

# Reconstituting Territory in the EU Multi-Level System: The Dynamics of Migration and Cohesion Policy in Croatia, Macedonia, and Slovenia

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## **Reconstituting Territory in the EU Multi-Level System**

It is truly astonishing that the concept of territoriality has been so little studied by students of international politics; its neglect is akin to never looking at the ground that one is walking on. (Ruggie 1993, 174).

### **Introduction<sup>1</sup>**

This paper argues that engagement with the EU possesses an important territorial dimension and that this is a neglected aspect of Europeanization. By focusing on the constitutive and re-constitutive effects of European integration on territory we seek to move debate forward about the transformative effects of European integration. By emphasising territoriality we move away from reliance on multi-level governance (MLG) as a signifier in the spatial organisation of EU politics. MLG in the EU is often presented as an overarching policy framework and this is correct in the sense that politics is organised at the sub-national, national, and international levels. Being descriptive, MLG is not a theory of the spatial organisation of politics and as a concept MLG has ‘travelled’ and has been ‘stretched’ to fit a variety of policy sectors. Despite MLG spawning a powerful and influential literature, our view is that territoriality is not overarching but constitutive.

We do so by analysing two policy areas that possess a clear and powerful relationships to territory and territoriality - cohesion and migration/border security - in three states, two that are candidate countries and one that is a relatively new member state – Croatia, Slovenia and Macedonia. The territorial referent is central to both policy sectors. Both imply relationships between controllers and the controlled that regulate access to resources (Sack, 1986). We see the EU’s engagement with SEE as one vast exercise in rooting out path dependence through the diffusion of an idea of what constitute the modern European state. Central to this has been adaptation to the EU acquis and governance by conditionality which we understand as a non-territorial means of pursuing territorial objectives. We hypothesize that variance in the two policy arenas has three aspects: the individual policy and its specificities; the time period in which a policy is developed and implemented; and, its consequences for the definition and organisation of space.

### **Territory, territoriality and (re) territorialization**

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<sup>1</sup> This paper is based on research conducted as part of the project ‘Multi-Level Governance in South East Europe: Institutional innovation and adaptation, policy transfer and resistance’ funded by the Economic and Social Research Council (RES 062230183). This research explores adaptation in the cohesion, Environment and migration policy sectors to the EU acquis in Croatia, Greece, Macedonia and Slovenia and is conducted with our colleagues Ian Bache and Charles Lees.

The place of territory in the Europeanization literature is uncertain. Yet territory poses fundamental questions for Europeanization because a key concern of the Europeanization literature is the sources of domestic variance within territories (Berezina and Sehnain 2003). Goetz (2008) is one of the few explicit considerations of territory in relation to Europeanization but is primarily geopolitical, concerned with the possible existence and viability of regional groupings (or clusters) of states within the EU (other notable exceptions being Rokkan (in Flora 1999), Bartolini (2005), and Ferrera (2005)).

Territoriality defines Europe and the EU plays a visible role in the constitution and re-constitution of territorial politics. The obvious historical and intellectual relationship between the state, territory and sovereignty encourages state-centrism and raises the danger of falling into a 'territorial trap' (Agnew, 1994; Taylor, 1996). State-centrism links sovereignty to clearly bounded territorial spaces, distinguishing between 'inside' and 'outside' with the territorial state the spatial container for social life. The EU challenges all three, but the EU is composed of bounded, exclusive territories that are socially constructed and contested (Passi, 2003: 110), not least by the processes of European integration and enlargement. Territory is historically contingent and with the rise of the nation state took on primary significance as a 'power container' (Giddens 1987) so the EU is only the latest set of pressures on boundary creation and boundary maintenance in Europe. Territory, territoriality and sovereignty are intertwined and sovereignty is a powerful constitutive principle for the delineation and control of bounded space, but state sovereignty has, of course, never been absolute (Krasner, 1995-6).

The EU has a complex relationship with sovereignty. A condition of membership is that applicants demonstrate they constitute a 'sovereign' state prior to pooling elements of sovereignty. This has been seen as leading to a territorial 'unbundling' of sovereign rights arising from the emergence of non-territorial, functionally organised political authority (Ruggie, 1993: 165). Extraterritoriality is, Ruggie contends, 'the institutional means through which the collectivity of sovereigns has sought to compensate for the "social defects" that inhere in the modern construct of territoriality' (Ruggie 1993, 171). Ansell, by contrast, sees the EU not as a site of territorial unbundling but of 're-bundling', 'a space of multiple functional and territorial jurisdictions' in which the territory-governance relationship is changing and becoming more complex. What has been unbundled (and re-bundled) is not territory but authority and in particular the authority of the sovereign state (Ansell 2004, 5).

We see territory as an expression of power and as socially constructed. Sack (1986: 19) offers a precise yet nuanced definition of territoriality as a strategy entailing 'the attempt by an individual or group to affect, influence, or control people, phenomena, and relationships by

delimiting and asserting control over a geographical area' (1986, 19). This has five consequences: first, constant effort is required to maintain territory; second, territory becomes territory when access is controlled with boundaries signifying access to/denial of resources, including power. Third, boundaries mould, influence and control the actions and policies of those in power; fourth, boundaries must be communicated and recognised; and finally, territory varies in fixity and intensity (Sack 1986, 20). Of particular relevance to this paper is Sack's observation that 'The logic of territorial action is more complex than the logic of distance because territoriality is imbedded in social relations. *Territoriality is always socially constructed*. It takes an act of will and involves multiple levels of reasons and meanings. And territoriality can have normative implications as well' (1986, 26. Emphasis added). Territory expresses social power, which constitutes and re-constitutes territory and embraces a multitude of complex interactions that can be described by differing ideational perspectives. Sack continues, 'People do not just interact in space and move through space like billiard balls .... Human spatial relations are the results of influence and power. Territory is the primary spatial form power takes' (Sack 1986, 26).

Despite linking power and territory as a strategy of control, Sack's analysis of political power is thin. International politics focuses on relations between states and comparative politics on the state but social science generally has 'pushed for a broadening of the political to embrace all aspects of social life so politics is an aspect of any territorializing event' (Delaney 2005, 97-8). A focus on hierarchical territorial organisation allows us to conceive of power as coercion, persuasion, and preference-shaping at all territorial levels whilst retaining the state as the core actor.

Croatia, Slovenia and Macedonia have been, and are, subject to a range of processes subsumed under enlargement and integration, which impact significantly on territory and territoriality. Territory is dynamic and as the site of complex interactions is highly susceptible to Europeanization, which means we must examine how different forms of interstate cooperation and coordination develop over time. Despite their seemingly loose connection, territoriality and Europeanization are, on closer inspection, tightly connected and European level processes constitute re-territorialization. Mann, for example, argues the greater the infrastructural power of the state (the state's ability to penetrate civil society, implement authoritative decisions, and provide public goods) the greater the territorialisation of social life (1984, 208). Goetz reminds us that 'Integration does not necessarily strengthen functional-sectional organizing principles at the expense of territory; it may accentuate territorial logics, as can be seen in the rise of new forms of sub-state territorial politics (2008, 73). Both migration and cohesion are exposed to EU preferences concerning 'good governance'.

