

PIR 419 – POLITICAL INTEGRATION AND THE EUROPEAN UNION

1. EU Institutional Dynamics
2. Models of European Integration: Federalism and Confederalism
3. Models of European Integration: Governance Model and Differentiated Integration
4. European Integration and National Politics
5. Future of EU enlargement

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2. Introduction

- This course is on nature of political integration in Europe, i.e. EU. The topic is presented from historical, theoretical and institutional perspectives. The first part is an attempt to conceptualize and provide historical background to EU. The second part offers the theoretical background. The third part focuses on EU's enlargement and international agenda.
- The aims of the course is to provide overview of history of EU, integration theories and their intellectual history, the EU's political and institutional system, and current public and scholarly debates about EU and its enlargement and international agenda. At no other time the EU has so fundamentally affected the direction of the political integration processes in Europe. The goal is that students come out of the course with a detailed understanding of what is the EU, how it emerged, and how it works. Its objective is to challenge students to critically think about the EU.
- Course Learning Outcomes
 1. Explain the evolution and dynamics of European political integration.
 2. Discuss theories of integration.
 3. Differentiate models of governance.
 4. Assess the future prospects of the EU enlargement.
 5. Asses the Europeanisation process.

3. One course syllabus

- Added at the end of the file

4. **Slides** – including lecture notes, references and assignments

- Added as attachment

6. **Assessment Methods** – Evaluation criteria explained in more details

COURSE EVALUATION METHOD		
Method	Quantity	Percentage
Midterm Exam(s)	1	30
Presentation	1	10
Term Paper	1	20
Final Exam	1	30
Attendance		10
	Total Percent:	100%

7. **Metrics** - class average (for 3 years), attendance rate (for 3 years), course instructor evaluation survey average (for 3 years).

- Class average 4.0
- Attendance rate 100%
- Course instructor evaluation survey average 4.0

8. Bibliography & Resources – Full references of all resources used for the course

- Cini, M. & Borragan, N.P. (2009). *European Union Politics*. Oxford: Oxford University Press. (Available online)
- Featherstone, K. & Radaelli, C.M. (2003). *The Politics of Europeanization*. Oxford: Oxford University Press. (Available online)
- Jones, E & Verdun, A. (2005). *The Political Economy of European Integration: Theory and analysis*. London: Routledge. (Available online)
- Majone, G. (2005). *Dilemmas of European integration: The ambiguities and pitfalls of integration by stealth*. Oxford: Oxford University Press. (Available online)
- O'Neill, M. (1996). *The Politics of European Integration: a reader*. London: Routledge. (Available online)
- Pagden, A. (2002). *The Idea of Europe: From Antiquity to the European Union*. Cambridge: Cambridge University Press. (Available online)
- Schimmelfennig, F. & Sedelmeier, U. (2005). *The Politics of European Union Enlargement: Theoretical approaches*. London: Routledge. (Available online)
- Wallace, H., Wallace, W., & Pollack, M.A. (2005). *Policy-Making in the European Union*. Oxford: Oxford University Press. (Available online)
- Weidenfeld, W. & Wessels, W. *Europe from A to Z*. Institut für Europäische Politik. (Available online).
- Wunsch, N. (2018). *EU Enlargement and Civil Society in the Western Balkans From Mobilisation to Empowerment*. Palgrave.
- KerLindsay, J. et.al. (ed.). (2019). *The National Politics of EU Enlargement in the Western Balkans*. Routledge.
- Diedrich, U., Reiners, W., Wessels, W. (2011). *The Dynamics of Change in EU Governance*. Edward Elgar.
- Dirk, L., Rittberger, B., Schimmelfennig, F. (2020). *Integration and Differentiation in the European Union: Theory and Policies*. Palgrave.
- Bickerton, Ch.J., Hodson, D., Puetter, U. (2015). *The New Intergovernmentalism: States and Supranational Actors in the Post-Maastricht Era*. Oxford University Press.
- Carbone, M. (ed.). (2010). *National Politics and European Integration*. Edward Elgar.
- Engelbrekt, A. B., Bremberg, N., Michalski, A. (2020). *The European Union in the Changing World*. Palgrave.

EPOKA UNIVERSITY

FACULTY OF LAW AND SOCIAL SCIENCES
DEPARTMENT OF POLITICAL SCIENCE AND INTERNATIONAL RELATIONS
COURSE SYLLABUS

COURSE INFORMATION

Course Title:

PIR 419 POLITICAL INTEGRATION AND THE EUROPEAN UNION 2022

Code	Course Type	Regular Semester	Theory	Practice	Lab	Credits	ECTS
PIR 419	C	1	3	0	0	3	7.5
Academic staff member responsible for the design of the course syllabus (<i>name, surname, academic title/scientific degree, email address and signature</i>)		NA					
Main Course Lecturer (<i>name, surname, academic title/scientific degree, email address and signature</i>) and Office Hours:		Dr. Avdi Smajljaj asmajljaj@epoka.edu.al , Tuesday: 15.30 - 18.00 and by appointment, asmajljaj@epoka.edu.al					
Second Course Lecturer(s) (<i>name, surname, academic title/scientific degree, email address and signature</i>) and Office Hours:		NA					
Teaching Assistant(s) and Office Hours:		NA					
Language:		English					
Compulsory/Elective:		Elective					
Study program: (<i>the study for which this course is offered</i>)		Master of Science in Political Science and International Relations					
Classroom and Meeting Time:		E 311					
Code of Ethics:		Code of Ethics of EPOKA University Regulation of EPOKA University "On Student Discipline"					
Attendance Requirement:							
Course Description:		This course is on nature of political integration in Europe, i.e. EU. The topic is presented from historical, theoretical and institutional perspectives. The first part is an attempt to conceptualize and provide historical background to EU. The second part offers the theoretical background. The third part focuses on EU's enlargement and international agenda.					
Course Objectives:		The aims of the course is to provide overview of history of EU, integration theories and their intellectual history, the EU's political and institutional system, and current public and scholarly debates about EU and its enlargement and international agenda. At no other time the EU has so fundamentally affected the direction of the political integration processes in Europe. The goal is that students come out of the course with a detailed understanding of what is the EU, how it emerged, and how it works. Its objective is to challenge students to critically think about the EU.					
BASIC CONCEPTS OF THE COURSE							
1	Theories of integration						

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COURSE SYLLABUS

2	Politics of integration
3	Multilevel governance
4	The EU political system
5	Integration and governance models of the EU
COURSE OUTLINE	
Week	Topics
1	Course introduction, overview of texts, and expectations b. Conceptualizing Europe; Must readings: Pagden, pages: 33-54.
2	Conceptualizing EU; Must readings: O'Neill, pages: 3-15. Wallace, pages: 3-10. Cini, pages: 1-10.
3	History of European integration; Must readings: Majone, pages: 1-18. Weidenfeld, pages: 6-19. Cini, pages: 15-66
4	EU's Institutional Dynamics; Must readings: Bickerton, Ch.J., Hodson, D., Puetter, U., pages: 90 - 111; 165 - 263.
5	Theorizing European Integration; Must readings: Jones, pages: 12-23; 39-52. Wallace, pages: 13-46.
6	Theorizing European Integration; Must readings: Jones, pages: 12-23; 39-52. Wallace, pages: 13-46. Cini, pages: 104-121. O'Neill: 76-133.
7	Models of European Integration: Federalism and Confederalism; Must readings; Diedrich, U., Reiners, W., Wessels, W. pages: 1-21, 210-239.
8	Midterm exam
9	Models of European Integration: Governance Model and Differentiated Integration; Must read: Dirk, L., Rittberger, B., Schimmelfenig, F., pages: 21 - 48; 377 - 407.
10	Europeanization; Must readings: Cini, pages: 405-416. Featherstone, page: 3-20; 57-75; Weidenfeld, pages: 90-96. Wallace, pages: 402-426. Cini, pages: 418-434. Schimmelfennig, pages: 3-25.
11	European Integration and National Politics; Must readings: Carbone, M., pages: 1- 34;
12	Democracy, integration and governance; Must readings: Majone, pages: 23-41. Cini, pages: 377-388. Wallace, pages: 483-503.
13	EU in comparative perspective; Must readings: Engelbrekt, pages: 1-21;
14	Future of EU enlargement (new); Must readings: Schimmelfenig, pages: 1- 33, 277 - 295; Ker-Lindsay: Introduction., pages 1 - 42.
Prerequisite(s):	Papers, oral presentations, and active participation in class.

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COURSE SYLLABUS

Textbook(s):	Cini, M. & Borragan, N.P. (2009). European Union Politics. Oxford: Oxford University Press. (Available online) Featherstone, K. & Radaelli, C.M. (2003). The Politics of Europeanization. Oxford: Oxford University Press. (Available online) Jones, E & Verdun, A. (2005). The Political Economy of European Integration: Theory and analysis. London: Routledge. (Available online) Majone, G. (2005). Dilemmas of European integration: The ambiguities and pitfalls of integration by stealth. Oxford: Oxford University Press. (Available online) O'Neill, M. (1996). The Politics of European Integration: a reader. London: Routledge. (Available online) Pagden, A. (2002). The Idea of Europe: From Antiquity to the European Union. Cambridge: Cambridge University Press. (Available online) Schimmelfennig, F. & Sedelmeier, U. (2005). The Politics of European Union Enlargement: Theoretical approaches. London: Routledge. (Available online) Wallace, H., Wallace, W., & Pollack, M.A. (2005). Policy-Making in the European Union. Oxford: Oxford University Press. (Available online) Weidenfeld, W. & Wessels, W. Europe from A to Z. Institut für Europäische Politik. (Available online). Wunsch, N. (2018). EU Enlargement and Civil Society in the Western Balkans From Mobilisation to Empowerment. Palgrave. Ker-Lindsay, J. et.al. (ed.). (2019). The National Politics of EU Enlargement in the Western Balkans. Routledge. Diedrich, U., Reiners, W., Wessels, W. (2011). The Dynamics of Change in EU Governance. Edward Elgar. Dirk, L., Rittberger, B., Schimmelfennig, F. (2020). Integration and Differentiation in the European Union: Theory and Policies. Palgrave. Bickerton, Ch.J., Hodson, D., Puetter, U. (2015). The New Intergovernmentalism: States and Supranational Actors in the Post-Maastricht Era. Oxford University Press. Carbone, M. (ed.). (2010). National Politics and European Integration. Edward Elgar. Engelbrekt, A. B., Bremberg, N., Michalski, A. (2020). The European Union in the Changing World. Palgrave.	
Additional Literature:	Additional handouts will be distributed on weekly basis.	
Laboratory Work:	N/A	
Computer Usage:	N/A	
Others:	No	
COURSE LEARNING OUTCOMES		
1	Explain the evolution and dynamics of European political integration.	
2	Discuss theories of integration.	
3	Differentiate models of governance.	
4	Assess the future prospects of the EU enlargement.	
5	Asses the Europeanisation process.	
COURSE CONTRIBUTION TO... PROGRAM COMPETENCIES (Blank : no contribution, 1: least contribution ... 5: highest contribution)		
No	Program Competencies	Cont.
COURSE EVALUATION METHOD		
Method	Quantity	Percentage
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ECTS (ALLOCATED BASED ON STUDENT WORKLOAD)			
Activities	Quantity	Duration(Hours)	Total Workload(Hours)
Course Duration (Including the exam week: 16x Total course hours)	16	3	48
Hours for off-the-classroom study (Pre-study, practice)	16	2	32
Mid-terms	1	15	15
Assignments	1	15	15
Final examination	1	40	40
Other	1	37.5	37.5
Total Work Load:			187.5
Total Work Load/25(h):			7.5
ECTS Credit of the Course:			7.5
CONCLUDING REMARKS BY THE COURSE LECTURER			
An invited representative from an EU institution, body, agency, civil society, etc. through electronic platforms during the class would enrich the classes.			

