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## The Evaluation of EU's Neighbourhood Policies: How to Measure the Effectiveness of External Europeanisation.

### 1. The effectiveness of the neighbourhood policies and the conceptual gap between old aspirations and new realities

The European Neighbourhood Policy (ENP) is considered to be the EU's "key geo-strategic project" since the enlargement process of the Central and Eastern European Countries (CEECs) was accomplished in 2004 and 2007 (Ferrero-Waldner 2006). The various neighbourhood policies cover 16 politically and economically heterogeneous neighbouring countries and a multitude of policy fields;<sup>1</sup> these different policies are themselves integrated in the overall bilateral approach of the ENP with its specific, jointly-established action plans and in complementary regional and thematic approaches such as the Union for the Mediterranean (UfM) or the Eastern Partnership (EaP). Brussels' overarching goal within these instruments is to create a 'ring of friends' of neighbouring countries that is characterised by a substantial degree of integration with the EU in a number of policy fields. EU-policies and the *acquis communautaire* in particular are supposed to provide the institutional, regulatory and normative anchors of the process of bringing the neighbours 'closer' to the EU (European Commission 2004). In this context, the ENP establishes a reference framework for the Europeanisation of neighbouring countries that is foremost based on the EU's main leverage of improved, progressive access to the internal market, diffusion of its internal rules and more engagement in regional affairs by offering support and both material and immaterial incentives.

The major question that was raised from the beginning of the ENP concerned how effective the neighbourhood policies could possibly be in the absence of the most effective instrument of European foreign policy, that is, the offer of a credible membership perspective (Schimmelfennig et al. 2006) – which is presumed to be a necessary condition of 'effective' Europeanization. In this context, it was often argued that the applied conditional approach

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<sup>1</sup> The broad political agenda of the ENP contains the fields: political dialogue, economic and social cooperation and development, trade and market regulation, justice and home affairs, transport, energy, environment, science and research, social policy and people-to-people contacts.

toward the neighbourhood would fail and that the established European external policy instruments featured a defective design due to the imbalance between demands and rewards (e.g. Kelley 2006; Mahncke/Gstöhl 2008; Sasse 2008). However, detailed in-depth country comparisons, testing the empirical performance of the neighbourhood policies within and across different policy fields, are still lacking. Exceptions in this matter include Schimmelfennig/Scholtz (2008) and Barbé et al.'s (2009) studies, which suggest that the EU's neighbourhood policies can be effective to a certain degree if sufficient incentives are offered. However, most existing contributions lack a clear concept of what they consider to be 'effective'. Moreover, they often inherently feature inappropriately high expectations in regards to the effectiveness of the European policy approach in the neighbourhood, as these aspirations are foremost derived from the Europeanisation experience during the accession process (e.g. Schimmelfennig/Sedelmeier 2005). However, this comparative point of reference cannot be taken as a model or baseline for the conceptualisation of the evaluation and the measuring of the actual effectiveness of the ENP, since it does not recognise the very different situation in the neighbourhood. Instead, research needs to bridge the conceptual gap between mostly inappropriate aspirations, derived from the experience of a comprehensive accession process, and the new realities that European foreign policy faces in the East and the South. Furthermore, the literature often concentrates on single-country case studies, remains descriptive to a large degree and does not provide a detailed analysis of the factors and conditions of effectiveness. What the review of the literature on the neighbourhood policies clearly reveals is that the ENP is not only a challenge for European foreign policy, but is also a challenge for its students with regard to the evaluation of its effectiveness in and across the different policy fields and countries.

In the following section, I will first briefly discuss effectiveness as a subject of research and its components. While the underlying understanding of effectiveness is rarely addressed explicitly in the ENP literature, existing contributions of the policy field research and the Foreign Policy Analysis provide a useful categorical distinction of different dimensions of (foreign) policy effectiveness that can be considered separately. However, the conceptual added value of the two research branches for the evaluation of the ENP remains limited because neither the policy field research nor the Foreign Policy Analysis feature a comprehensive framework that integrates explanatory mechanisms and tools in order to appropriately explain and measure the effectiveness of the EU's foreign policies in the neighbourhood.