Governance is a notoriously difficult concept to pin down but we propose the following: 'the rules, processes, and behaviours by which interests are articulated, resources are managed, and power is expressed in society' (DG Enlargement 2008, 1) and 'is a meaningful and practical concept relating to the very basic aspects of the functioning of any society and political and social systems' (CEC 2003a, 3). We see good governance as a non-territorial means of achieving territorially grounded objectives via the principles of openness, participation, accountability, effectiveness and coherence (SIGMA 1999, 8-18). These principles do not refer explicitly to territoriality or territory but as means for influencing relationships between controllers and controlled and regulating access to things and resources, good governance is concerned with new forms of boundary that 'mold, influence or control activities' (Sack 1986, 19). These principles apply to, and distil the essence of, the modern European state, in contrast to the 'failed' states of ECE and SEE. Good governance therefore constitutes a referential and (re-) constitutive model and is part of a convergence in territorial governance (SIGMA 1998, para. 2, 5; Harmsen 1999, 81-113; and Kassim 2003, 1-28). While aspirational and permissive (Pernice 2009), the EU's good governance principles seek to reconstitute territoriality by imposing obligations, expressing the results to be achieved, and by promoting institutional building (SIGMA 1999, 14-15). Future and current members are required by the EU to have a reliable system of territorial governance able to incorporate Community standards and decisions into their legal systems and effectively implement them (Olsen 2003, 506-31).

The EU's declared purpose is to expand the ability of its Members to deliver public goods by 'pooling' sovereignty and by common policies, which requires a state with the capabilities (or which can develop the capabilities) to do so. The EU thus requires its members to have a high degree of territorial infrastructural power but engagement with the EU renders territory more multi-level, overlapping and dynamic with states playing a central mediating role. Thus, the EU promotes (re)territorialisation, at different levels and in different policy spaces in ways that vary over time.

### **Policy, power and implementation**

Policies embody the expectations of those who formulate them. Expectations are general (implementation will be efficient, effective and conform to the norms of a democratic polity) and specific (it will be effective). The relationship between these expectations is complex, opaque and variable, so different policies 'constitute real arenas of power. Each arena tended to develop its own characteristic political structure, political process, elites and group relations' (Lowi 1964, 689-90).

*Regulatory* policies are specific and focussed, targeting the behaviour of individuals defined by policy makers as a group requiring regulation. The policy seeks to limit the discretion of those implementing it by specifying closely who is subject to negotiation. Individual decisions are based on

the application of general rules and the costs are borne by those subject to the regulation, whilst benefits accrue to the wider group. Normatively, regulatory policies stigmatize those being regulated as a 'threat' to the wider community. *Redistributive* policies address relations between broad categories of actors with impacts focussed at a higher level than the individual, concerned with 'haves and have nots.' Resources are transferred from the wider community for use in clearly specified situations; much of the politics generated is concerned with these specifications. Winners tend to be concentrated; losers more diffuse, the distribution being justified by an appeal to an ethic such as social justice or social solidarity (Lowi 1964, 690-91).

The distributive-regulatory distinction only takes us so far and can seriously mislead as power structures cannot be 'read-off' from policy type. Lowi's work is located in the American experience, which points to the need to specify the intervening domestic variables and also adopt a more nuanced approach to classifying power structures and patterns of dependence and resource exchange. A more nuanced examination of power distribution requires us to move away from 'macro' categories ('pluralism', 'elitism', etc), to examine both structure and agency alongside territoriality.

In their analysis of power in global governance, Barnett and Duval (2005, 13-32) combine relational specificity (direct – diffuse) and whether power works through specific actors or social relations of constitution to produce four types of power: compulsory, institutional, structural and productive (Figure 1). Whilst all four embrace structure and agency, agency as intentionality tends to be strongest in compulsory power and weakest in productive power; for structure, the reverse applies. In terms of the EU's transformative power what are the characteristic manifestations of these types of power? The most obvious manifestation of compulsory power is the enlargement and accession process; institutional power is best seen in the constraints and opportunities afforded Member States by membership of the EU; and structural power can be seen as the consequences of engagement over time on a consistent and regular basis with the EU and its related bureaucracies resulting in social learning. Productive power is more difficult to pin down. It can be seen as the development (or not) of a European identity with the strength and resilience of comparable territorial national and sub-national identities.

**Figure 1** **Types of power**

Type of power	Definition	EU Manifestation	Resistance type	Propinquity
Compulsory	Direct control by one actor over the conditions of existence and action of another	Enlargement and accession using direct incentives to ensure compliance; reference of Member States to (for example) European Court	Actors seek and mobilise resources that can be used to impose, or counter, the actions of others	Direct
Institutional	Indirect control by an actor over the conditions of action of socially distant others	Determined primarily by membership, which requires conformity to 'the rules of the game'; these set out the constraints upon and the opportunities open to actors	Exploitation by actors of the 'rules of the game' to advance and defend interests, accumulate resources and control the agenda	Indirect but not necessarily distant as this can influence domestic governance
Structural	Constitutive relations or a direct, specific and therefore mutually constitutive kind such as rules and procedures	Generated over time as a result of engagement with the EU's institutions and processes over time on a regular and consistent basis; a 'social learning' model	Attempts by actors to reduce the inequalities inherent in the relationship and generate solidaristic behaviour, cooperative and consensual attitudes/behaviour	Direct irrespective of distance between actors
Productive	Diffuse constitutive relations producing the situated subjectivities of actors; refers to discourses and meanings	The development of a transcendental European identity with a strength and resilience equal to, or comparable to, that of national and sub-national identities	The development of strategies to re-model and remake subjectivities, develop new discourses and narratives	Indirect/distant

(Derived from Barret and Duvall 2005, 12).

Barnett and Duval do not adequately account for territoriality, despite an obvious territorial element – global governance – in their analysis. Territoriality has to be explicitly considered because we are dealing with a long and very complex implementation chain: supranational ↔ national ↔ sub-national ↔ local. Complex multi-levelled implementation chains will have different patterns of implementation and power distributions in different policy sectors and at different territorial levels of the implementation chain. To explore this we use Matland's (1995) typology that departs from the 'top-down' versus 'bottom-up' distinction to implementation and develops a contingency model of implementation by combining two dimensions: conflict and ambiguity, and intensity (high-low). Conflict 'will exist where more than one organization sees a policy as directly relevant to its interests and when the organizations have incongruous views' (Matland 1995, 156). Conflict is generated by programme goals, content and jurisdiction and is ineradicable so the organization's focus is on its management, which has implications for the power structure associated with that policy. Low levels of conflict make actor access to the network easier; the greater the conflict, the higher the barrier to entry. Intensity affects the methods used to resolve conflict, so the lower the conflict the more likely is bargaining and vice-versa.

