

Arolda Elbasani, ed.

## ***European Integration and Transformation in the Western Balkans: Europeanization or business as usual?***

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The Thessaloniki Summit of 2003 offered perspective to all countries of the Western Balkans to become members of the European Union once they meet necessary conditions. To facilitate the Western Balkans' accession, the EU has devised specific instruments in addition to those already part of the enlargement strategy. The reason for tailor-making efforts stems from concerns over stability in the region as a result of the violent break-up of the former Yugoslavia, as well as from the fact that Western Balkans countries are overwhelmingly economically poor and democratically weak. Unlike former communist states of Central and Eastern Europe, in the Western Balkans one finds unfinished, fragile, or contested states. This makes the enlargement approach and Europeization efforts more volatile, less comprehensive and generally exceptionally challenging.

This book promises to focus on domestic factors that are crucial if enlargement into this region will eventually take place. This is carried out through a series of case studies analysing Europeization processes in a range of policy areas in specific countries. Although each case study speaks for itself, it also feeds into the broader argument of complex legacy and multiple transitions the states of the Western Balkans are going through. Such a 'heavy load' makes Europeization efforts, even where they are genuinely supported by local elites, perplexing.

Case studies analyse key areas of institutional and policy reform, including state bureaucracy, rule of law, electoral management, environmental governance, cooperation with the International Court of Justice, economic liberalization and foreign policy in Croatia, Serbia, Macedonia, Albania, Kosovo and Bosnia and Herzegovina.

The book is divided into three parts and eleven chapters. Part one is entitled *Europeanization Travels to the Western Balkans* and contains two chapters. Chapter one is written by Arolda Elbasani and it deals with the issue of contested stateness which the author argues is the crucial missing link between the transformation power of the EU enlargement, domestic structural obstacles and the scant will to reform in targeted countries. Chapter two is written by David Phinnemore and it provides a general background on the EU enlargement strategy in the Western Balkans. By drawing parallels with the frame of enlargement utilized in CEE, the author emphasizes the ambiguous nature of the EU commitment in the Western Balkans and the increasing fatigue on the EU side to absorb a new wave of enlargement. The chapter shows that the Stabilization and Association Process draws on the tools and mechanisms that the EU developed in its relations with Central and Eastern Europe, but it cautions against the assumptions about the SAP based exclusively on the CEE countries experience.

Part two is comprised of five chapters and discusses the Europeanization in Croatia, Serbia, Macedonia and Albania which are more or less consolidated states. Chapter three is written by Mieczyslaw P. Boduszynski and is entitled *The Trials and Triumphs of Europeanization in Croatia*. Boduszynski shows us how 'heavy' legacies, including economic structure and state-building, have cast a long shadow on post-communist transition. Croatians have impeded Europeanization in key areas of conditionality: economic liberalization, rule of law, foreign policy and cooperation with the International Criminal Tribunal for the former Yugoslavia (ICTY). Preoccupations with nation and state-building have come into conflict with the EU's conditions on regional integration and cooperation with the ICTY. However, a credible offer of membership and a change in elite and public attitudes have helped Croatia become an example of how the burden of structure can be made more bearable through a determined course of Europeanization.

Chapter four is written by Jelena Stojanović who writes about EU political conditionality towards Serbia where membership prospects are faced by domestic constraints. Stojanović analyses Serbia's cooperation with the ICTY as the single most important condition for the country until very recently. The fifth chapter is written by Jessica Giandomenico who writes about EU