Being aware of this, I propose grasping the 'output dimension' of effectiveness from the perspective of external Europeanisation. A similar perspective has already been successfully applied in the context of the EU's various enlargements and holds the advantage of providing research with a fruitful tool for analysis with regards to the EU's neighbourhood

policies as well. Based upon this, I will subsequently review and discuss three approaches in the literature that can be integrated into this conceptual framework provided by external Europeanisation: the 'external incentives model' (Schimmelfennig/Sedelmeier 2005; Schimmelfennig et al. 2006), the 'external governance approach' (Lavenex 2004) and the 'policy convergence approach' (Knill 2005). The utility as well as the limits of each approach are identified and stressed in the third step, which is relevant since Europeanisation scholars' contributions commonly evaluate the effectiveness of the ENP based upon their respective analytical frameworks and rarely enter into a dialogue with each other. Drawing on the identified strengths, shortcomings and contact points, I will finally outline further research venues and the potential of combining the different approaches in order to analyse and measure the effectiveness of external Europeanisation in 'wider Europe'.

## **2. Grasping effectiveness as a subject of research via the prism of Europeanisation**

### **2. 1 The effectiveness of foreign and neighbourhood policies as a subject of research**

The various definitions and common understanding of effectiveness in political science are very different and are rarely made explicit in studies. However, the underlying concepts are crucial because they determine, along with the subjective expectations of success, what empirical findings would constitute effectiveness. This is particularly true for the neighbourhood policies, which cover a multitude of different policy fields with specific characteristics. According to the specific, rarely elaborated upon concepts of effectiveness, authors base their decision concerning the effectiveness of the EU's neighbourhood policies on disparate criteria. These criteria comprise, *inter alia*, reforms and the willingness to reform (Bendiek 2008), the adoption of the *acquis communautaire* (Lavenex/Wichmann 2009), policy convergence (Barbé et al. 2009), democracy scores (Schimmelfennig/Scholtz 2008) and other policy-specific criteria and issues. Thus, there is no overarching and common understanding of effectiveness with regard to the performance of the neighbourhood policies across policy fields. This absence inhibits valuable comparisons on effectiveness between countries and policy fields as well as of ENP policies and instruments. There is also a corresponding lack of understanding of the factors and necessary conditions that lead to effective policy results in the neighbourhood.

Many evaluations of effectiveness are, furthermore, still biased by the experience of the Europeanisation processes of candidate countries during the EU's latest rounds of enlargement (e.g. Kelley 2006; Sasse 2008). This is partly a path dependent aspect based on

the fact that the ENP's instruments, in many ways, mirror and imitate the enlargement policies and instruments (Kelley 2006), and correspondingly promise "everything but institutions" (Prodi 2002). However, taking the Europeanisation results of the enlargement process as a baseline for the evaluation of the ENP's effectiveness can be highly misleading, since the EU's foreign policy faces a very different and far less promising environment in the neighbourhood than in most candidate countries. Foremost, the EU's bargaining power is much smaller *vis-à-vis* the Eastern and Southern neighbours, seeing as the EU lacks the main incentive of a credible membership perspective (Mahncke/Gstöhl 2008; Sasse 2008). Secondly, the weaker identification of a neighbouring country's elites and the public with the Union and its norms results in very different resonance structures for the EU's policies and demands in 'wider Europe' (Bendiek 2008). Hence, the Union cannot impose its policy contents, rules and norms to the same degree as it did during the accession negotiations under the exceptional circumstances of enlargement. A comparison with the highly successful Europeanisation process during enlargement would therefore fall short since it establishes criteria and expectations that are too ambitious for the evaluation of the ENP's performance. Consequently, such a comparison tends to lead to a negative judgment or even to the negation of any effectiveness at all. What is needed to evaluate the neighbourhood policies appropriately is a more objective, independent and differently shaped understanding of effectiveness, which is not existent in the ENP literature up to this point. However, there are other branches of literature that deal with effectiveness that evaluations of the ENP can benefit from.

