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European Integration in the Western Balkans: Revising the Transformative Power of the EU

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AROLDA ELBASANI, MAY 30 2013

During the 1990s, the Western Balkans[i] have dominated academic attention as a region of violent and troubled transitions when compared to the smooth transformations elsewhere in Central and Eastern Europe (CEE). The region's reputation as Europe's 'trouble-making periphery' promised to change at the turn of the 2000s, when the European Union (EU) extended the vow of membership to all countries of its South-eastern periphery left out of previous enlargement (Elbasani 2008). By that time, enlargement was held as the most successful EU foreign policy tool, which had contributed to create peace and stability, inspire reforms, and consolidate principles of liberty, democracy as well as market economy in the previous candidates from CEE. Balkan countries themselves had moved to strengthen the position of pragmatic groupings, reformists and committed Europeanists, creating a friendlier environment for the EU enlargement agenda (Pond 2006).

The EU policy shift, coupled with increasing internal demands for integration in the target countries, have generated high expectations that enlargement instruments will work to discipline post-communist reforms in the Balkans in the same way that they did in CEE (Phinnemore 2013). Such assumptions are at least partly fueled by mainstream Europeanization studies, which attribute to EU strategy, especially the central policy of conditionality, a dominant role in explaining domestic reforms. The subsequent section will summarise the precepts of Europeanization studies and the critiques merging from the angle of comparative politics and post-communist area studies. The last section suggests the need to bring in the domestic factors that characterise difficult cases of democratization and how they might challenge the transformative role of EU in the Balkan region.

Top-down Europeanization and its Critics

Mainstream Europeanization research, shorthand for the domestic impact of EU, overemphasises the role of top-down EU enlargement policies, especially the central policy of conditionality, when explaining the scope of domestic change in candidate countries in the East (Elbasani 2013). Accordingly, the EU has made accession of new candidates contingent on a set of intrusive criteria that were operationalized in greater detail during the process of Eastern enlargement. These conditions come with sizable rewards for domestic elites, especially the highly appreciated 'carrot' of membership, which the EU bestows on compliant countries. The asymmetrical power that the EU holds in the process, when combined with the intrusiveness of the conditions attached to membership, have led to a massive process of rule transfers, and it has arguably allowed the Union unprecedented influence on the restructuring of domestic institutions and the entire range of public policies in CEE (Kubicek 2003; Schimmelfennig and Sedelmeier 2005).

An alternative strand of research, usually grounded in assumptions of comparative politics and post-communist area studies, adopts a more sceptical view of the EU strategy and its influence on post-communist transitions. Critics of the EU, and other external factors more generally, share the concern that it is important not to 'overestimate the EU influence' (Grabbe 2003: 305) and/or 'prejudge the role of the EU *vis-a-vis* other sources of domestic change' (Goetz 2000). This is often the case with mainstream research on candidate countries' Europeanization, which takes EU conditionality as a guiding analytical concept and then evaluates the results of reform as measured against the

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EU prescriptions (Brusis 2005: 297). The de-contextualized and short-term reform assessment, thus attained, are particularly predisposed to decouple the policy output from the evolutionary domestic process and the array of factors that screen, download and implement the EU requirements in the domestic arena. Furthermore, simple assumptions on the causal relation between EU pressure and domestic change run into trouble against increasing evidence that enlargement has generated differential impact across countries, issue-areas and time periods (Borzal and Risse 2009). Critical accounts of candidate countries' Europeanization, therefore, call for the need to contextualize the role of EU and bring in more prominently domestic factors as the key to explaining successful rule transfers in the post-communist space (Noutcheva 2012).

Opening the Pandora Box of Domestic Politics in the Balkans

Europeanists' search for domestic conduits of change has, by and large focused on domestic actors with whom the EU can create some kind of 'coalition' to push forward its agenda of change (Jacoby 2006: 625). In line with Europeanization research we identify the *Strength of reformist elites* as the most crucial factor determining the success of EU conditionality strategy. Accordingly, the EU's conditional rewards impact domestic politics by strengthening the circle of domestic reformist and/or liberal groups who share the preferences of the EU; and repelling groups who resist the EU enlargement agenda. By the 2000s, the situation in the Western Balkans was resolutely different from the vicious circle of nationalism, violence and authoritarianism that had locked-in their distinct path of transformation in the first decade of transition. The exclusionary nationalist and authoritarian politics have yielded to more differentiated choices and flexible politics favouring negotiation and compromise (Ponds 2006).