Differentiated integration

- The monetary union is the most vertically integrated policy of the EU
- It is directed by the independent European Central Bank having the exclusive competence to make monetary policy
- At the same time, monetary union is weakly horizontally integrated, the euro is legal tender in only 20 of the 27 member states

- Vertical integration is the transfer of policy-making competences from the national to the European level and, at the European level, from intergovernmental coordination and cooperation to supranational centralization
- Horizontal integration is the territorial expansion of integrated policies among the member states, to new member states, and to non-member states

- The cross-border movement of people is another policy area displaying differentiated integration
- Travel and migration have long remained national policies in the European Community
- The Schengen Agreement in 1985

- Vertical differentiation refers to the fact that the level of vertical integration varies among policies
 - Some policies remain exclusively under the purview of the states, whereas others are in the domain of EU supranational policy-making
- Horizontal differentiation captures the variation in horizontal integration across policies
 - Some integrated policies apply to the entire EU, others even extend to non-member states, and still others exempt a number of EU member states

- The Treaty of Amsterdam of 1997 first introduced 'enhanced cooperation', a general procedure for formal differentiated integration in EU legislation
- In July 2010 the EU authorized its first use when 14 member states moved forward to cooperate more closely on divorce rules for transnational couples
- There is much more differentiation in secondary law in the area of interior and justice policies, as well as in defence policy

- Differentiation is also a typical by-product of enlargement
- Accession treaties usually contain a host of transitional arrangements that qualify the membership rights of the new entrants or exempt them from applying EU rules for a certain time
- Ex. the free movement of workers - the application of EU environmental or agricultural standards

- Politicization has added to the trend towards differentiation
- In the first decades of European integration, policy-making was an elite affair
- Since the 1990s integration has become more politicized
- Eurosceptic parties and movements have proliferated in the member states

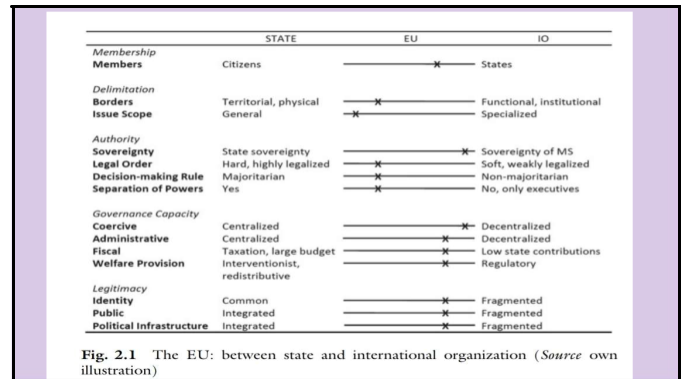
- Non-member states participate to varying degrees in a large number of EU policies
- EEA - extends to Iceland, Norway, and Liechtenstein
- The Customs Union includes Turkey
- Switzerland has concluded a series of bilateral treaties with the EU that are based on EU rules, and it incorporates individual EU rules autonomously into its domestic legislation
- Candidate countries adopt the *acquis communautaire*

- The increase in vertical and horizontal integration is accompanied by vertical and horizontal differentiation
- Vertical differentiation has been present from the very beginning when commercial policy was integrated while other policies remained at the national level
- The internal differentiation - member states do not participate in an EU policy
- External differentiation - non-member states participating in an EU policy
- Mixed differentiation - internal and external

- **The theoretical reasons to assume that European integration will remain differentiated**
 - Increasing heterogeneity among European states
 - It is more controversial to agree on directly redistributive (social) policies that imply massive fiscal transfers or to negotiate monetary and security policies that affect the core of sovereign state powers
- Increasing identity and sovereignty costs increase anti-integrationist politicization

- **The internal market is characterized by early and high vertical and horizontal integration**
- It applies to all member states, but non-members—such as Norway and Switzerland also participate to a large extent
- It thus combines a lack of internal differentiation with high external horizontal differentiation