The evaluation of effectiveness as part of the policy field research provides a promising point of departure and would help with analysing neighbourhood policies as well. It is helpful to structure evaluations of effectiveness in political science and this structuring can be applied to different subjects of performance analysis. Policy field research on effectiveness mainly relies on Jones (1970) and Anderson's (1975) influential 'Policy Cycle-Model'. Within the model, the initial phase identifies a political problem or a deficit and the second step formulates and applies concrete instruments and policies to address it. The subsequent evaluation of effectiveness refers to both phases and can itself initiate a redefinition of the initial problem or a change of the policy to address it. Relying on this model, Blum and Schubert (2009) point out that any evaluation of effectiveness has a binary structure that aims to analyse the achievement of formulated programmatic objectives ('outputs'), as well as the actual impacts ('outcomes'). Accordingly, the first dimension of evaluations of effectiveness focuses on policy 'outputs' as the results of political actors' decision-making, in the form of policies, regulations and projects, whose adaption was intended and planned. 'Outcomes', on the other hand, focus on the actual impact of the applied measures with regard to the initial situation and problem.

The nature of ‘outcomes’ as a second dimension of effectiveness depends on the specific policy fields and related specific criteria. For instance, the evaluation of the ENP’s effectiveness with regard to the actual findings of energy security or democracy requires policy-specific criteria for both fields to evaluate the impact – the ‘outcomes’ – of the EU’s policies in third countries.

Contrary to this, the effectiveness dimension of the ‘outputs’ focuses on the ENP’s achieved, institutional policy-making results in the neighbouring countries and can be evaluated across policy fields and countries.

Another research branch that is concerned with the issue of the effectiveness of foreign policy is Foreign Policy Analysis (FPA). As policy field research, FPA generally follows a binary structure in policy evaluations, composed of an ‘intrinsic’ and ‘extrinsic’ dimension of effectiveness. The ‘extrinsic’ dimension focuses on the impact of foreign policy with regard to the initial objective and can therefore be regarded as widely congruent with the ‘outcome dimension’ in policy field research. The ‘intrinsic’ component focuses on the process of development and strategic decision-making on policy options by domestic actors, their implementation and the coherence of the applied strategy.<sup>2</sup> The approach was often criticised as being inappropriate with regard to the EU’s foreign policy due to its focus on the domestic level of the national state and the corresponding failure to capture the specific nature of the EU as a *sui generis* international actor (see Lister 1997). Furthermore, the FPA’s focus on the ‘intrinsic’ dimension, and therefore on the actors that design and formulate the EU’s foreign policy, does not provide a sound integration of the domestic level of the third states that the EU’s foreign policy is addressing. Particularly with regard to policy effectiveness that manifests itself in the ‘Europeanised outputs’ in third countries, the domestic circumstances and resonance structures are crucial to understanding the ENP’s effectiveness or ineffectiveness (e.g. Jünemann/Knodt 2007).

Policy field research and the FPA provide ‘lenses’ to categorise the existing approaches of evaluating the EU’s neighbourhood policies. For the purposes of this chapter, I will focus foremost on the ‘output dimension’ of effectiveness, since this constitutes a comparable and more general component of effectiveness that addresses the institutional results of policy-making across policy fields and neighbouring countries. However, further in-depth performance evaluations on specific policy fields that also consider the ‘intrinsic’ and ‘outcome’ dimensions hold the potential to provide research with important insights on the interrelations and associations between the different interlinked components of effectiveness.

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<sup>2</sup> An example of an evaluation of European foreign policy that follows the binary FPA structure would be Vaïsse et al. (2011).

## **2.2 The framework of Europeanisation: a tool to evaluate the effectiveness of European foreign policy**

Europeanisation provides a fruitful conceptual framework to understand the effectiveness of the EU's foreign policy in terms of 'outputs' across policy fields and countries. "[...] 'Europeanization', [is] a term pinpointing to processes of domestic ideational, institutional and policy change that have been allegedly triggered by the EU" (Gänzle 2008: 5). In contrast to this 'top-down' perspective, an 'uploading' of institutions, ideas and policies from the member state level to the EU level can also occur (see Patrick Müller's contribution in this volume). Acknowledging this, more recent research highlights the interaction and the dynamics between both processes as a more complex 'two way process' (e.g. Börzel/Risse 2006; Bafail/Beichelt 2008). The three types of processes identified here are foremost divided on the basis of the identification of the actors that induce Europeanisation mechanisms (EU-driven, state-driven or both).

