EUcopas

Jean Monnet Centre of Excellence
Cologne - Paris

Report on the
EUCOPAS PHD WORKSHOP 2017
Being a member of the EU: pros & cons
19-20 January 2017
Sciences Po, Centre d'études européennes, Paris

The decision of the British people to withdraw from the European Union leads to consider differently the issue of the memberstateness of the EU. What has been taken for granted for ages in most of the European member states now starts to be questioned and reconsidered. Political debates in many countries tend to address the pros and cons of remaining in the EU or of joining it. For others, the issue is not leaving the EU but transforming it into a differentiated set that could take the form of a 'core Europe' or of 'multiple circles'. The conclusions of the European Council meeting of the 18 and 19 February 2016 address this issue by stating: '[...] such processes make possible different paths of integration for different Member States, allowing those that want to deepen integration to move ahead, whilst respecting the rights of those which do not want to take such a course'.

The PhD workshop has therefore been an opportunity to address, through case studies and empirical works, the issue of the state of the EU, especially questioning the domestic relation to the EU (narratives, Europeanisation…) as well as the transformative nature of the EU (differentiated integration, core Europe…).

Ten PhD students from Europe and Japan participated at the two days conference. Their papers and presentations were discussed by academics from Sciences Po and the University of Verona. Presentations came from political science but also law studies.

Marie Walter, Freie Universität Berlin, was awarded the best paper of the workshop for her paper and presentation on 'Building a common European Asylum System despite discordance? The role of stereotypes in the discursive process of policy-making'. She was invited to publish her revised piece on the academic journal *Politique européenne.*

In the following this report presents a synopsis of each presentation.

Opposing Europe from the inside: comparing the activity of FSM, UKIP and AFD in the European Parliament.
Benedetta Carlotti, Scuola Normale Superiore, Florence

Since the late 2000s European Union (EU) is embedded in the economic crisis. Nowadays another crisis puts the EU to a severe test: the immigration one. The increase in the number of seats obtained by the so-called Eurosceptic parties mirrors the effects of both crisis and the way the EU decided to tackle them. These forces find their origin at the national level thus their criticism toward the EU vary in type and degree. Moreover, there is still a lack of knowledge about how these forces translate

their criticism to the EU in the consensual arena of the EP. The literature commonly labels these actors as "Eurosceptic" even though no rigorous definition of this concept still exists. This give rise to a further conceptualization problem: if there is no univocally valid definition of Euroscepticism, how can we label an actor as such? Critically revising the most common definitions of Euroscepticism this paper proposes a reconceptualization of it in terms of Euro-opposition. This latter is later on operationalized focusing on three parties critical to the EU and represented in the EP: the United Kingdom Independence Party (UKIP), the Italian Five Stars Movement (FSM) and the German Alternative for Germany (AFD). Furthermore, the same procedure is applied to their national mainstream counterpart (parties in government at the national level): the British Conservatives (CON), the Italian Democratic Party (PD) and the German Christian Democratic Union (CDU). Analysing the speeches they deliver during the EP's plenary sittings this work operationalizes the proposed definition of Euro-opposition proposing an index of Opposition/Agreement to the EU and seeks to answer to the following questions: how do parties translate their critique toward the EU from the inside of the EP? Are there some differences among them? If yes, how can we measure them? Moreover it delves qualitatively in the data to assess the character of their opposition: is it principled or
pragmatic?

Is SYRIZA a "Federalistic Eurosceptic" party?
Modestos Siotos, Université Paris 1 Panthéon Sorbonne.

The purpose of this study is to undertake a theoretical categorization of the positioning of the Coalition of Radical Left (SYRIZA) on European policies. Existing literature generally categorizes parties from European radical left family as Euro-sceptic or Euro-critical. The former reject both the policies and the ideology of the European Union (EU) as a political construction that "serves the interests of the capitalist class". For the Euro-critical radical left parties, although the EU is "fundamentally inhospitable to radical-left policy goals" (Hooghe et al. 2002), there are key policy areas that can be reformed. This paper addresses the challenge of categorizing SYRIZA to both these categories due to its lack of ideological coherence as a multiparty alliance with strong political differences surging between its main constituents. We argue that its problematic positioning towards the European integration project is best captured by the term "Federalistic Eurosceptic": the term refers to the Greek radical leftists' double, and sometimes contradictory, discourse which, even though rejects the existing treaties and criticizes both the partial loss of national sovereignty and the structures of the European governance mechanisms, does not dismiss the European integration project as a whole. On the contrary, it asks for deeper, more democratic political integration which is elevated as the best and only alternative choice to the "undemocratically" imposed austerity policies.