- The supranational integration of monetary policy followed the establishment of the internal market and has also reached a high level of vertical integration
- The most vertically integrated and the least horizontally integrated
- The euro crisis has led to a significant leap in vertical integration



- Integration in interior policies also followed market integration but, initially, remained at the level of intergovernmental cooperation
- In the treaty changes since the Amsterdam Treaty, signed in 1997, it has increasingly turned more supranational
- The AFSJ - unique pattern of external and internal horizontal differentiation - some non-member states participate in the Schengen/Dublin regime of border control and asylum policy, whereas a number of member states have opted out from it

- Vertical integration in defence policy is remained at a low level
- Defence policy is the least horizontally differentiated of the policies
- Only Denmark has fully opted out of this policy, and non-member states do not participate formally
- The 'permanent structured cooperation' (PESCO), the policy-specific scheme of enhanced cooperation, has gained momentum recently

Models of European Integration: Federalism and Confederalism

- Advocates of a loose confederation of states appeared to have won the battle initially
- Over the years the successive steps towards greater integration, the strengthening of the powers of the parliament, the creation of a European electorate, the ratification of the Lisbon Treaty on reform, resulted in the concept of Europe increasingly shifting towards the federal state option

- In November 1939, a slogan of the Labour Party stated that Europe must federate or perish
- Winston Churchill suggested in 1940 the amalgamation of the French and English nations to form a nucleus for a comprehensive European federation with a European Authority
- Italian politician Altiero Spinelli –
 - a federative framework that would allow each individual state the freedom to organize its national life as it saw fit and as best suited its particular civilization, but which would withdraw from the sovereignty of each participating state the means of asserting its particularistic egotism, and which would create and maintain an international legal framework by which all states would have to be equally bound. The federative authority would have at its disposal the means to put an end once and for all to exclusively nationalistic politics

- Governance refers to patterns of interaction and coordination of social and/or political actors for the purpose of adopting and implementing collectively binding decisions
- Includes the preparation, adoption, implementation and control of decisions, revealing both a structural and a process dimension
- Institutional structures defining the rules of the game, specific interaction principles guiding the actors' capacities, behaviour and orientations

- The camp that sought a federal state and referred to themselves as federalists
 - advocated for a social-reforming social order
 - advocates for a strong central authority
- The camp that only advocated a confederation of states and referred to themselves as unionists
 - wanted to adhere to a traditionalist social order
 - envisages the member states remaining largely independent (sovereign) with only a weak central authority whose powers are restricted to a small number of areas – it also seeks to allow member states a certain degree of independence

- Supranational method - Community method - as the conventional mode of EU governance, characterized by supranational decision-making procedures and the production of legally binding instruments
- Model of classical intergovernmental cooperation outside the treaties, while in between there are mixtures and combinations, such as the OMC – open method of coordination

- **The evolution of the EU system is increasingly tending towards a diversification of modes of governance**
- New modes are considered as innovative attempts to find methods for decision-making which may not fit the conventional forms of the supranational method, but still try to enhance the set of common approaches in order to tackle problems arising from growing interdependence among the member states
- **Temporary and transitional**

- In the case of justice and home affairs (JHA), where the creation of the area of freedom, security and justice in 1999 through the Treaty of Amsterdam and the communization of fields such as immigration and visa policy have opened new opportunities for decision-makers to use more efficient decision-making procedures and adopt more binding instruments
- **A major further step in the legal implementation might come from the new supranational basis in the Lisbon Treaty.**

- **A second expectation sees new modes of governance as a reflection of the loss of an overall trend in the institutional development of the EU, leading to a high degree of differentiation and even fragmentation between and among policy areas**
- Weakening of the supranational method, whose attraction for the member states has lost considerably in value and weight over recent years, reflecting not necessarily a reversal of the basic integrationist dynamics


- **A categorization which divides modes of governance in the EU into four main categories**
 - Hierarchy
 - Negotiation
 - Coordination
 - Competition
- **To distinguish these categories, three key indicators are used:**
 - the level of competence (ranging from exclusive EU competence to 'purely' national competence)
 - the decision-making procedures regarded from an intra-institutional (majority voting versus unanimity) and interinstitutional (involving different models of interaction between the Council, the European Parliament and the Commission) perspective
 - the nature of the legal output (between binding and non-binding (soft) legal acts)

- Since Maastricht, supranational policy-making has been dynamically expanded, and the stronger engagement of the European Parliament in co-decision and consent – although still not constituting the majority of EP activity – shows the growing importance of the new provisions on enhanced parliamentary participation
- As regards policy output, the adoption of instruments by soft law is much less of an overall development: it depends instead on the specific nature of the policy area, the political will of the member states, and the resistance of domestic social, economic and political structures to European solutions