The literature additionally distinguishes between the array of existing mechanisms within Europeanisation on the basis of their underlying theoretical foundations (Sepos 2008: 3-6), referring to March and Olsen's broader work (1989; 1998) on the two bases that guide the decision-making deliberation of actors, the rational institutionalist 'logic of consequence' and the constructivist 'logic of appropriateness'.

The 'logic of consequences' sees decisions as being "[...] driven by expectations of consequences [...], actors choose among alternatives by evaluating their likely consequences for personal or collective objectives, conscious that other actors are doing likewise" (March/Olsen 1998: 949). From this perspective, political 'outputs' arise from negotiations between rational actors pursuing their preferences and interests. Their achievement and shape (e.g. who is able to prevail on what) depend on the relative bargaining position of the actors. Consequently, providing incentives to actors can alter their cost/benefit calculation and influence their decision-making.

In contrast to the 'logic of consequences', the 'logic of appropriateness' develops a perspective from which the decision-making deliberation of actors, "[...] involves evoking an identity or role and matching the obligations of that identity or role to a specific situation. The pursuit of purpose is associated with identities more than with interests, and with the selection of rules more than with individual rational expectations" (March/Olsen 1998: 951). Here, providing alternative interpretations of the self and the situation can influence the deliberation and choices of actors.

Within the literature, these two logics have been linked to Europeanisation and to ‘Europeanised’ institutional ‘outputs’ through Schimmelfennig’s influential work (Schimmelfennig/Sedelmeier 2005; Schimmelfennig et al. 2006).<sup>3</sup> “According to the logic of consequences, Europeanization can be driven by the EU through sanctions and rewards that alter the cost-benefit calculations of the target state. [...] According to the logic of appropriateness, Europeanisation may be induced by social learning” (Schimmelfennig 2009, 7). The derived mechanisms of Europeanisation focus on the target states’ actors, their decision-making deliberations and the policy-making results, and they intend to explain ‘outputs’ as a result and reflection of Europeanisation in the target states based on the factors that drive the deliberations of domestic actors, which are grounded in different theoretical assumptions. While the rationalist ‘external incentives’ mechanism considers an incentive-driven domestic motivation to be decisive for ‘Europeanised’ policy results, the constructivist ‘social learning mechanism’ conceives a norm-driven motivation of domestic actors to be the driving factor in this respect. It should be noted that in both cases Europeanisation is assumed to be ‘EU-driven’, which is why the two of them can be subsumed under the category of ‘top-down mechanisms’ (Sepos 2008: 4).

With regard to the question over which logic provides a more accurate understanding of the occurrence of ‘Europeanised outputs’ during the accession process, the ‘logic of consequence’ figures more prominently in literature than the ‘logic of appropriateness’ (e.g. Schimmelfennig/Sedelmeier 2005; Schimmelfennig et al. 2006; Schimmelfennig 2008, Vachudova 2005). However, in light of the weaker rewards being offered and the EU’s consequently weaker bargaining power toward the countries covered by the ENP, the importance of social learning as a mechanism leading to Europeanisation was emphasised by several authors (e.g. Kelley 2006; Auvert-Fink 2006; Lavenex 2004). From this perspective, Europeanisation is a result and a process of social influence by interaction and based on legitimacy (Weber 2009: 18-19).

While the Europeanisation research agenda was initially limited to member states and to accession candidates (e.g. Schimmelfennig/Sedelmeier 2005; Vachudova 2005), its scope has recently been expanded beyond Europe to its neighbourhood. This stands to reason because the EU has clearly stated its interest in bringing the neighbouring countries ‘closer’ to the EU and in promoting integration with the EU’s policies and rules (European Commission 2004). Students of ‘Europeanisation beyond Europe’ investigate foremost the domestic ideational, institutional and policy-related impact of policies and institutions that have been modeled at the EU-level, on the decision-making deliberations and the interlinked

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<sup>3</sup> Here, ‘Europeanisation’ is conceived as a process in which states adopt the EU’s rules (Schimmelfennig/Sedelmeier 2005).