Fighting for Europe, or Defending Home ? Ideological vs. National interests in the European Parliament, 1952-1979.
Mechthild Herzog, University of Luxembourg

Prior to the European Parliament's (EP) first direct elections in 1979, its members (MEPs) were elected national parliamentarians who voluntarily took over the second mandate as delegates to the Communities' supranational assembly. The MEPs were not committed to a European electorate: their decisions were merely advice to Council and Commission. They were thus not bound to much more than their own democratic conscience. Based on EP plenary debates and a number of semi-structured interviews with former MEPs, this paper analysis the domination of either national concerns or supranational(ist) attitudes in the argumentation of MEPs from different member states

and party groups, as regards their perception of the EP as a Community institution, as well as certain issues in the field of social policy. Social policy was one of the areas where member states' governments hesitated the most to transfer national sovereignty to Community level. At the same time, most of the early. MEPs favoured a common social policy, though often disagreeing on the details. The founding treaties of the European Communities contained only few and rather limited social provisions, allowing for vivid debates in the EP about the definition of a common social policy, and about specific necessary action. This paper shows what impact the MEPs' different national backgrounds and ideological attitudes had in the EP's early development, not only in terms of increasing controversy in plenary sessions, but also concerning the formalisation of parliamentary procedures.

(De)Politicizing European Integration: The Pros and Cons in the Political Parties Discourses on European Integration in Ireland during the Eurocrisis
Alban Versailles, ISPOLE, UCLouvain

The recent crisis that has badly hurt the European economy was also a storm for the political sphere. That specific context presents the opportunity to study the concept of politicization. We can define it as « an increase in polarization of opinions, interests or values and the extent to which they are publicly advanced towards policy formulation within the EU » (De Wilde 2011: 566-567) The literature in this field underlines that there is a differentiated politicization between the different countries, settings (parliaments, public sphere, public opinion) and levels (domestic or European). (De Wilde, Leupold, Schmidtke 2015). This literature concludes in particular to the need to study intermediate factors of politicization (Zürn, 2015). This research aims for a better understanding of this differentiated politicization of European integration. Combining the analysis of a contextual factor, the Eurozone crisis, to the analysis of national political parties' discourses, this paper will focus on one important « shadow zone » of European integration (de)politicization process: the importance of intermediate factors of (de)politicization. The role of the national political parties and their discourses and narratives will be analysed as an intermediary factor to question the transformative nature of the EU. In order to question the domestic relation to the UE, this research is focused on the Irish political parties and studies in particular their discourses on European integration during the Eurocrisis. Ireland was one of the countries that needed help from the European Union and the International Monetary Fund to face the crisis making this case very interesting. The specific context of the Eurozone crisis gives thus access to the pros and cons for Ireland of being a member of the EU.

A group of rights of defence as a part of EU's acquis communautaire: a challenge for the EU candidate states?
Nasiya Daminova, Scuole Superiore Sant'Anna.

The group of the so-called 'rights of defence' is a part of the *EU's acquis communautaire*, and the EU candidate states shall demonstrate their adherence to the high standard of protection in this area. One of the criteria is the signature of the European Convention on Human Rights (ECHR), to which Albania, the former Yugoslav Republic of Macedonia, Montenegro, Serbia and Turkey are the parties. At the same time, the recent practice of the Court of Justice of the European Union (CJEU) and the European Court of Human Rights (ECtHR) looks quite challenging in this regard, and the *aim* of this paper is to shed some light on these trends. The *methodology* used for this purpose is analysing

