ‘EU fatigue’, which puts in question the European project as such.

**Milada Vachudova** (University of North Carolina at Chapel Hill) argued that the EU has failed to fight ‘state capture’ in candidate countries, both in CEE and the Western Balkans. Such state capture, strongly evidenced in the Western Balkans, could seriously impede the process of European integration in the future. She concluded by highlighting that in order for conditionality “to be credible, you have to start it when the candidates are willing” and that “it is not that the EU does not have the will, it is that candidates lack the political will for it.”

**Tanja Hafner-Ademi** (Balkan Civil Society Development Network) emphasized the role of civil society in candidate countries in the Western Balkans and addressed the major difficulties they face within the domestic and regional realities. She claimed that “the EU has the tools to work with the professional civil society, but not with the citizens, the civic activities [...] It has not tried to support small actors, grassroots, and this should be considered.” The lack of legislative instruments to support civil society in candidate countries was a major point of Hafner-Ademi’s commentary and the following Q&A discussion.

In conclusion, **Zoltán Krasznai**, MAXCAP Project Officer, evaluated the scientific achievements since the start of MAXCAP, the challenges ahead of the academics and the significance of utilizing the results to reach out to various stakeholders. He highlighted that the MAXCAP research consortium proves to be a “healthy research project, with a lot of internal debates and criticisms which shows that it was not constructed with answers already in the pocket”.

## “Impressions from a MAXCAP Partner”

*Aylin Ece Çiçek*

As a PhD student and participant in the MAXCAP FP7 project, both the Young Researchers Workshop and MAXCAP Midterm Conference have been of invaluable experience. The scope and range of the topics discussed have provided alternative views to tackle various aspects of issues related to EU enlargement. The presentations in the Young Researchers Workshop were aimed to assist PhD students by introducing the importance of mixed methods as well as bridging the gap between methods and empirics - an area of inquiry that is majorly overlooked, especially in EU studies. Arzu Kibris and Brooke Luetgert went to great lengths to demonstrate the importance of utilizing multiple methods in specific EU-related research questions as well as emphasizing how such an approach could advance our works. In addition, the chance to listen to our peers - other PhD students - in their research activities and to receive comments from established scholars on these activities was very much appreciated.

Our experiences during the MAXCAP Midterm Conference were equally profound. Being able to listen to and observe the presentations and works of a collection of prominent and distinguished scholars of European studies was one of the highlights of my academic career up to this point. Not only were the presentations carefully thought out but the authors demonstrated research in maximum detail. For students such as myself, it is of critical importance to see the evolution of research and the Midterm Conference was a great platform to observe the phenomenon first hand. Last but not least, the MAXCAP project provided a safe ground for debate and the exchange of ideas for us junior scholars. We were able to interact with distinguished colleagues, ask them questions and receive sound advice not solely related to the academic sphere but encompassing policy as well. Therefore, both the Young Researchers and Midterm Conference have been an excellent opportunity for students just starting their careers.

## “Impressions from a Friend of MAXCAP”

*Graeme Crouch, PhD Candidate, University of Victoria*

In April of this year I had the opportunity to attend MAXCAP’s Midterm Conference in Istanbul as a “friend of MAXCAP”, one organizer put it. I was left intellectually stimulated by the discussions and inspired to analyze new facets of my own research. Three impressions really stood out to me. First, the quality of participants, papers, and interaction was unlike anything I had experienced as a scholar of European integration. In a room composed of some of the foremost minds in European and EU studies, each MAXCAP partner presented their work on a range of subjects from Turkish transportation policy, and discourse and public opinion analysis using Q-methodology, to decoupling, and the outcomes of EU conditionality and enlargement. Discussions with the audience were productive, at times lively, continuing well into the organized breaks and superb dining events. I was also delighted to see the inclusion of practitioners as well as academics. Pierre Mirel, Zoltán Krasznai, Heather Grabbe, and Tanja Hafner-Ademi contributed frequently to discussions and provided unique perspectives on many of the topics discussed. Lastly, I must not overlook the Young Researchers Workshop that was organized prior to the main conference, involving primarily graduate students and junior scholars of MAXCAP partners. I found this event particularly valuable because it gave junior scholars the opportunity to share their research, but more importantly because it promoted communication and networking, so critical at this juncture of our careers.