- **On the one side of the spectrum is the highly hierarchical, supranationally centralized mode which is characterized by an exclusive EU competence, leaving little choice or voice to the member states, where decisions on legally binding instruments are taken unilaterally by a supranational institution using majority voting**
- **On the other side of the spectrum, we see areas where the EU has no formal or informal competence, where nation states would not even coordinate their positions, while any kind of formal or informal decision-making on the adoption of joint instruments is excluded**

table 9.1 Modes of governance in the European Union: forms and features

Basic models	Hierarchy		Negotiations		Coordination	Competition
U modes of governance	Supranational centralization	Supranational decision-making	Joint decision-making	Trans- / inter-governmental governance	(Open) Method of Coordination	System competition
Level of EU competence	Exclusive EU competence	Exclusive or shared EU competence	Exclusive, shared EU competence, coordination or supporting EU activities	Shared EU competence, coordinating and supporting activities	No or weak EU competence	National competence
Decision-making provisions	Unilateral decisions by supranational institutions	Co-decision/ OLP majority Council	Mixed combinations of voting in Council and EP participation	Consensus/ unanimity in Council/ European Council	Voluntary adaptation member states	No common decision-making
Legal instrument	Binding acts	Binding legislation (directives, regulations, laws)	Binding and non-binding legal acts	Non-binding legal acts and acts with limited bindingness; no judicial review	Non-binding commitments	Voluntarism no instruments
<i>Community Method</i>						

Decrease in hierarchy 

note: OLP = ordinary legislative procedure.
source: Own findings by author.

- **Coordination comes to the debate on new modes of governance, as an innovative model for dealing with policy problems beyond any supranational methodology**
- The Open Method of Coordination (OMC) may be the most prominent case here, reflecting not so much a process of negotiation among the actors, but rather a process of constant adaptation, benchmarking and reporting driven by the attraction of best practice, and by the fear of naming and shaming
- Art. 2 (3) TFEU stipulates that '(t)he Member States shall coordinate their economic and employment policies within arrangements as determined by this Treaty, which the Union shall have competence to provide'
- Art. 5 TFEU, the main instrument for the coordination of economic and employment policies shall consist of (broad) guidelines and initiatives to ensure coordination

- **Hierarchy exists when we observe an asymmetrical constellation of actors, decisions may be taken by an institutional player that does not formally come under another, as is the case when the Commission takes autonomous decisions in trade or competition policy (for example state aid, mergers), or when the Court of Justice decides finally and without any further resort for the parties involved**
- **Exclusive competence in this context does not refer only to the new provisions of the Lisbon Treaty (Art. 2 and 3 TFEU), but in a more specific way to any sphere where de facto or de jure decisions or actions by the member states are precluded by the European Union**

- **Competition is not a particular mode of EU governance as such, but should be seen as a conditioning factor for driving and shaping the emergence and evolution of EU governance**
- It refers to the process by which international pressure can be imposed on national governments to adjust and reform traditional institutional and/or policy structures in crucial areas – such as social security, educational or tax systems – which are core competences of the member states and where there is no EU regulatory power in place
- Competition may lead to a call for 'European solutions' in an attempt to avoid unilateral adaptation by establishing common rules

- **Negotiations imply an exchange among actors endowed with capacities for veto that require them to compromise with other veto players, driven by the search for common solutions**
- The ordinary legislative procedure (OLP) as introduced in the Lisbon Treaty (Art. 294 TFEU) provides for majority voting in the Council, while the European Parliament (EP) adopts decisions by a majority of votes cast or of component members, which represents a rather high degree of hierarchy as in both institutions minorities are forced to accept a decision, while their interaction is guided by negotiation in which both sides have to agree, and thus act as veto players
- Commission on the one hand it holds the legal initiative, while on the other it may impose unanimity upon the Council if it deviates from the Commission position at the second reading (Art. 294 (9) TFEU)
- The institutional triangle is thus characterized by a process of negotiations between the Council, the EP and the Commission, with a high degree of hierarchical elements within each of these institutions that may be described as supranational decision-making

- **Joint decision-making - in a number of cases the Council may act by unanimity or by majority coupled with no EP participation, or with the mere communication of information to or consultation of the Parliament, while in other cases consent by the Parliament is coupled with unanimity or majority voting in the Council**
- These variants hint at highly mixed forms of joint decision-making, where hierarchy is combined with elements of trans- or intergovernmental negotiations, making it difficult to locate its precise place on the map of governing modes

- **Inter- or transgovernmental negotiations with limited influence from the Parliament and the Commission, as is the case in the Common Foreign and Security Policy (CFSP)/European Security and Defence Policy (ESDP) or in particular areas of police and judicial cooperation in criminal matters**
- **The European Council, the Council and member states dominate the decision-making process, while at the same time processes of socialization, Europeanization and 'Brusselization' are at work, hinting at 'soft' ways of forging common understandings, procedural routines and an emergent common identity which goes well beyond the features of a purely intergovernmental bargaining system**

- **The increasingly important role of the High Representative for Foreign Affairs and Security Policy or of special representatives may be described as a process of institutional pooling and delegation, within the limits of the Council's guidelines**
- **Within the area of the ESDP in particular, emergent and cautious elements of coordination and competition among member states' procurement systems have been triggered off, thus revealing different modes within this area**
- **In the budgetary field, decisions resemble a mixed negotiation system much more than a clear-cut intergovernmental set-up, as the EP has an important say**

European Integration and National Politics

- More generally, liberal theories of international relations concentrate on the effects of state–society relations in shaping national preferences
- Societal groups constrain, more or less, the priorities and policies of governments, depending on the policy area and the anticipated costs and benefits of the policy in question
- The vast literature has been increasingly assessing the role played by economic groups, bureaucracies, non-governmental organisations and ideas in the foreign policies of countries