Ambiguity manifests itself in both goals and means. Goal ambiguity is often presented as leading to misunderstanding and failure but it can be functional in limiting conflict rather than provoking turf wars. Ambiguity over goals can also promote acceptability and legitimacy by creating opportunities for compromise. In the case of means, ambiguity over organizational roles, tools and outcomes can contribute to policy failure. However, ambiguity can stimulate creativity and innovation. Combining these two dimensions produces four types of implementation politics.

In *administrative implementation* (low conflict/low ambiguity) outcomes are determined by resources. If sufficient resources are allocated then the desired outcome is virtually assured; implementation is 'mechanistic', approximating the Weberian bureaucratic paradigm. The number of actors is stable, there are clear operating procedures, and the process is bound together by clear norms that directly influence actor behaviour. Failure is the result of technical shortcomings, misunderstanding, poor coordination, insufficient resources and poor monitoring. This corresponds to top-down models and is essentially technocratic; normatively it is the most desirable implementation politics.

*Political implementation* (low conflict/high ambiguity) is based on clearly defined goals but actor goals are incompatible and there is also likely to be conflict over means, so implementation will be based on power. Compliance is not automatic so implementation is open to external influence and is concerned with securing the compliance of those who possess resources vital for successful implementation. Outcomes depend on an actor possessing resources that can be



exchanged, a failure to exchange jeopardises implementation and these actors possess independent power bases enabling them to resist pressure. The result is likely to be a negotiated outcome. Outcomes are not, however, decided at the lowest level because of the power resources deployed by top level actors.

In *experimental implementation* (high conflict/low ambiguity) outcomes depend on which actors are most involved so context often dominates. Outcomes depend on the resources and actors at the micro-implementation level, which can vary from policy site to site. This model approximates the ‘garbage can model’ and is very location sensitive. The range of actors, variance in understanding the policy, the resources deployed, and so on can vary widely across an organization, over time and from place to place so creating spaces for bureaucratic entrepreneurship and variations in policy to meet local needs. Experimental implementation is open to environmental influences that can produce substantial programme mutation. This can lead to failure or ‘box-ticking’ but could also stimulate innovation whereby the objectives of a complex policy are achieved by learning and adaptation. Top level bureaucrats must, therefore, welcome variety and accept a high degree of local-level initiative.

*Symbolic implementation* (high conflict/high ambiguity) sees the invocation of powerful symbols that generate substantial conflict even if policy goals are ambiguous in an effort to encourage compromise. The result is a high level of variance but here coalitional strength at local level determines the outcome; the closest analogy is that of the street level bureaucracy. Implementation conflicts are likely to be long and bitter particularly in the case of redistributive policies with high levels of ambiguity over policy goals. Symbolic implementation is highly conflictual with elements in common with Political Implementation (intense actor engagement, resolution through coercion and/or bargaining, power depending on resources and coalition membership, etc) but it differs because Symbolic Implementation hinges on coalition strength at the micro-level whereas Political Implementation hinges on coalitional strength at the macro-level. As ambiguity weakens (more explicit goals, clearer means, etc) Symbolic Implementation moves towards Political Implementation and the influence of central/top-level actors’ increase. The analysis of Symbolic Implementation rests therefore on identifying competing factions and specifying the micro-level context but central actors (who provide resources, incentives, set agendas, etc) remain an important influence even in a process dominated by local actors. Figure 2 synthesizes these theoretical filters for our two policy sectors.

**Figure 2**                      **Theoretical synthesis**

	<b>The Policy Sectors:</b>	
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	<b>Cohesion</b>		<b>Migration</b>	<b>Source</b>
<b>Policy type</b>	Distributive		Regulatory	Lowi
<b>Power structure</b>	Institutional		Compulsory	Bennet and Duval
<b>Diffusion Mechanism</b>	Utility manipulation; socialization/persuasion		Coercion; manipulation of utility maximization	Börzel and Risse
<b>Diffusion outcome:</b>		<b>Normative</b>		
	Administrative	'Ideal'	Administrative	Matland
	Experimental	'Actual'	Political	Matland
	Symbolic	'Pathological'	Symbolic	Matland

'Ideal' = what policy makers aspire to.

'Actual' = what they are likely to get.

'Pathological' = worst case outcome.

In the next two sections of the paper we apply these ideas to two policy sectors in which the EU plays a key role, which are important domestically, and which represent different policy types and implementation politics.

### Cohesion

This section examines how cohesion influences territoriality. The policy's purpose is unambiguous: it seeks to reduce socio-economic disparities between and within countries via, for example, the European Regional Development Fund (ERDF) for Member states and the Instrument for Pre-Accession Assistance (IPA) for candidates, which is designed to mimic cohesion policy to enable accession countries prepare for managing policy after accession (Tables 1, 2 and 3).<sup>2</sup> Policy is determined centrally but programme development and implementation are national competencies using functional and territorial networks. The fieldwork revealed general agreement on policy objectives but conflict over policy-making and implementation within states.

**Table 1 Financial Assistance: Slovenia 2007-2012 (€bn).**

Objective	Fund	EU	National	Total
	Cohesion	1.4	0.3	1.7
Convergence	Regional Development	1.9	0.3	2.2
	Social	0.8	0.1	0.9
Total convergence		4.1	0.7	4.8
Cooperation	Regional Development	0.1		0.1
Total		4.2	0.7	4.9

**Table 2 Financial Assistance: Croatia 2007-2012 (€m).**

	2007	2008	2009	2010	2011	2012
Transition Assistance and Institution Building	49.6	45.3	45.6	39.4	39.9	40.8

<sup>2</sup> DG Regio is responsible for cohesion; DG enlargement administers pre-accession funding but under IPA DG Regio is responsible for the elements that mimic cohesion policy and DG Enlargement is responsible for pre-accession aid.

Cross-border cooperation	9.6	14.7	15.8	16.2	16.5	16.8
Regional development	45.0	47.6	49.7	56.8	58.2	59.3
Human Resources Development	11.3	12.7	14.2	15.7	16.0	16.0
Rural development	25.5	25.6	25.8	26.0	26.5	27.2
Total	141.2	146.0	151.2	154.2	157.2	160.4

**Table 3 Financial Assistance: Macedonia 2007-2012 (€m).**

	2007	2008	2009	2010	2011	2012
Transition Assistance and Institution Building	41.6	41.1	38.1	36.3	34.5	32.9
Cross-border cooperation	4.1	4.0	5.5	5.6	5.7	5.9
Regional development	7.4	12.3	20.8	29.4	35.0	39.4
Human Resources Development	3.2	6.0	7.1	8.4	9.4	10.5
Rural development	2.1	6.7	10.2	12.5	14.0	16.9
Total	58.5	70.2	81.8	92.3	98.7	105.8

Cohesion policy classifies territory, defines access to resources, and reconstitutes internal boundaries. Three governance principles (hereafter, RPP) introduced in 1989 have territorially constitutive effects: *regionalization* entails the vertical organisation of territory (funds administered regionally, usually the NUTS 2 level).<sup>3</sup> *Partnership* (funds administered by actors from different organisations from different territorial levels) and *programming* (actors working cooperatively in partnerships for three to six years) regulate relations between controllers and controlled and stimulate new ways of working within national borders.