# “Panel Discussion: Fighting Corruption in the Western Balkans: The role of the Instrument for Pre-accession Assistance (IPA) (5 June 2015)”

*Adam Fagan and Indraneel Sircar*

Queen Mary University of London (QMUL) and the European Commission Directorate-General for Neighbourhood and Enlargement Negotiations (DG NEAR) co-hosted a panel discussion on the role of the EU Instrument for Pre-accession Assistance (IPA) in the fight against corruption and organized crime in the Western Balkans. The panel discussion was attended by officials from the European Commission, the British Foreign Office, Western Balkan embassies in London, UK-based academicians with expertise on the region, and other individuals with a professional interest in the region.

**Adam Fagan** (QMUL / LSE), co-investigator in the MAXCAP project, moderated the discussion and introduced the challenges faced by the EU in triggering improvements in the rule of law in the Western Balkans, against the backdrop of endemic corruption and a lack of political will.

**Henk Visser** (DG NEAR) started his presentation by underlining the importance of tackling corruption in the Western Balkans, since corruption is linked to organized crime and terrorism. Visser highlighted the crucial role of civil society organisations (CSOs) in: shaping policies; monitoring implementation; and raising awareness about the detrimental effects of corruption. To this end, IPA has provided extensive CSO project support, as well as technical assistance for law enforcement and prosecutors.



The panel

**Christopher Will** (GIZ) spoke about a regional IPA project to strengthen international criminal justice co-operation via a network of prosecutors across the Western Balkans. Will first highlighted the scale of drug and human trafficking in the Western Balkans and its links with the rest of Europe. As an example of one of the outcomes of the project, creating cross-border Joint Investigation Teams led to the confiscation of a sizeable quantity of heroin, marijuana, cocaine, and cutting agents.

**Jan-Hinrik Meyer-Sahling** (University of Nottingham) concluded the session by presenting initial results of research on the effect of working on EU issues by Western Balkan civil servants in changing procedures and practices. Meyer-Sahling found that working on EU issues on a day-to-day basis enhanced implementation of integrity procedures and promotes adherence to the rule of law.

The ensuing question-and-answer session addressed the challenges and possible ways forward in refining EU assistance in the fight against corruption and organized crime. The discussion provided an excellent opportunity for participants to become familiar with IPA and to discuss the impact of EU programmes aiming to improve the rule of law in the Western Balkans.



## Recent MAXCAP Working Papers

All MAXCAP Working Paper may be downloaded [here](#).

### Working Paper No. 5

#### **The Effects of the Eastern Enlargement on the Decision-Making Capacity of the European Union**

*Dimitar Toshkov - March 2015*

**Abstract:** This paper investigates the impact of the Eastern enlargement on the decision-making capacity of the European Union. On the basis of new data on the number and types of legal acts produced by the EU (1994-2014) and on the time between the proposal and adoption of legislative acts (1994-2012), the paper argues that enlargement has had a rather limited impact on legislative production and duration, and that it is extremely hard to disentangle this impact from other contemporaneous institutional and socio-economic developments. On the basis of analyses of expert-based country positions in EU negotiations and on voting data from the Council of Ministers of the EU, it is argued that enlargement has possibly added a new dimension of contestation in EU legislative decision-making, but one that concerns a relatively small share of all negotiations in few policy fields like environment. The paper also reviews secondary sources on the more visible influence of enlargement on the modes and culture of EU decision-making and its effects on the organizational aspects of the main EU institutions. Additionally, this paper presents a detailed qualitative overview of the major challenges and responses the EU has had in the period 2004-2013, but finds little indications that the accession of the post-communist countries has left a direct and significant imprint on the major developments that shaped the course of European integration since 2004. All in all, there is no evidence that the Eastern enlargement has led to the institutional gridlock, loss of problem-solving capacity and inability to manage that the public, many politicians, as well as some academics have feared.