- Actors and factors which are believed to play a significant role in shaping treaty reform outcomes: actors beyond national governments, political system, ratification hurdles, context

- The most elaborated theory to explain outcomes in the IGCs is liberal intergovernmentalism, in which domestic politics takes a prominent role: 'An understanding of domestic politics is a precondition for, not a supplement to, the analysis of the strategic interaction among states' (Moravcsik)
- Moravcsik - divided the EU's decision-making process into three stages: national preference formation, inter-state bargaining and institutional and delegation

- **Bulmer (1983) argued that there are two dimensions to this link:**
 - the domestic policy-making structures which are involved
 - the attitudes held within the Member States regarding the EU
- 1950s Haas had argued that 'national constituted groups' – mainly political elites – played a central role in European integration
- The executive is engaged in simultaneous negotiations at the domestic and the international level
- At the domestic level, it deals with societal concerns and pressures
- At the international level, it tries to make commitments that will not have detrimental effects back at home

- First, governments aggregate preferences at the national level, mostly on the basis of the economic interests of powerful domestic groups
- Secondly, on the basis of fixed preferences, governments engage in hard bargaining as unitary actors and adopt various tactics (such as linking issues, side payments, threats of exclusion) to affect outcomes
- Thirdly, Member States delegate authority to supranational institutions to enhance the credibility of their commitments and solve problems of incomplete contracting, monitoring and compliance

- The policy style and the political system of countries have a structuring effect on preference formation
- The way a Member State deals with the EU's treaty reforms may be affected by its approach to problem solving (anticipatory or reactive) and the degree of participation of civil society in the policy process (consensual or based on coercion)
- The composition of the government and the size of its majority, the power granted to the prime minister vis-à-vis other ministers, the influence of the parliament, the ideology of political parties, the role of bureaucratic politics, the overall process of coordination, the organisation of territorial relations and territorial representation, the strength of interest groups and civil society, and the salience of EU membership in the public debate

The nightmare of Nice

- The phase of formal constitutionalization started with a speech by Joschka Fischer at the Humboldt University in Berlin in the summer of 2000
- In this programmatic speech Fischer called for the EU to develop towards a *finalité politique* – a final destination for the project of political union in Europe
- Led other EU leaders such as Jacques Chirac and Tony Blair to respond to Fischer's call with their own vision of the future of the EU

- Opening the 'black box' of national interest, 'Treaty negotiations cut across the different levels of national interest representation, involving both politicians and officials
- The referendum may be called for domestic reasons, particularly in those countries where the EU issue is contentious and the referendum is considered the most appropriate instrument to involve citizens in the process

- The debate was driven by:
 - Many politicians were engaged with the debate
 - The preparation for the enlargement process
 - Federalists and Eurosceptics wanted to give into the concept of the *finalité politique*
 - Public debate

- Intergovernmental tradition place emphasis only on the largest Member States, institutionalists argue that all (types of) Member States must be taken into account, particularly when they are able to exercise veto power
- Taking a constructivist perspective, it is argued that the process of treaty reform is influenced by the presence of detailed rules and established practices
- Preference formation is not exogenous but is affected by the interaction between actors and their environment

- The years between 2000 and 2005 witnessed a concerted and sustained attempt to provide the EU with a formal constitutional document
- The negotiations had become bogged down with disagreement among the existing Member States on some of the key issues, namely the redistribution of voting weights in the Council, the size and composition of the European Commission, a further shift of qualified majority voting in the Council and the expansion of co-decision rights for the European Parliament
- The initial assessment was, therefore, that the Nice Treaty was a defeat for pro-integrationist forces and rather served to preserve the status quo

- France, holding the presidency, spent significant diplomatic resources on the defence of its voting parity with Germany, Belgium did the same, though with less success, vis-à-vis the Netherlands, and the then candidate states were seen to be largely excluded from the negotiations about arrangements that would apply to them as much as to the old Member States
- The Nice summit therefore ended not only with an imperfect treaty, but also with a number of important 'leftovers' requiring further treaty change
- The result of these developments was an explicit mandate, contained in Declaration 23 attached to the Nice Treaty, to launch a process to engender a wider debate about the 'Future of Europe', set the EU on course for a period of formal constitutionalization

- **The Convention, when it completed its work in the summer of 2003, did achieve two significant objectives:**
 - first, actually having been able to agree on a single, comprehensive draft treaty
 - second, to have set the agenda for the Constitutional IGC that followed the Convention, and that had the formal power to agree on changes to the treaty
- The Convention draft did constitute the basis of negotiations in the IGC, and even though the Italian strategy of seeking to avoid the 'reopening' of individual articles appeared to fail when the December 2003 summit ended without agreement, the following Irish Presidency then succeeded in getting agreement on a revised version of the draft treaty approved at the final summit in June
- Heads of state and government then met in Rome in October 2004 for a formal signing ceremony of the Treaty Establishing a Constitution for Europe – a document that from then on was widely referred to as the European Constitution

The launch of a formal process of constitutionalization

- At the Laeken Summit - Valéry Giscard d'Estaing as the Chairman of the Convention, with Jean-Luc Dehaene and Giuliano Amato, former prime ministers of Belgium and Italy respectively, as Vice-Chairs
- The Convention was made up of a number of different components: representatives of national governments, members of the European Commission, members of national parliaments and of the European Parliament, executive and legislative representatives from both the existing members and the candidate states