**Table 4 Multi-Level Governance, Europeanization and Territoriality**

	NUTS Level:				
Population (000s)	(3-7m)	(0.8-3m)	(0.15-0.8)		
	Country	Macro-regions	Statistical regions	Local Administrative Unit	
NUTS Level	1	2	3	LAU 1	LAU 2
Slovenia	1	2	12	58	210
Croatia	1	3	21	--	546
Macedonia	1	1	8	84	1776
Source: <a href="http://ec.europa.eu/eurostat/ramon/nuts/home_regions.en.html">http://ec.europa.eu/eurostat/ramon/nuts/home_regions.en.html</a> . Accessed 19 November 2009.					

Cohesion's administrative structures are combined with a state's national and sub-national territorial governments, which differ widely. The cohesion/territory relationship is strong because it stimulated a general move to MLG but Hooghe (1996) found substantial variation in MLG within and between Member States. A major explanation was the prior pattern of territoriality and government's role in controlling centrally the flow of EU (and non-EU) resources and the resilience of historical patterns was confirmed by studies of ECE (Hughes, Sasse and Gordon 2004a and b, for

<sup>3</sup> *Nomenclature des Unités Territoriales Statistiques*. The NUTS classification system was adopted in 1988 but was only adopted as a Regulation (1059/2003) in 2003. The number of NUTS regions are determined by population.

example). Has engagement with the EU led to changes in territoriality, the development of network governance, and change in the conduct of politics?

In 1994 Slovenia, under pressure from the Council of Europe, undertook a major reform of sub-national government. Historically this was an extension of the centre and reform was intended to make sub-national government compatible with the decentralised/self-government model common in the EU members and entrench subsidiarity. However, political interests (no party had a direct interest in decentralization, municipalities were reluctant to lose autonomy to regions) resisted reform (the Local Self-Government Act of 1993 has been amended eight times) and this preserved centralisation and sub-national territorial governments lacked autonomy and resources. Onto this was grafted the demands of accession.

The 1999 Law on the Promotion of Regional Development (LBRD) reflected the RPP principles but the focus of Chapter 21 negotiations shifted to bureaucratic and territorial coordination. The 2001 Progress Report noted limited progress on implementation and none at all on territorial organisation (CEC 2001, 72). The LPRD created twelve NUTS 3 regions to administer funds with Regional Development Agencies (RDAs) being created in 2001 and in 2005 Slovenia was divided into two regions for cohesion purposes. DG Enlargement initially favoured regionalisation but as accession neared, focussed on developing central capabilities. Slovenia had prepared regional development plans and created three pilot regions but these were rejected by the Commission. Accession negotiations eventually closed without any resolution.

The key institution is the Government Office for Local Self Government and Regional Policy (GOSP), not the Ministry of the Economy. GOSP has responsibility for coordinating regional development, the MoE for national economic development.<sup>4</sup> The lesson drawn from accession was that implementation depended on coordination and monitoring, so strategic planning and territorial coordination was concentrated in one body; implementation would be the ministries' responsibility (Interview. GOSP, 6 June 2008). GOSP coordinated the preparation of the Single Programming Document, involving seven other ministries and sub-national governments, social interests and GOSP's role is to produce coherence from complexity (Interview. GOSP, 6 June 2008). Interviewees conceded readily GOSP's dominance and although their influence remains limited, some NGO actors have begun to demand a shift of resources to build local capacity. Paradoxically, GOSP sought to open up an increasingly complex system but complexity reinforced GOSP's centrality (Interview. GOSP, 31 January 2008).

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<sup>4</sup> The LBRD created the National Agency for Regional Development under GOSP. Appointed by central government it is composed of representatives from ministries, the economy and regions to implement regional policy. It also bridges national, regional and EU institutions.

Until 1993, when counties were established, Croatia lacked an intermediate, sub-national territorial tier of government and public administration was centralized and politicized. Political and constitutional change after 2000 saw the beginning of decentralization (Law on Local and Regional Self-Government, 2001). The development of inter-ministerial coordination was underway by 2004 but coordination between central and sub-central government was poor. Croatia, the Commission concluded, needed to develop 'inter-ministerial coordination and wide and effective association of all relevant partners' to familiarise actors with participatory planning (CEC 2005a, 82). The Central Office for Development Strategy and Coordination of EU Funds (CODEF, established in 2006) coordinates the central ministries in preparing Croatia's plans. A CODEF civil servant stressed the complexity of cohesion and continuing problems of horizontal and vertical coordination and the pressure from the EU to resolve this (Interview. CODEF, 14 December 2007). CODEF is not headed by a cabinet minister but by a state secretary, which limits its political influence and whilst CODEF is seen by the ministries as important in making applications, it is often cut out of strategic policy deliberations.

After declaring independence in 1991, Macedonia found re-territorialization was the dominant domestic issue and one in which the EU played a central role in negotiating the Ohrid Framework Agreement.<sup>5</sup> Ohrid open the way to both consociational politics and regional policy. Polity-wide decentralization is, however, reliant on the municipalities whose technical weaknesses are well appreciated and the Commission feared this would have a negative impact on implementation (CEC 2005b, 103). The Commission delegation regarded IPA and the 2007 law on regional development and the eight planning regions, as a critical step in governance as both focussed on decentralization and partnership and sub-national capacity building (Interview. Delegation of the European Commission, 20 May 2008).

In all three states there has been change in territorial government in response to the EU's influence. Has this encouraged network governance? At the outset of its accession process Slovenia's European Agreement promoted sub-national cooperation by encouraging dialogue and information exchange. There was a 'clear political awareness' of the need for a regional policy with appropriate institutions with the capabilities and capacities to implement cohesion policy. The

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<sup>5</sup> The Agreement (13 August 2001) was signed by representatives of the government and the Albanian community and ended fighting between the security forces and the Albanian National Liberation Army. Section 3 called for the decentralization of government in conformity with the European charter on local Self-Government and the EU's subsidiarity principle. Competencies to be devolved were urban and rural planning, local economic development, culture, local finances, education, welfare, and health care. Municipal boundaries would be revised to reflect the distribution of ethnic groups. See [http://www.coe.int/t/e/legal\\_affairs/legal\\_cooperation](http://www.coe.int/t/e/legal_affairs/legal_cooperation). Accessed 19 November 2009.