'outputs' in the addressed countries (Schimmelfennig 2009). Accordingly, research on such a process of 'external Europeanisation' (Börzel 2010) in the neighbourhood deals foremost with a 'top-down' process and 'top-down' mechanisms.<sup>4</sup>

Many contributions on external Europeanisation focus on formal 'Europeanised' institutions, which are conceived as the measurable results of such a process. This dominating concentration on formal institutions in Europeanisation literature results on the one hand from the fact that, compared to informal institutions, they are empirically more accessible and measurable. The adoption of the *acquis communautaire* in particular lies at the heart of most of the analysis in this context. On the other hand, the transfer of the common and non-modifiable *acquis* became practically the most important accession criteria during the enlargement process that influenced the ENP. Lavenex and Wichmann (2009: 84) note in this context that the ENP was motivated and inspired by the experience of Eastern enlargement and basically continues to promote the EU's Eastern and Southern neighbours' approximation to the EU's *acquis* without, however, offering a membership perspective. While the ENP only requires approximation instead of adaption, the EU can only rely on a formalised *acquis* in some policy fields, but lacks common legal formulations in others. Overall, the EU's demands for policy-making results are more flexible *vis-à-vis* its neighbours than they are towards candidate countries and give partner countries the option of a more flexible approximation.

### **3. Existing approaches to evaluate the effectiveness of the ENP within the framework of Europeanisation: utility and limits**

In the following section, the 'external incentives model', the 'external governance approach' and the 'policy convergence approach' will be analysed in regard to an adequate evaluation of the ENP's effectiveness. While the 'external incentives model' and the 'external governance approach' dominate the literature on the ENP's performance, the 'policy convergence approach' is rarely applied in the context of the various neighbourhood policies; these approaches are discussed here, since they rely on the logics and contents of the overarching conceptual framework that is provided by Europeanisation, which was outlined in the previous section. All three share similarities in that they focus on policy and rule transfer and can be applied in the analytical context of the 'top-down process' of external Europeanisation in the neighbourhood. Furthermore, reviewing them with regard to the subject of research provides students of external Europeanisation with insights into their utility and limits, and

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<sup>4</sup> Moreover, 'upload processes' are unlikely to emerge in the context of the ENP, since neighbours are widely excluded from the decision-making institutions of the Union that formulate the neighbourhood policies, its overarching strategies and objectives.



facilitates further research to draw on the added value of a possible combination of them. Based on the useful analytical distinction between the different dimensions of effectiveness that was derived from policy field research and FPA in the second section, this review will concentrate on the ‘output dimension’ of effectiveness.

### **3.1 The external incentives model**

The ‘external incentives model’, with its independent variables of tangible political and economic benefits, adaption costs and veto players, concentrates on decisive domestic political actors and provides a useful model to analyse external Europeanisation (Schimmelfennig/Sedelmeier 2005; Schimmelfennig et al. 2006). Its analytical perspective focuses on the assessment of the balance between anticipated costs and benefits of the ruling actors within the context of the domestic political system. In doing so, the model relies on the ‘logic of consequence’ and provides Europeanisation research with applicable explanations based on clear factors and conditions of success. The main assumption of the model is that ruling political actors will only adapt to EU policies and rules if the offered material incentives are anticipated to be large enough to counterbalance the ever-present, but variable costs of adoption.