The failure of the constitutional treaty

- The 'no' votes in two countries were a severe shock to the 'system', there was nevertheless an immediate reflex by the EU institutions of persisting with the ratification process, and indeed several countries did ratify the Constitutional Treaty in subsequent months, including Luxembourg by referendum
- Both the European Commission and the Member States acted in response to the 'constitutional crisis'
- The Commission identified a gap in the communication between the EU and the citizens, and launched a programme aimed at enhancing the opportunity for dialogue between citizens and elites
- Governments, coming together in the European Council in 2005, agreed that what was needed was a 'reflection period' which would last until 2007 and enable a possible renegotiation of the treaty in time for the next European Parliament elections in 2009

- The draft treaty in the end did include a lot of the language of statehood: flags, symbols, a European president and foreign minister, European laws, a supremacy of EU law clause
- It would also be wrong to assume that it was purely an arena for the open deliberation of constitutional ideas for Europe
- The Convention was influenced by the different positions of the Member States for a number of reasons
- The challenge for the Convention was not only to reach a consensus that would reconcile its own internal differences, but above all to find a consensus that would be acceptable to the Member States that were going to have the final say on treaty reform

- It was considered that there is a need to count on the following government changes and working with public opinion
- Also emerged a perceived need to separate the symbolic (and therefore constitutional) elements of the Constitutional Treaty from the substantive reforms to the institutional structure and decision-making processes
- EU was to celebrate its 50th anniversary in March 2007, a date that provided an opportunity to emphasize the symbolic dimension of European integration
- EU leaders did not miss this chance and agreed to meet in Berlin in order to adopt a 'Solemn Declaration' containing a statement about the Union's values and aims
- The (non-binding) Berlin Declaration provided an opportunity to issue a text that set out the EU's key constitutional principles and reaffirmed the ambitions of the Union in going beyond those of an intergovernmental organization, without entering into further public debate about these

The Lisbon treaty: constitutional change disguised as 'business as usual'

- The Lisbon Treaty was signed by heads of state and government in December 2007
- A number of factors facilitated this process: there had indeed been the anticipated change in domestic politics in key countries, particularly in France with the election of Nicolas Sarkozy as President
- There had been a growing acceptance among the EU's political elite that, while a reform of the treaty was still seen to be necessary, this should not be presented as a constitutional project
- Ratification of 'ordinary' treaty change would be more easily achieved if referendums could be avoided, and for this to be the case, the language of constitutionalism had to be avoided
- Majority of provisions that had been contained in the Constitutional Treaty were ultimately included in the Lisbon Treaty

- The terminology in the text has changed significantly in order to remove the kind of language that could be seen as an indication of statist aspirations
- The name of the 'Union Minister for Foreign Affairs' has reverted back to the existing title of 'High Representative'
- The plan to create a new set of legal instruments for the EU, including 'laws' and 'framework laws' to replace the existing (and continuing) regulations and directives, respectively, has been abandoned
- The article setting out the flag, anthem and motto of the EU has been removed
- Even though it has been presented as a 'simplified treaty', it is in fact much more complex than the original Constitutional Treaty

- The 'Treaty on European Union' and the 'Treaty on the Functioning of the European Union'
- As far as Member States are concerned, there is an expansion of qualified majority voting to new policy areas
- Foreign policy changes
- Other changes

EU's institutional dynamics

• Organisation of the Commission

- Political – college of commissioners
 - President
 - Vice Presidents
 - Commissioners
- Administrative
 - DGs, directorates, units
- Committees, agencies, networks

The European Commission

- The executive
- It has elements of intergovernmentalism and supranationalism
- Originates from the High Authority

The European Council and the Council of the EU

- The institutional heart of decision making
- EC has centralised executive power
 - Organisation, function, mandate
- The EU Council is a legislative body through OLP together with the parliament
 - Coreper
 - Organisation
 - Function
 - mandate

• Functions

- Policy initiation
- Monitoring and implementation of the policy
- Management of the programmes
- External role
- Mediation

The European Parliament

- Originated as common assembly at ECSC
- Organisation
- Power
 - Budgetary
 - Holding commission to account
 - Legislative powers
 - Consent, consultation, coordination, co-decision (OLP)
- Functions
- Parliamentary groups

The ECJ

- **Composition**
- **Structure**
- **Procedure**
- **Jurisdiction**
 - Direct actions
 - Preliminary rulings

- **Judicial activism and the reaction of the member states**

Democracy, integration and governance

- EU Demos
- EU public sphere
- EU media
- EU parliamentary elections are second order elections
- European citizenship
- Charter of fundamental rights

- Democracy is a set of procedural rules arriving at collective decisions in a way which accommodates and facilitates the fullest possible participation of interested parties
- Democracy as such can be applied to any polity
- Legitimacy is the generalised degree of trust that the governed have toward the political system
- Input and output legitimacy

- Democracy and governance debate
 - Representative democracy
- Participatory democracy
- European transparency initiative in 2005
- Constitutional treaty and Lisbon Treaty
 - Provisions on democratic principles
 - Citizens initiative
 - Empowering national parliaments to oversee the principle of subsidiarity
 - Co-decision procedure the ordinary legislative procedure

- From permissive consensus to democratic deficit
- The increase in competences raised the democratic concerns
- Solution to democratic deficit
 - Increase parliamentary representation
 - Limit the transfer of power through empowering national parliaments

- Crisis
- Populism
- The EU legitimacy

WHICH COUNTRY HAS A HIGHER LEVEL OF POLITICAL EUROPEANIZATION, ALBANIA, OR NORTH MACEDONIA?