Commission concluded Slovenia would experience few difficulties (CEC 1997, 91 and 111) as domestic policy was designed to mimic EU policy (Interview. Ministry of Finance, 16 June 2008).

Coordination and monitoring remained problematic because of, not despite, Slovenia's size (CEC 2002, 94). The Commission insisted on a multi-level administration but *acquis* transposition encouraged a concentration on 'defining and completing the administrative structures for the management and monitoring' of the structural and cohesion funds (CEC 2003b, 96). The Commission put little pressure on Slovenia to develop partnerships and the 1998-2004 strategic documents emanated from the ministries with minimal input from sub-national actors or NGOs. Sub-national government was expected to be actively engaged in implementing projects but often lacked the capacity and were bypassed. Pressure for partnership, however, increased after accession.

Twelve Regional Development Associations (RDAs), responsible for strategic planning and implementation, are overseen by councils composed of mayors, but activity levels vary. Initially, (2004-06) regions were influential but their competencies have been transferred to municipalities. Again these lack the resources to undertake their role effectively and this opened the door to partisan influences and reinforced centralization (Interview. Business Incubator. Pomurje Region. 14 January 2008). The Ljubljana Chamber of Commerce described their involvement as 'formal.' Ministries prepared the programmes and sought opinions but then ignored the Chamber's comments. Nevertheless, opportunities for consultation and participation provided access and offered the prospect of future influence (Interview. 18 December 2007).

The Croatian state focussed on developing central capacity (Interview. Ministry of Economy, Labour and Entrepreneurship, 5 June 2008). The Strategic Development Framework (2006) involved non-state organisations, as did the Strategic Coherence Framework (2007) undertaken under the IPA and most progress came in programming and strategic development via the inter-ministerial coordinating group. These familiarised ministries with EU procedures and methods, but Croatia's alignment was still 'modest' (CEC 2006a, 49). Plans were developed without significant NGO/civil society involvement and change was concentrated at the centre (Interview. Chamber of Commerce, 14 January 2008; CEC 2007a, 46-47).

EU-inspired institutions are nested in a centralized system but coexist with tendencies (partnership and decentralization) pulling in the opposite direction (Interview. Ministry for Foreign Affairs and European Integration, 15 May 2008). Conditionality compelled the Croatian state to acknowledge the need to begin to devolve power but the next stage involves encouraging the 'understanding that the local level are not slow stupid people, who don't know what they want, but they are treated as equal partners' (Interview. Croatian Accession Negotiating Team, 15 May 2008).

Until 2008, in Macedonia, limited progress on territorial issues and legislation was coupled with limited progress on the institutional framework (CEC 2008a, 43-4, 49, 55-6). The IPA's mimicry of EU cohesion policy required new laws, institutions and processes which, because of the need for a coordinator reinforced the centre, notably the Secretariat for European Affairs (SEA) and, in decentralization, the Ministry of Local Self-Government (Interview. Ministry of Local Self-Government, 25 May 2008).<sup>6</sup> Notwithstanding, civil servants believed SEA has been most effective at the national level and it would be much more difficult to realise change at the sub-national level (Interview. Secretariat for European Affairs, 18 January 2008).

The municipalities' emergence is complicated by a lack of capacity and politicisation, which renders it difficult to sustain the role expected them (Interview. European Agency for Reconstruction, 15 January 2008). The LBRD envisages extensive consultation between civil society and territorial actors, mirroring both EU preferences and the demands of domestic politics. This, however, raised the prospect of gridlock; critics condemned the process as formulaic with politicians slavishly following EU requirements to achieve membership whilst ignoring domestic concerns. SEA relied on centralised consultation and strategies were then approved by the Commission who paid little attention to whether or not engagement could be replicated locally. SEA civil servants thought the Commission had unrealistic expectations; the emphasis ought to be on equipping the municipalities with bureaucratic skills (Interviews. Secretariat for European Affairs 30 January, and European Agency for Reconstruction, 5 February 2008).

In Slovenia, cooperation is improving and networks are developing but skills shortages means 'there are just too few people who stayed on in the same posts for long enough to transfer knowledge' (Interview. Ministry of Economy, 30 January 2008). Decentralisation might be encouraged by GOSP's resource limitations that will compel it to draw on sub-national bodies and expertise (Interview. Maribor Development Agency, 12 February 2008). As policy evolved, variations in absorption capacity became apparent and GOSP became more directive (Interview. Lower Podravic Region Development Agency, 11 January 2008). Slovenian governance remains centralised; EU engagement has encouraged some re-territorialisation but the power distribution remains unchanged. Ministries engage with sub-national and non-state actors but partnership, as an aspect of territorial governance, is generally weak with activity focussing on improving relationships between ministries, not between territorial levels and organisations. EU engagement has, so far, generated no significant de-territorialization but has sustained the traditional contours of territoriality and controller-controlled relationships.

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<sup>6</sup> The key institution will change. SEA will dominate prior to accession; after the Ministry of Finance and the Ministry of Local Self-Government (MLSG) will be critical. The MLSG is a highly politically sensitive ministry, lacking a minister for several months in 2008 as well as capacity. MLSG is seen as an 'Albanian' ministry.

In Croatia the involvement of social partners and non-state actors has traditionally been weak and, not surprisingly, this has continued despite the accession process. Nevertheless, by 2007, 50 sub-national bodies joined a Regional Development Initiative to exchange best-practice and information and this represents an embryonic sub-national political institution that aspires to influence national policy (Interview. Virovitica-Podravina County, 19 May 2008). The Istrian Development Agency initiated the Adriatic Development Agency, and the Varazdin County RDA pushed for the creation of a Brussels office, which represent a significant potential change in governance (Interviews. Varazdin County Development Agency, 12 February and Istrian Development Agency, 22 February 2008).

Our evidence shows participation in the development of strategy and planning documents but non-state actors remain convinced their input is ignored even though the ministries are now more receptive. Interviewees recognise that sub-national territorial organisation lacks the technical capacity to participate effectively and that participation is, in many cases, determined by party-political considerations. The current distribution of power and influence is a legacy of Croatia's history and the demands of the accession process, but sub-national institutions and network governance is developing in response to EU pressure.

In Macedonia the Commission delegation's assessment was that progress had been made (Slovenia was cited frequently as a model) but the system was afflicted by excessive politicisation and capacity weaknesses (Interview. Delegation of the European Commission, 20 May 2008). Inter-ministerial co-ordination, the relationship between central institutions and territorial levels, and the capability to manage programmes using RPP constitutes a heavy governance load (CEC 2005b, 105). A potentially significant territorial effect was the creation of eight NUTS 3 regions to implement regional development policy. These are overseen by the Council of the Planning Regions, involving mayors from the municipalities. These eight Councils were created by the LBRD and once operational will consist of representatives from all territorial levels, constituting a partnership on regional development and a significant change in Macedonia's territorial governance. There is a domestic consensus over *acquis* transposition but horizontal and vertical coordination is weak and decentralization is limited by weaknesses in capacities. Central government's engagement with domestic actors in the national strategic framework was extensive but strongly steered by the centre whose concerns, which concentrated on accession, dominated. Attempts at constructing partnerships are underway as part of the decentralisation process. There is considerable potential for EU derived re-territorialisation but this is concentrated in local ethnically based government.