recent case-law of the CJEU and the ECtHR with a special focus on the rights of defence. The expected *result* of the research is clarifying possible issues for the EU candidate states arising from the jurisprudence of two European Courts in this area. *First of all,* the CJEU *Opinion 2/13* (read in conjunction with *Melloni)* prevents the EU Member States from establishing higher level of protection in comparison with the ECHR standards, in the areas where the EU legislation is fully harmonised. The most problematic areas in this regard are the mutual trust situations (European Arrest Warrant, Brussels II, Dublin III), often directly connected to the rights of defence application. *Secondly,* recent ECtHR **Dhahbi** and **Schipani** lines of reasoning describe preliminary reference procedure as a possible element of the right to a fair trial (Art. 6 ECHR) in cases involving the individuals under the jurisdiction of the EU Member State. *Thirdly,* the CJEU *DEB* and *Shrems* cases raise the question of the fair trial right substance within the meaning of the EU Law. These lines of reasoning are evidently aimed at creating an autonomous standard in European Law which is independent from external legal orders, even from the Convention legal regime. In the light of the case-law mentioned above, it will be argued that the situation for the EU candidate states can be seen as quite challenging one. On the one hand, *Opinion 2/13* approach may create problems for non-EU members to the ECHR which established higher standards of protection in accordance with the Art. 53 of the Convention, since they may have difficulties with the EU law implementation in these areas. On the other hand, the candidate states legal systems shall be prepared for the usage of the preliminary reference procedure as the element of the fair trial right in accordance with Art. 6 ECHR. Overcoming these challenges is evidently a difficult task both from political and legal point of view, especially considering the CJEU attempts to create the autonomous standard of Human Rights protection in the area of the rights of defence, which differs even from the one provided by the European Convention.

Strengthening of Sources of Power: A Study of EU Energy Diplomacy
Masahiro Ishii, Hitotsubashi University

The EU is a unique supranational actor in international relations. There is a long debate over what kinds of influence the EU has in diplomatic relationships with third countries. This debate still continues and is so far important topic of studies of international relations.
This paper examines the followings as research questions. What is power in terms of EU energy diplomacy? What are sources of power? Are there any experiments of *strengthening of sources of power*? If so, how are these taken?
We focus on the EU's energy infrastructure policy in order to observe *strengthening of sources of power* of EU Energy Diplomacy. The EU implements the Trans European Network (TEN) as its infrastructure policy. This TEN covers energy infrastructures of EU and beyond (TEN-E), and it selects prioritized projects as the Projects of Common Interest (PCIs). PCIs are eligible to apply the EU's funding mechanism, the Connecting Europe Facility (CEF). The EU also forms and uses an international regime, Energy Community (EnC), as a tool of its energy diplomacy and forms a PCIs' style prioritization mechanism, the Projects of Energy Community Interests (PECIs). We examine these from a view point of the *EU's sources of energy diplomatic power*.
There are already huge discussions over what kind of power the EU is in diplomatic relations. We based on three approaches from these developments: normative, market, and regulatory power approaches. This study is not aim to find out the most explainable approach. This study rather focuses on elements, which these approaches put a significance, as the *EU's sources of energy*

diplomatic power. We would consider how the EU strengthens these sources of power by the following manners.

The anti-corruption regime in the EU accession process.

Miranda Loli, Technische Universität Darmstadt.

Along with the general mainstreaming of good governance into the work of the most important international organizations, the EU has also launched different initiatives to establish itself as a major good governance actor as part of its neighborhood policy. Anti-corruption is arguably one of the most paramount aspects of good governance. In fact good governance and anti-corruption have at times been used synonymously.

This paper examines the fight against corruption in the EU and potential members. At the latest since the economic crisis of 2008, corruption has resurfaced as a major point of tension in the relationship between members of the European Union, particularly between the highly indebted southern countries and the more stable North. Hence, in order for any form of European integration to go forth, the issue of corruption needs to be addressed more fundamentally.

While corruption is not really part of the general legal provisions of the EU, the number of various EU organizations, networks and initiatives specifically aimed at fighting corruption has considerably increased over the course of time. The EU's anti-corruption regime has been particularly active in Central and Eastern European Countries (CEE). This region presents an interesting area for research for two reasons. Since it has served as the experimental playground for the anti-corruption industry, it offers a variety of anti-corruption programs and approaches. Moreover, the stark anti-corruption conditionalities present in the financial restructuring mechanisms, standard setting and benchmarking of the EU, which were reinforced by the pre-accession process, can be observed here.

Building a common European Asylum System despite discordance? The role of stereotypes in the discursive process of policy-making.

Marie Walter, Freie Universität, Berlin.

Asylum and migration have become one of the most divisive political issue between European countries and societies. The Member States of the European Union (EU) share the same international and regional legal obligations towards refugees. Nevertheless, their practices differ significantly. Despite very strong historical and ideological differences, the EU Member States, together with EU institutions, have developed a complex normative framework: the Common European Asylum System (CEAS). Through successive – often unsuccessful – policy-building enterprises, multiple policy crises and painstakingly negotiated reforms, what first started as a loose intergovernmental cooperation developed into a full-fledged EU policy within three decades (Angenendt and Parkes 2009).