### Working Paper No. 6

#### **Contextual Policy Reading of Public Opinion Data and Recent Trends in Attitudes Towards European Integration**

*Georgi Dimitrov, Kaloyan Haralampiev and Stoycho P. Stoychev - March 2015*

**Abstract:** In cooperation with Leiden University, we developed a framework for the contextual policy reading of public opinion data and recent trends in attitudes towards European integration. Our paper presents a logically integrated series of empirical micro-studies resolving problems in an inductive manner. Using mainly Eurobarometer data and heuristics of the classification tree analysis, we argue that: a) Pro/contra EU enlargement attitudes are a construct of diverse, multifaceted relationships. It is mainly a projection of an extremely complex set of other values and specific premises upon the EU's future, which, as a system, establish the structure of what seems to be an 'attitude towards the EU and its enlargement'; b) Citizens' attitudes are clearly polarized in most countries and there is a steady, increasing trend for negative attitudes to prevail; c) The structural causes for these polarizations are, most significantly, nationally specific and go down to 13 levels of factor influences. The strongest among these factors are based on the most pragmatic aspects of social life, depending on the respective country's membership status and domestic policy-making. These factors exert influence in different proportions — in line with the diversity of multiple national and regional contexts. The polarization is a result of varying sets of factors, which themselves vary in every single case in strength and significance.

**Working Paper No. 7****A Comparative Analysis of the European Union's Accession Negotiations for Bulgaria and Turkey: Who Gets In, When and How?***Meltem Müftüler-Baç and Aylin Ece Çiçek - April 2015*

Abstract: In this paper, we analyze the Bulgarian and Turkish accession negotiations to the European Union based on propositions derived from different theoretical frameworks. In order to do so, we first analyze the Turkish and the Bulgarian ability to fulfill the EU's political criteria, and compare their respective positions with regards to EU political conditionality as key to unlock their different paths of accession. Secondly, we consider the unfolding of the accession negotiations and the role of individual member states as veto players. We limit our focus to a comparative analysis of the EU's political evaluation, and to the lack of consensus and commitment among the EU member states towards Turkey as a complicating factor during EU negotiations. We are able to ascertain that a key difference between Bulgaria and Turkey with regards to their EU accession was the Bulgarian ability to conform to the EU political criteria comparatively better than Turkey. Yet, beyond the candidates' specific factors, we are able to determine that the role of the individual member states as veto players has become more visible in the Turkish case. As a result, we can show that who gets in, how and when to the EU depends on the interplay of these multilateral and bilateral aspects of the negotiations process.

**Working Paper No. 8****Beyond Uniform Integration? Researching the Effects of Enlargement on the EU's Legal System***Asya Zhelyazkova, Tanja A. Börzel, Frank Schimmelfennig and Ulrich Sedelmeier - May 2015*

Abstract: Empirical evidence on the co-evolution of EU membership and its competences generally denies the existence of a trade-off between a deepening and a widening of the EU as a whole (Leuffen et al. 2013: 21). However, this picture may be rather incomplete, as it does not take into account whether the widening-deepening dilemma is resolved at the expense of the strength of the EU's legal system. Therefore, in Working Paper No. 8 we assess the extent to which enlargement has affected the following characteristics of the EU's legal system: 1) the volume of non-binding EU legislation relative to hard law (directives, regulations and decisions); 2) differentiated integration, where legislation is not uniformly binding on the entire membership as reflected by the amount of exceptions, derogations and exemptions from primary and secondary law; and 3) the level of non-compliance with EU legislation, where laws that are meant to bind member states equally are not uniformly and correctly implemented domestically. Our empirical analyses generally suggest that enlargement has not resulted in a weakening of the EU's legal system. Thus, soft law measures complement rather than substitute EU legislation, enlargement-induced differentiations are temporary in nature, and non-compliance has decreased rather than increased over time. In our future research, we will assess the possibility of indirect links between enlargement, differentiated integration and non-compliance. We will analyze the EU's legal strength in terms of other aspects of flexibility besides soft law and differentiated integration.

**Working Paper No. 9****Building Sand Castles? How the EU Seeks to Support the Political Integration of its New Members, Accession Candidates and Eastern Neighbours***Tanja A. Börzel - May 2015*

Abstract: This paper provides an overview of the modes of political integration of the EU in the new member states, in the current and potential candidates of the Western Balkans, and

in the European Neighbourhood countries. More specifically, it analyzes the efforts directed at state-building and the rule of law and distinguishes between direct and indirect modes of influence. The analysis reveals interesting similarities of the modes used by the EU to promote the political integration of new member states, candidates, and neighbourhood countries. These similarities have been propelled by the lessons the EU has learned over time, showing that the EU's political integration has evolved through an incremental process of "learning by doing" rather than a great master plan. Through mapping the EU's efforts, the paper argues that the EU has been reluctant and inconsistent in applying conditionality, yet used reinforcement by reward as the linchpin of its efforts to induce political change.