Five commonalities emerge: first, the dominance of a central institution; second, some changes in territoriality; third, the development of task-specific bodies with plural membership;



fourth, the development of networks involving NGOs and civil society; and fifth, a shortage of resources and technical capacities, amplified by partisan politics, weakens the sub-national governance. Chapter 21 *acquis* provide a template but implementation is a national competence and cohesion is 'technical' because its outputs can be measured in terms of programme delivery and their visible effects (Meyer and Scott, 1985). Decision makers have an interest in encouraging 'visible and effective' delivery but this takes different forms at different territorial levels. The historical legacy of centralisation was reinforced by the demands of accession and the centre's focus is on creating laws, institutions and strategies to satisfy conditionality often at the expense of sub-national institutions and civil society. The control of territory (pace Sack) is concentrated at the centre. There are low levels of *conflict* (a consensus on EU membership and value of cohesion policy) but *ambiguity* over RRP's consequences for territoriality and the extent to which sub-national/civil society actors are integrated. Elites chose to focus on *acquis* transposition rather than transforming the quality of governance but are, nevertheless, constrained by EU governance norms. Permeating each is an expectation of network governance with conflict over its extent and influence. The power distribution is primarily *compulsory* but with a strong pull towards *institutional* power after accession. Categorising implementation politics is not easy. The closest is *experimental*, with its emphasis on micro-implementation but weak capacity and centralization pulls implementation towards *political* implementation where outcomes are determined by top-level actors interacting with developing sub-national functional and territorial networks but asymmetric power resources restrict the latter's influence.

## **Migration**

This section analyses how migration/border security policy affects territoriality. The policies purpose is to regulate territorial access by non-EU nationals as the basis for eventual implementation of the EU's own internal free movement framework. Migration and border security are politically sensitive, strategic priorities for EU and a key element of enlargement and external relations (Geddes 2008). The EU's common migration and asylum policy is primarily focussed on irregular migration, asylum and border security (or 'unwanted' forms of migration, at least from the perspective of state authorities). Compared to cohesion, migration and border security are newcomers on the EU scene. Informal competencies developed with the JHA pillar instituted by the Maastricht Treaty, but common policies only began to develop after the ratification of the Amsterdam Treaty in 1999. The form of politics generally in EU member states is strongly focused on the executive branch of government, which is a tendency reinforced during the EU accession process.

The territorial referent in this policy area is very clear. International migration as a bundle of social and political concerns is defined by the presence of state borders and their constitutive effects on territory and constituted as a social and political issue by a powerful nexus of competing demands at all levels of the EU (Freeman 2006; Zolberg 1989). Any policy addressing migration coherently and efficiently at the EU level involves extensive dialogue with a range of partners within EU member states and third countries that requires a range of cooperation instruments and a defined central policy. The policy is elite-driven at national and EU levels, which produces a complex relationship between policy makers and policy takers and raises the question as to whether or not states are policy shapers or policy takers.

Migration is a complex and highly diverse issue area with core epistemological uncertainty about the 'meaning' of migration in terms of its causes, drivers and effects. It is precisely within the organisations that were central to our analysis that 'meaning' is ascribed to international migration, or, put another way, ideas develop with explanatory possibilities (Weick, 1995: xi). Our concern during field research was to understand sense-making processes, inter-organisational relations and the extent to which ideas and expectations about migration were shaped by EU power. In addition, we expected - given epistemological uncertainty about causes, drivers and effects - to see tension between 'political' and 'symbolic' implementation, which, could also be seen as a tension between implementing Chapter 24 measures and 'knowing' about migration.

SEE is central to the EU's evolving migration and border security strategies and policies. In its 2007 annual report, the EU's border control agency, FRONTEX identified the main areas in Europe affected by irregular migration according to the number of detections and apprehensions. These included land borders in South-Eastern Europe, especially the Greek-Albanian and the Greek-Turkish borders and the Greek-Turkish sea border (FRONTEX, 2007: 14). The top two sourced countries were Albanian nationals trying to cross land borders into Greece and Iraqi nationals at Greek borders. (FRONTEX, 2007: 16).

The reference in EU migration/border security is primarily to territorial borders and, in particular, to their consolidation in areas deemed vulnerable to new migration flows. Tables 5, 6 and 7 help to show that none of our three case countries is a major source country for immigration to the EU – their populations are too small – but they are now framed as potential transit countries across which migrants from outside the EU may move (particularly Croatia and Macedonia). In Slovenia we found a strongly intra-regional dimension to migration flows and also saw a more rounded debate about migration that also included economic migration given concerns about labour market needs and population change, which we attribute to institutional power associated with EU membership.

**Table 5 Immigration by citizenship (2006)**

Country	Total population	Total number of immigrants	Of which			
			Nationals	Non-nationals	Of which	EU-27 citizens
Croatia	4436400	14978	13944	1029	284	745
Macedonia	2045180	2077	487	1590	259	1331
Slovenia	2010270	20016	1765	18251	1741	16510

Source: Eurostat 2008

**Table 6 Top 5 destination countries of immigrants in Slovenia (2006)**

Country	Number
Bosnia-Herzegovina	7871
Serbia & Montenegro	4447
Macedonia	2097
Croatia	1146
Ukraine	357
<b>Percentage of total accounted by top 5 sources</b>	<b>79.5</b>

Source: Eurostat 2008

**Table 7 Immigration, emigration and net migration 2007-8**

	Immigration		Emigration		Net migration 2008
	2007	2008	2007	2008	
Croatia	14.6	14.5	9.0	7.5	+7
Macedonia	0.4	0.2	0.2	0.7	-0.5
Slovenia	29.2	43.8	14.9	15.5	+28.3

Source: Eurostat 2009

Migration/border security is a regulatory policy type. We would not expect to see the emphasis on the 'institutional layering' of responses or the focus on participation that we see in the area of cohesion policy. In all three cases we found rapid development of laws governing admissions, border controls and asylum. The EU was the core driver of policy development. The key interlocutor in each case was the Interior Ministry for implementation, but with a co-ordination role for the ministries of foreign affairs in Croatia and Macedonia in the context of accession. The EU provides a relatively clear template in terms of the Chapter 24 requirements in the areas of migration, asylum and border security. In practical terms, this has translated into a strong emphasis on border controls and the 'fight against illegal immigration' (CEC 2006b; CEC 2006c; Samers 2004).