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 Date: 14.02.2023

NOTIONS OF EUROPEANIZATION

Bottom-up perspective- How member states and other domestic actors shape EU policies, EU politics and the European polity.

Top-down perspective- How the EU shapes institutions, processes, and political outcomes in both member states and third countries.

Mix of perspective- Combines the focus by analyzing policy cycles or long-term interactions between the European Union and its members.

WHAT IS EUROPEANIZATION?

A prominent concept in the study of European Integration and EU.

Interactions between the European Union and member states and third countries.

Analyses how member states shape EU policies, politics, and polity while the other focuses on how the EU triggers domestic change.

POLITICAL EUROPEANIZATION

Process of consolidation and enlargement of the European Union, thus the integration of states. Units and modes of integration have implications regarding the measurement of integration and disintegration.

Determine by looking at the de jure integration laid down in the treaties.

Sectoral dimension- Process 'through which new policy areas or sectors are increasingly regulated at the EU level'

Vertical dimension- Refers to the distribution of EU competencies between EU institutions.

CONCEPT OF EUROPEANIZATION

Sometimes used narrowly to refer to implementation of EU legislation or more broadly to capture policy transfer and learning within the EU. Sometimes used to identify the shift of national policy paradigms and instruments to the EU level.

Refer to its effects at the domestic level ... or in a more expansive way to include effects on discourse and identities as well as structures and policies at the domestic level. (Dyson and Stella)

Incremental process reorienting the direction and shape of politics. (Ladrech)

Reception and projection highlights the relationship between the EU and member-government institutions as iterative and interactive, but difficult to conceive in the relationship in conventional, positivist social science terms. (Bulmer and Burch)

Emphasis on 'emergence and development' that identifies the Europeanization process as one of up-loading in the development of EU institutions and downloading in terms of 'authoritative European rules'. (Börzel)

EUROPEANIZATION OF ALBANIA

Tended to join EU to reinforce the democratic process.

Peculiarity with the total isolation of the country for decades and the real paranoia which left a legacy of 'political passivity' since for many years.

Bring about the transposition of the EU law into domestic law, the restructuring of domestic institutions according to the EU rules; or the change of domestic political practices according to the EU standards.

EUROPEANIZATION OF NORTH MACEDONIA

Started with SAA in 2004.

Accession negotiation was made a priority after the Pzino Agreement in 2009.

The dispute with Macedonia name until 2019.

Issue related with Bulgaria



Better democracy of North Macedonia
Albania's governance follows easier path of EU reform.
Opposition party harmed Albania's elections and parliament.
Both use organizations to protect civil society.
Judicial system in North Macedonia is more focused on its strategy and its branches.

WHICH ONE IS BETTER SO FAR?

<h4>Albania 2018 Report</h4> <p>Democracy- Strong polarization Elections- Cross-party agreement in accordance with OSCE/ODHIR</p> <p>Parliament- Opposition boycott.</p> <p>Governance- Focus on EU integration and rotation.</p> <p>Civil society- Function of National Council for Civil Society.</p> <p>Public administration- Improvement of the efficiency and transparency</p> <p>Judicial and fundamental rights- Attacks shortcomings in the justice systems.</p>	<h4>North Macedonia 2018 Report</h4> <p>Democracy- Start of the accession negotiation process.</p> <p>Elections- Restoring citizen's trust in accordance with OSCE/ODHIR.</p> <p>Parliament- Violence which threatened democracy.</p> <p>Governance- Restoring of checks and balances and increasing the transparency.</p> <p>Civil society- Improved civil society organizations (CSOs)</p> <p>Public administration- Progress of the European Commission's 2016 recommendations</p> <p>Judicial and fundamental rights- Progress of strategic documents and amendments.</p>
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THANK YOU FOR YOUR ATTENTION!

<h4>Albania 2022 Report</h4> <p>Democracy- Focused on cross-party agreement in the 2021 electoral agenda.</p> <p>Elections- Ad hoc parliamentary committee which followed the OSCE/ODHIR recommendations.</p> <p>Parliament- Changes in MPs.</p> <p>Governance- Priority on policies and communication to focus on the EU reform agenda.</p> <p>Civil society- The new Law on registration of Non-Profit Organizations</p> <p>Public administration- Progress in consultations and strong impact in assessments.</p> <p>Judicial and fundamental rights- Progress in justice reform.</p>	<h4>North Macedonia 2022 Report</h4> <p>Democracy- New phase in the EU accession process</p> <p>Elections- Organization of democratic elections remained conducive within the legal framework.</p> <p>Parliament- damaged by political polarization.</p> <p>Governance- Discuss of the pandemic and war in Ukraine.</p> <p>Civil society- Operated through the civil society policy 2022-2024</p> <p>Public administration- Limitation on the 2022-2025 public financial management.</p> <p>Judicial and fundamental rights- Progress in the reform strategy and the issues of the systemic rule of law.</p>
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