### **Working Paper No. 10**

#### **The Effectiveness and Limitations of Political Integration in Central and Eastern European Member States: Lessons from Bulgaria and Romania**

*Antoaneta Dimitrova - June 2015*

**Abstract:** This paper reviews the European Union's efforts for political integration of the post-communist states that joined in the 2004-2007 enlargement. The paper traces the EU's focus on different democratic institutions, as it evolved from minority problems to rule of law and the struggle against corruption and highlights different modes and tools of political integration. Subsequently, the paper focuses on the tools and modes of integration used specifically in the cases of Bulgaria and Romania. Reviewing key contributions of this debate, the paper highlights the limitations of the EU's approach, especially with regard to the Cooperation and Verification Mechanism used with Bulgaria and Romania, and concludes that a strategy that makes civil society a permanent partner of the EU has a better chance of success.

### **Working Paper No. 11**

#### **Judicial Independence in the Western Balkans: Is the EU's 'New Approach' Changing Judicial Practices?**

*Adam Fagan and Indraneel Sircar - June 2015*

**Abstract:** The EU's 'new approach' is a bold attempt to learn the lessons of previous enlargements and to avoid having to initiate a Cooperation and Verification Mechanism after accession. It rests on the principle that issues relating to the judiciary and fundamental rights (Chapter 23 of the acquis) and justice, freedom, and security (Chapter 24) "should be tackled early in the accession process and the corresponding chapters opened accordingly on the basis of action plans, as they require the establishment of convincing track records" (European Commission 2011b: 5).

This study shows that the EU has indeed learnt a number of lessons from previous enlargements and has gradually applied these in its dealings with candidate and potential candidate countries of the Western Balkans. Most notably, the new approach has placed greater emphasis on supporting change in practice rather than just legal compliance. Local stakeholders, including civil society organizations, have been engaged in dialogue and monitoring. It is too early to tell whether the new approach is triggering a long-term transformation of judicial independence, but the EU has clearly eschewed short-termism, an emphasis on formal compliance, and elite-led reforms in favor of a strategy based on ownership, inclusion, and gradual and verifiable change.

However, despite clear evidence of progress in all of the cases studied, the research highlights serious and persistent gaps between European standards for independence and impartiality, and the realities on the ground. These challenges are compounded by a general distrust amongst citizens regarding the work of the judiciary, particularly when important decisions are made behind closed doors. A strong, verifiable track record of adjudication without external interference is required to convince people that there has been a break with the politicized judiciaries of the

past. However, in a quest to bolster independence, it is not sufficient for the EU and other external agencies to simply encourage the judiciary to work in isolation from the executive and legislative branches of authority. Political (and party) interference is undesirable, but democratic checks and balances are essential. In its pursuit of independence, professionalism and efficiency, the EU needs to be careful that the reforms and initiatives it pursues in the Western Balkans do not lead to an accountability deficit. Moreover, there is a clear risk that a more powerful judiciary, operating with increased autonomy, will exacerbate rather than reduce the threat of political interference.

## Recent Partner Publications

- Fagan, A. (2015) 'Democracy Promotion in Kosovo: Mapping the Substance of Donor Assistance and a Comparative Analysis of Strategies', *Cambridge Review of International Affairs* 28(1): 115-135
- Langbein, J. (2015) *Transnationalization and Regulatory Change in the EU's Eastern Neighbourhood. Ukraine between Brussels and Moscow*, Routledge: London (published December 2014).
- Müftüler-Baç, M. (2015) 'Gender Inequality may yet be another obstacle to Turkey's Accession', *Europe's World* 29, available at <http://europesworld.org/2015/02/23/gender-inequality-may-yet-another-obstacle-turkeys-eu-membership/#.VX7AsqPwC70>, accessed 15 June 2015.
- Müftüler-Baç, M. (2014) 'AB Bütünleşme süreci ve Türkiye'nin katılımına olası etkileri' [The European integration process and Turkey's accession], *Analist* 41: 46-47.
- Schimmelfennig, F. (2015) 'EU Enlargement', in J. Richardson and S. Mazey (eds), *European Union: Power and Policy-Making*, London: Routledge, 4th ed., pp. 261-282.
- Sedelmeier, U. (2015) 'Enlargement: constituent policy and tool for external governance', in H. Wallace, M. Pollack and A. Young (eds), *Policy-Making in the European Union*, Oxford: Oxford University Press, 7th ed., pp. 407-435.