Slovenia was our 'goldilocks' case, as by and large it got things 'just right'. We found swift and relatively smooth adaptation of domestic legislation in the areas of migration, border security and asylum to the requirements of EU standards. The nature of this process was made evident to us

in an interview with a senior official in the Interior Ministry when we were told that ‘The state administration doesn’t have an in-depth knowledge about migration as it is primarily focused on implementing legislation’. The focus in Slovenia was not so much on the causes, drivers and flows of migration or on Slovenia’s migration needs (given for example, population change and skills shortages) but on transposition of EU measures as a requirement for membership. In such terms, adaptation to the requirements of EU membership was a largely technical and seemingly unreflective exercise focused on policy outputs rather than migration outcomes. We also found extensive involvement by a range of international organisations that helped to provide the technical expertise and know-how, which we discuss more fully later as this is a feature across all three of our cases.

Adaptation of EU asylum measures in Slovenia saw a lowering of standards on measures such as reception conditions and minimum standards. Adaptation in this case was a watering-down of existing domestic provision. This is indicative of the ‘escape to Europe’ thesis that has been advanced in relation to migration policy whereby the executive branch of national governments (interior ministries in this case) uses EU co-operation as a way of pursuing restrictive policies with diminished involvement by the legislative and judicial branches of government (Guiraudon 2001).

In admissions policy, we saw some tension between the EU migration frame (the need to implement EU policy) and the needs of the domestic economy (the need to know more about migration). Slovenia introduced a quota system in 2004, ostensibly to protect the domestic labour market from potential large scale immigration after 2004 (an unfounded fear). The Ministry of Labour, Family and Social Affairs manages the quota system and has overseen a rise in the number of permits with support from employers and some opposition from trade union (Interview, Ministry of Labour, Family and Social Affairs). In this area, we see a more complex mode of politics without an EU frame for ‘emulation’ and where competing interests seek to steer labour migration policy. We thus see the reference to territorial borders complemented by consideration of organisational borders of the Slovenian welfare state and labour markets as well as reference to conceptual borders made evident through discussion of immigrant integration. Slovenia’s holding the Council presidency in 2007 placed it at the heart of EU decision-making on migration and asylum and enabled one of our interviewees to play a key role in the Standing Committee on Immigration, Frontiers and Asylum (SCIFA), which, through its seven working groups, is the main co-ordinating body at official level.

In Croatia and Macedonia, the context has been negatively affected by the perceived negative migration implications of the 2007 enlargement and subsequent use of ‘upstream benchmarks’. Enlargement fatigue has led to a focus in the western Balkans on visa liberalisation as a

tangible benefit of association with the EU. Croatian nationals already benefits from visa liberalisation while a Commission recommendation for a similar liberalisation for Macedonian nationals was made by the Commission in July 2009 for implementation from January 2010 depending on a positive vote in the Council of Ministers to be taken by QMV on November 30 2009. This constituted recognition that Macedonia had developed adequate systems for border monitoring, introduction of biometric passports and had taken steps to combat crime and corruption. As of September 2009, Macedonia had issued around 531,000 biometric passports (CEC, 2009a: 63). Another striking feature in both cases is the rapid development of domestic legislation. Between 2003 and 2006, Macedonia introduced laws on: asylum and temporary protection (2003, amended in 2008); the supervision of border crossing and movements in the border zone (2004); the supervision of state borders (2006); on foreigners (2006); and on return policy (2008). Macedonia's Community readmission agreement was seen as working well. In the first half of 2008, 269 people were returned to Macedonia in accordance with the agreement. In September 2009, Macedonia adopted a new action plan for implementation of the Schengen *acquis* 2009-11 with 19 border crossing points connected to the data communication network of the Interior Ministry, although police stations responsible for surveillance do not have access. A National Co-ordination Centre for Border Management became fully operational in 2008.

Similarly rapid development has occurred in Croatia. As a senior official in the Croatian interior ministry put it: 'Ten years ago ... we had practically nothing, while now there exist institutions and legal codes and a detention centre and we have done a lot on sensitizing the public on the issue of asylum' (Interview. Senior Croatian government official). The powerful EU frame was made evident by another Croatian interviewee who noted that 'Although Croatia is not a country of destination, asylum-seekers try to relocate as close as possible to the EU, which means that they are mainly economic migrants, who try to abuse the visa system' (Interview. Senior Croatian migration policy official). The Commission's 'working hypothesis' of January 1 2012 for Croatian accession underpins that development of a financial framework to support negotiations. Within this framework are a range of financial measures in the area of migration/border security that distribute to Croatia an allocation of the overall €825million allocated to the 'citizenship, freedom, security and justice' in the 2007-13 budget settlement. Table 8 shows projected expenditure in current prices on citizenship, freedom, justice and security of which the largest component will be c.€60million in 2010 and 2013 for adaptation to Schengen.

**Table 8** Funds allocated to Croatia under heading 'Citizenship, freedom, security and justice' (at current prices)

	2012	2013
EU27	2105	2376

Croatia	97.4	72.2
As %age of EU27	4.6	3

Source: CEC 2009b, 9

In both Croatia and Macedonia decision-makers derive legitimacy at the national and EU levels from conforming to certain expectations about appropriate action through their rhetoric and symbolic decisions. While policy outputs may be generated, it is more difficult to judge their effects. This can mean that ‘talk’ and ‘decision’ bolster support for their programmes and are, of course, associated with the overarching strategic imperative of EU membership (Brunsson 2003). The outputs in terms of legislation are more visible and constitute ‘technical’ indicators of progress, but the ‘institutional’ setting is more complex and it can be much more difficult to assess the change that such measures induce in their broader environment (Meyer and Scott 1985). This becomes starker when a distinction is made between policy outputs and migration outcomes.

We found little evidence of conflict in this elite-focused policy domain. As it was put to us, ‘I don’t see conflict, I see [a] will to co-operate’ (Interview. EU delegation to Macedonia). Yet, our research also showed, as one interviewee put it, the absence of a common language to deal with migration that could include the Ministry of the Interior, the Ministry of Economics and the Ministry of Foreign Affairs and European Integration.

In all three of our cases, the core relationship was between the Commission and the Interior Ministry. This is not an area in which we see participation, nor would we expect to see it. We found that NGOs were most active in the area of asylum and refugees, but were not active in policy development in any of our countries. They were more likely to be outsiders looking in. As an official from the Croatian interior ministry put it, ‘Very often they [NGOs] appear as criticisers, but not those who recommend solutions’ (Interview. Ministry of the Interior, 12 December 2007).