How to evaluate the result of this policy-building process? Until the adoption of the second asylum legislative package of the CEAS, the academic literature was dominated by strong critics of EU asylum policy, represented as a restrictive political construct designed to service the security and economic interests of the states (Campbell 2015; Huysmans 2000; Guiraudon 2000; Chimni 2008; Schuster 2000; Lavenex 2001; Thielemann 2001). With the second asylum legislative package, a number of substantive rights and protective mechanisms were adopted and codified in EU law. This has led to a much more complex debate in the academia on the European refugee regime, now intertwined with discussions regarding the so-called 'refugee crisis' and the dysfunctional elements of the CEAS.

To better understand the development and the contradictions of the European asylum policy, I examine the following questions: Which interpretations of the concept of 'refugee' have prevailed or

gone under in the successive phases of the political decision-making process? How is, as a result, the figure of the 'refugee' constructed in EU asylum law? How can we explain these processes? In my research, I use a Foucauldian discourse analysis framework to scrutinise the decision-making processes of the first and second legislative phases of the CEAS as well as the current policy developments seeking solutions to the 'refugee crisis'.

The Anglo-European connection in the field of anti-terror intelligene cooperation.

Hager Ben Jaffel, King's College, London.

The present proposal discusses the relationships between the United Kingdom and the European Union and takes the case of the Anglo-European connection in the field of anti-terror intelligence cooperation as a point of entry. Contrary to conventional wisdom and in view of the British decision to leave the European Union, the main argument starts from the assumption that British services are and have always been European. How can it be that the United Kingdom and, more precisely, related security services should still be regarded as being part of the European family? In other words, how can British involvement in the European game be explained?

The debates on the British opt-out from Justice and Home Affairs - which have preceded the discussions on the « Brexit » - have proved relevant in addressing the above questions. Put simply, the debates highlight how British security professionals have resisted political incursion into operational policing matters by advocating a specific way of doing cooperation at the European level. For instance, membership to European internal security agencies such as Europol and Eurojust is considered to be an essential instrument in delivering security. The present reasoning lies in a discourse whereby intelligence exchange - as it is provided by these agencies - is framed as a remedy against crime at home and EU-wide. By doing so, these professionals have constructed the opt-out as a security risk for British and European societies altogether. Overall, these debates turned out to be a pertinent indicator of Britain's engagement and role in Europe as well as an evidence of related practices.

Although EU studies have proved their relevance vis-a-vis the explanation of the mechanisms of Europeanisation, I argue that these have reached their limits when it comes to account for the social and historical dimensions behind transnational spaces such as the arena of EU anti-terror intelligence cooperation. Instead, a sociological perspective and, in particular, an approach in terms of 'field' (Bourdieu: 1972, 1979) enables one to interpret cooperation as a social enterprise where the practices of actors and their positions account for their adhesion to the space's internal logic and, in this case, European security arrangements.

The International Explanation of the EU Memberstateness.

Marlène Rosano-Grange, Sciences Po.

How has post-1945 global come to shape the origins and evolution of EU memberstateness? Looking for EU memberstateness in the international context comes from a simple observation: from the European Coal and Steel Community to the current European Union, European leaders have always defended irreconcilable positions about memberstateness - thus blocking integration - until an international event came to unlock negotiations. This observation points to the international context as a key factor in explaining EU memberstateness. That is why I show that EU memberstateness is not to be found in European politics but in the shifting parameters of powers in a post-1945 global order.

In order to demonstrate my thesis, I am using a historical sociology of international relations method (Hobson, Hobden, 2002). It is based on secondary sources – global history case studies -, archives – from EU institutions, member states and international organizations-, statistics and speeches – memoirs of European leaders and interviews. The question of the combination between macro and

micro sources, each with a specific temporality, coupled with the distinction – or not – between structures and conjunctures- will be raised as a methodological and theoretical issue. This data will allow me to verify my three main hypotheses, which are the following.