From Croatia to Serbia, Montenegro and Macedonia, and to some extent even in the states that have experienced violent war atrocities like Kosovo and Bosnia, reformists and EU allies betting their fortune in the process of EU integration have become stronger to compete with and even win over rigid nationalist forces. The region has thus moved to accumulate more 'liberal capital', be it individual leaders, political parties, governing majorities, social groupings and/or a public opinion predominantly favourable to the project of European integration. Such elite circles have become the turning point of change when and where they were able to side-line networks that had 'captured' transition. Still, quite often in the Balkans, reformists proved too weak to pursue deep-seated change, embedded, as they were, amidst hybrid institutions and complicit old and new networks that had everything to lose from substantial reforms (Bodzynski 2013; Stoyanovic 2013).

Moreover, the fragility of domestic reformers in the Balkans points to *structural constraints* that enable certain choices, but constrain others. Post-communist area studies in particular draw attention to historical legacies –totalitarian heritage, weak civil society or simply political patterns – as confining conditions that limit the range of possible choices (Ekiert and Hanson 2003). Accordingly, pre-existing structures constitute 'deep conditions' that frame the capacity of human action to take on and execute new rules and models. The heritage of the past has been especially problematic in the Western Balkans, which share short periods of prior democratic experiences, long-term patrimonial state-society relations, poor socioeconomic development, former totalitarian regimes, and predominantly violent and chaotic modes of transition (Diamandouros and Larrabe 2000: 28). While historically-confining conditions have defined a generally problematic 'Balkan' category among the universe of post-communist cases, *weak stateness* is perhaps the most crucial dimension, which requires special attention. Studies on post-communist transitions, particularly the troubled experience of the Western Balkans, focus on the role of stateness as one of the macro factors binding the past with the future and confining the parameters of regime change (Linz and Stepan 1996). Stateness consists of two dimensions 1) a firmly established sovereign state authority and (2) bureaucratic capacities to logistically implement policy decisions (Elbasani 2013).

Contested states – ones that lack agreement about territorial boundaries of the political community and who has the right of established nation-state – are confronted with secessionist movements, controversies over national identities, disputed borders, ethnic tensions and reconciliation problems (Bierman 2013). Such disputes take up all the energy needed to conduct reforms. States that lack the infrastructural capacities to exercise authority and enforce law are typically ones that lack functional bureaucracies, are hopelessly ensnared in losing battles with predatory rent-seekers ravaging its resources, powerless to monitor lower state officials and unable to extract resources from the population (Ganev 2005: 428) This type of state, captured by particular interests and subject to

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elites' predatory project of extracting state resources, is also often short of necessary capacities to implement its policy vision.

State-building both as a process of settling borders, consolidating national unity and/ or strengthening institutional capacities remains, is at best, incomplete across the Western Balkan cases. Bosnia and Kosovo are contested states that possess limited sovereign authority and are run as protectorates. Secessionism looms large as a potential threat in some of the countries in the region. Moreover, all states, despite their sovereign attributes, suffer from weak governing capacities when compared to other CEE countries. The violent collapse of Yugoslavia and consequent vacuum of state authority across the post-yugoslav space has enabled the mushrooming of informal networks that use and prey on the formal institutions, reducing them to empty shells incapable of performing the tasks required by the EU (Kostovicova and Bojicic-Dzelilovic 2008: 19). Even Albania, which transferred as an intact territory into its post-communist existence, suffered a violent breakdown of state authority in 1997, which enabled the collusion of illegal networks within the highest echelons of political power.

In the new political environment, featuring strengthened reformists and pro-EU allies, the issue thus remains how to turn the delayed trajectory of regime change and mounting structural deficit into a successful story of state- and institution-building. Whereas one decade ago the EU was busy ousting nationalists and uniting moderates, the question today remains whether EU enlargement can succeed in locking-in the success of moderate groups and energize commitment for reforms against the many structural obstacles, especially the unfinished process of state-building.

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[i]Albania, Bosnia and Herzegovina, Croatia, Macedonia, Serbia and Montenegro

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