In all three case countries we see the important role played by international organizations as ‘translation’ organisations, but we also see diverse types of international organisation. There were specialist international migration organizations such as the United Nations High Commissioner for Refugees (UNHCR), International Organization for Migration (IOM) and the International Centre for Migration Policy Development (ICMPD) that specialist advice for accession states. Within this category we see a distinction between the technical roles (and associated modes of legitimation) of IOM and ICMPD with the UNHCR exerting more ‘moral’ force as the voice of the international community (Barnett and Finnemore 2004). IOM and ICMPD perform a service role and are often competing for EU project resources. The expertise of IOs is strongly evident in specific regional initiatives, such as the MARRI Initiative of the Stability Pact initiated to deal with migration, asylum and border control issues in Albania, Bosnia-Herzegovina, Croatia, Macedonia, Montenegro and

Serbia. In November 2008 a Memorandum of Understanding was signed between Albania, Bosnia-Herzegovina, Croatia, Macedonia, Montenegro and Serbia to establish a regional system for exchange of statistical data on illegal immigration and to develop a regional early warning system. Bilateral support is evident too through twinning exercises with other EU member states, such as those between Croatia and Germany (in particular), Austria (for its the IBM strategy) and with Slovenia. The Commission did have concerns about the Croatian IBM strategy, but the Austrian twinners 'steered them in the right direction' (Interview. Official EU delegation). In Macedonia, we found a particular influence of Dutch twinning partners on curriculum development for border police.

The EU *acquis* and governance by conditionality provide non-territorial means to achieve territorial objectives. The core reference in this policy field is to control of territory as 'an often indispensable means to power *at all levels* from the personal to the international' (Sack, 1986: 1). Our focus on elite level adaptation points to political implementation where compliance is not automatic, open to external influence and concerned with exerting pressure on those who possess the resources that are vital for policy implementation. In all three cases there was little elite level conflict because of the strong consensus supporting accession, which facilitated implementation in the Slovenian case and adaptation in Croatia and Macedonia. However, the focus of the EU frame on 'unwanted' migration provides a narrow understanding of migration that leads to the development of ideas that are primarily focused on implementation of EU measures rather than knowledge of migration that can, in turn, induce tension between 'political' and 'symbolic' implementation.

## Conclusions

In this concluding section we initially compare the implementation politics in our two sectors and then think about their implications for the territorial dimension of Europeanization. Figures 3 and 4 seek to draw out the forms of implementation politics associated with the two policy sectors in our three cases. Each circle represents Matland's types of implementation but assumes that given the complexity of policy, no single type of implementation can capture the whole picture. The diagrams picture specific policy mix; the overlaps between circles vary as do their relative size, which reflects their relative importance in each policy sector. The arrow indicates the dominant policy relationship.

In cohesion experimental implementation dominates, where policy is centrally determined but which is implemented within and by the territorial state at sub-national level. Nevertheless, because cohesion policy is concerned with the distribution of necessarily limited resources in

conditions of high competition for these resources, the result can be a high level of conflict between territorial and functional actors. Hence, the substantial overlap.

In migration the pattern of implementation politics has a strong symbolic dimension as actors are under pressure to 'do something' but may well have limited capacity to deliver and therefore transfer policy responsibility upwards (to the EU) and engage in a high level of rhetorical activity. Implementation is inter-territorial, politically contentious and can be marked by high conflict/high ambiguity. This means that experimental implementation has low salience despite a high level of public concern. No state will cede control of borders and migration. Policy making and implementation are dominated the territorial state and the European Commission.

In both policies there is a strong emphasis on control of territory, relatively low levels of conflict, relatively high levels of ambiguity and strong differences in the ways in which civil society actors are incorporated (hardly at all in the case of migration/border security). There has been/is a strong EU imperative focused on *acquis* transposition as a technical measure of transformation, but higher levels of ambiguity about the impacts on the broader policy environment. Derived from our analysis of policy type and associated diffusion modes, we saw a key relationship in the implementation of cohesion policy between 'political' and 'experimental' in the case of cohesion policy and between 'political' and 'symbolic' in the case of migration/border security.

**Figure 3** Implementation politics: cohesion policy

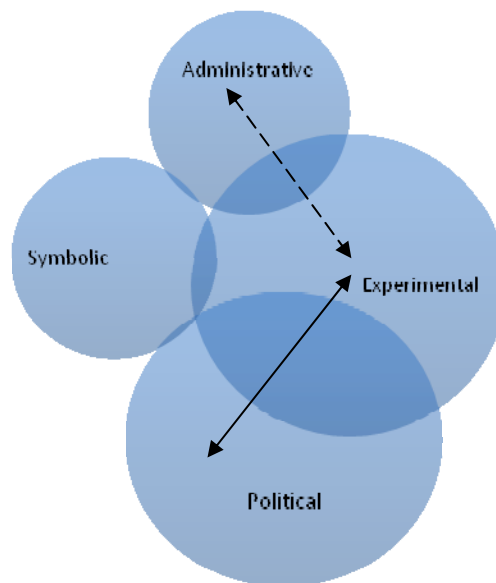
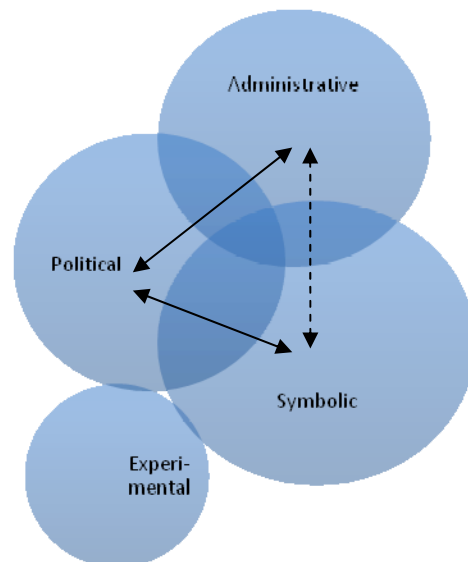






Figure 4

Implementation politics: migration and borders policy



Territoriality, an expression of inclusion and exclusion, defines areas for resource distribution and use, and is a major container for relations between controllers and the controlled, has been largely ignored by the Europeanization literature, whose analysis of territory is, at best, implicit. Moreover, when territoriality is considered explicitly (in, for example, multi-level governance) it tends to be descriptive and organisational. Following Sack (1986) we see territoriality as socially constructed and a primary expression of power relations; in terms of diffusion, the EU plays a key role in that construction, in the distribution of power and in governance. We explore this via cohesion and migration in three states with differing relations with the EU to show how power and territory combine and interact under engagement with the EU to promote extensive re-territorialization. Our cases show how the constitution and re-constitution of territory combines with EU influences and the mediating role of national elites to generate different types of implementation politics. EU preferences for network governance, coupled with the demands of enlargement and integration, reconstitute both territory and relations between controllers and the controlled. We categorise this as using non-territorial means to achieve territorial ends: the creation of modern 'European' territorial states able to taken on the duties and obligations of EU

membership. In macro-historical terms this represents an attempt to disrupt the path dependencies sustaining the centralized, undemocratic, and ineffective states.

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