From 1945 up to the 1960s, I show that memberstateness stems from American structural power. In a Cold War context, the United States - through the Marshall Plan and the Organization for European Economic Cooperation – resolved blockages about memberstateness. The US drove France to accept an integration process with Germany and without the UK – partly because of the so-called "special relationship". Since the 1960s when the EEC became the world's leading exporter up to now, Europe has distanced itself from the United-States and competed against them in the GATT/WTO arena. It has been a major factor in integrating first the UK, Ireland and Denmark and then former Southern dictatorships, thus overcoming internal competition and contradiction, particularly in agriculture, cohesion, and single currency policies – for my case studies.

I finally examine to what extent the end of the Cold War provided the necessary incentives to integrate Eastern States. I analyze new waves of enlargement as a way for EU to first compete politically with the US after the failure to stop Yugoslav wars and second with Russia, as the Ukrainian crisis shows.

Even if is difficult to analyze the current situation due to the lack of critical distance; I argue that today disintegration process – materialized in Brexit - comes from the end of international structures that had pushed for European integration; that European contradictions now are playing the first role.

Programme

Thursday, 19th January

THE POLITICS OF EU INTEGRATION
<u>Chair</u> : **Assaf Shapira** (Israel Institute and CEE)

2:15 – 3:00 pm   **Benedetta Carlotti** (Scuole Normale Superiore Firenze)

                                    "Opposing Europe from the inside: comparing the activity of FSM, UKIP, AFD and FN in the European Parliament"

                                    Junior discussant: **Marlène Rosano-Grange** (Sciences Po)

                                    Senior discussant: **Wolfgang Wessels** (University of Cologne)

3:00 – 3:45 pm   **Modestos Siotos** (Université Paris 1 Panthéon Sorbonne)

                                    "Is SYRIZA a "Federalistic Eurosceptic" party?"

                                    Junior discussant : **Masahiro Ishii** (Hitotsubashi University)

                                    Senior discussant : **Wolfgang Wessels**

3:45 – 4:30 pm   **Mechthild Herzog** (University of Luxembourg)

                                    "Fighting for Europe, or defending Home? Supranational ideas vs. National interests in the EP, 1952- 1979"

                                    Junior discussant: **Miranda Loli (**Technische Universität Darmstadt)

                                    Senior discussant: **Olivier Rozenberg** (Sciences Po, CEE)

4:45 – 5:30 pm   **Alban Versailles** (Université Catholique de Louvain)

                                    "(De)Politicizing European Integration: the pros and cons in the political parties discourses on European integration in Ireland during the Eurocrisis"

                                    Junior discussant: **Marie Walter** (Freie Universität Berlin)

                                    Senior discussant: **Olivier Rozenberg**

Friday, 20th January

EUROPEAN LAW UNDER THREAT
<u>Chair</u>: **Olivier Rozenberg**

9:30 – 10:15 am   **Nasiya Daminova** (Scuole Superiore Sant'Anna)

                                    "A group of rights of defence as a part of EU's acquis communautaire: a challenge for the EU candidate states?"

                                    Junior discussant: **Hager Ben Jaffel** (King's College)

                                    Senior discussant: **Neliana Rodean** (University of Verona)

10:15 – 11:00 am   **Masahiro Ishii**

                                    « Strenghtening of Sources of power : a study of EU Energy diplomacy »

                                    Junior discussant : **Benedetta Carlotti**

                                    Senior discussant: **Neliana Rodean**

11:15 – 12:00 am   **Miranda Loli**

                                    "The anti-corruption regime in the EU accession process"

Junior discussant: **Modestos Siotos**
Senior discussant: **Loic Azoulai** (Sciences Po)

12:00 – 12:45 pm   **Marie Walter**

"Building a common European Asylum System despite discordance? The role of stereotypes in the discursive process of policy-making"
Junior discussant: **Alban Versailles**
Senior discussant: **Loic Azoulai**

THE EU MEMBERSTATENESS BETWEEN DIPLOMACY & PUBLIC POLICIES
<u>**Chair**</u> **: Neliana Rodean**

1:30 – 2:15 pm   **Hager Ben Jaffel**

"the Anglo-European connection in the field of anti-terror intelligence cooperation"
Junior discussant: **Nasiya Daminova**
Senior discussant : **Emiliano Grossman** (Sciences Po, CEE)

2:15 – 3:00 pm   **Marlène Rosano-Grange** (Sciences Po)

« The international explanation of the EU memberstateness »
Junior discussant : **Mechthild Herzog**
Senior discussant : **Emiliano Grossman**