conditionality as a transforming power in Macedonia and evidence from electoral management. The analysis of different electoral polls suggests that the EU's pressure proved successful in improving the legal aspects of reform. Yet, domestic factors, including the lack of political will to adopt a fair game, but also the lack of administrative capacities and knowledge to implement the adopted rules, have distorted the working of new legal transfers. Persistent clientelism, where elites use personal rewards in return for votes is put forward as the node that links corrupt elites, ethnic divisions, weak administrative structures and a society which tends to support parties that deliver. The sixth chapter is written by the editor of the book Arolda Elbasani who writes about EU administrative conditionality and domestic obstacles with the example of slow, hesitant and partial reform in post-communist Albania. Elbasani traces the role of the EU in building a stable and professional civil service system in Albania against the many historical odds. Similar to the Macedonian case, the EU proved effective in fostering formal changes aimed at the creation of a professional bureaucracy. Yet, governing actors have used informal practices at the borderline of legality to take political control of the state and serve their socio-political clientele. The legacy of the one-party state regime and the continuity of elites related to that tradition explains why Albania's consecutive governments have only paid lip service to the EU's requirements by, talking the talk' of reform, but refraining from changing informal rules of political control. The last chapter in part two is written by Martin Mendelski who follows the same line of research as the two previous chapters when analysing EU-driven judicial reforms in a comparative perspective. The analysis shows that the EU's conditions have engendered change in almost all capacity-oriented aspects, but few real changes in the impartiality-related aspects and neutral enforcement of the law. The findings on partial and limited compliance with the rule of law requirements are explained by the inadequacy of the EU's technocratic approach to tackle informal and illicit tactics, including clientelistic power structures, but also semi-mafia and criminal structures used by illiberal actors.

Part three deals with Europeanization in contested states and is divided into three chapters. Dimitris Papadimitriou and Petar Petrov write about the European Union's strategy in Kosovo (1999-2010) and state-building without recognition. They investigate the capacity of the EU to orchestrate domestic reform in the context of incomplete sovereignty in

Kosovo. Given the legal uncertainty surrounding the Kosovar state and the lack of a common EU position on its recognition, but also the EU's involvement in all aspects of governance and state-building, the country presents a uniquely complex problem of Europeanization. Adam Fagan writes about building environmental governance in potential candidate countries and environmental impact assessment processes in Bosnia and Herzegovina. The analysis suggests that Europe's transformative power is working at the level of formal compliance. Yet, substantial adoption of EU environmental rules is hampered by the poor capacity of non-governmental actors to engage in policy deliberation and the lack of state capacity to coordinate the various actors involved. Rafael Biermann writes about secessionism, irredentism and EU enlargement to the Western Balkans. Although secessionism has abated as a prevailing sentiment and a serious policy option compared to the previous decade, it remains a dormant problem able to disrupt contested and consolidated states in Kosovo, Bosnia, Macedonia and Serbia. Secessionism not only exacerbates uncertainties of nation-building, but it outright conflicts with the idea of integration.

The conclusion brings us a chapter written by Tanja A. Börzel who writes about Europeanization and Western Balkans as a test case for transformative power of Europe. She revisits the main theoretical arguments on the relationship between the EU and the factors mediating transformative power of Europe in the light of empirical analysis. In the Balkan context, not only is the misfit with the EU's demands much greater than in the case of CEE, but also their willingness and capacity to implement the EU rules are far lower. Weak statehood is distinguished as the most important missing link between EU conditionality and the scant willingness and capacity to reform in the targeted countries. Unfavourable domestic conditions, including the breaks of stateness, have not prevented the formal adoption of the EU's norms and rules, which have taken place at least to some degree in almost all of the countries under investigation. The main problem is effective application and enforcement.

This book expands knowledge on systematic analysis of Europeanization processes in various policy areas in countries of the Western Balkans. It is a study of these countries, their historical legacies and complex realities, but this is also a study of the 'enlarging' EU at present time. By focusing

on domestic factors, this book helps a reader better understand not only what the EU is trying to achieve in the Western Balkans, but why these efforts have only limited success. It also brings insight when and how pro-European domestic forces in the region can be identified and, ideally, empowered to join efforts with the EU in deeply transforming this region.

The book is recommended to students of enlargement studies, Europeization, Western Balkans and specific policy areas analysed in the book. It is also recommended to NGO activists and policy makers, both in Europe and in the Western Balkans.

Marina Funduk