In the aftermath of enlargement, the appliance of the model was extended to neighbouring countries, focusing foremost on the ENP’s effectiveness in terms of economic approximation and democratisation (e.g. Kratochvil/Lippert 2008; Schimmelfennig/Scholtz 2008; Schimmelfennig et al. 2006). While applying the model with regard to formal Europeanisation via the *acquis communautaire*, it was argued that the ENP’s conditionality approach would fail due to the imbalance of rewards and demands, and Brussels’ consequently weaker bargaining power (e.g. Kelley 2006; Mahncke/Gstöhl 2008; Sasse 2008). On the other side, Kratochvil and Lippert (2008: 57) claim that “[...] the EU’s overall approach in giving priority to constructive, positive and case specific conditionality overly ambitious criteria and absolute benchmarks (as in the case of the Copenhagen Criteria) seems adequate.” Like Kratochvil and Lippert (2008), Schimmelfennig and Scholtz (2008) come to the conclusion that the ENP can be effective if the benefits exceed the adoption costs, which the decisive domestic actors face through a demanded policy change. In contrast to contributions, which are based on the ‘external incentives model’ and consider the ENP’s effectiveness to be very limited (e.g. Emerson et al. 2007; Sasse 2008) – without, however, providing detailed analyses on the different policy fields –, these authors rely on a different and policy field-specific concept to evaluate effectiveness. Schimmelfennig and Scholtz (2008) operationalise effectiveness as an improvement in democracy scores and therefore focus on ‘outcomes’. Kratochvil and Lippert (2008) evaluate the institutional economic approximation

within the ENP framework and thus focus on ‘outputs’. This points to two conceptual insights: first, depending on the underlying concept of effectiveness, applying the ‘external incentives model’ leads to different results on the ENP’s effectiveness. While the results of partial effectiveness are related to policy field-specific concepts, focusing on the adoption of the *acquis communautaire* – inspired by the original analytical framework of the ‘external incentives model’ in the context of the accession process – widely negates effectiveness.

Since the ENP promotes and enables a more flexible approximation instead of a static adoption of the whole *acquis*, it seems rather inappropriate to rely on the binary dependent variable of the original model; that is, the adoption of an unmodified European *acquis*. Furthermore, a binary operationalisation misses a highly interesting ‘grey zone’ of partial approximation to EU policies and rules on the bilateral and regional levels. A modification of the dependent variable in order to capture this ‘grey zone’ would not undermine the explanatory performance of the model. Applying its rational institutionalist approach, based on the ‘logic of consequence’, the model would assume that the more benefits exceed the adoption costs of the decisive domestic actors, the more neighbours would approximate and ‘europeanise’. Such a modification holds the potential of adapting the model, with its independent variables that remain unchanged, by getting rid of the remaining and relatively inappropriate conceptual burden of effectiveness evaluations in the context of the accession process. Rather, the approach’s scope of explanatory power would be enlarged and could contribute to the analysis and explanation of the very heterogeneous policy ‘outputs’ in the neighbouring countries by focusing on the degree of approximation. However, such a conceptual modification has not been envisaged to this point and a corresponding operationalisation approach to measure effectiveness accordingly is vacant.

Since the approach is exclusively based on the ‘logic of consequence’, it only considers material and tangible benefits to trigger Europeanisation, and disregards socialisation processes and a possible normative motivation on the part of the domestic actors. However, the literature considers the ‘logic of appropriateness’ to be particularly relevant in the context of the neighbourhood. Being aware of this shortcoming, comprehensive comparative studies on neighbouring countries and membership candidates (Schimmelfennig et al. 2006; Schimmelfennig/Scholtz 2008) have supplemented the explanatory design of the ‘external incentives model’ using variables reflecting the legitimisation of the EU as an actor and the promoted norms themselves. They find evidence that both the ‘logic of consequence’ and the ‘logic of appropriateness’ contribute to a comprehensive explanation of the variation of the policy ‘outputs’ across countries.

### **3.2 The external governance approach**

Compared to the ‘external incentives model’ and other more actor-centred classical foreign policy approaches, the ‘external governance approach’ (Lavenex 2004) takes a more structuralist perspective on the relations between the EU and third countries. In this context, the ‘external governance approach’ suggests a more nuanced view on rules, policies and their adoption. While the initial research agenda of the approach was very broad, the notion now focuses exclusively on the promotion of EU rules and policies and their adoption by non-member states (Schimmelfennig/Wagner 2004; Schimmelfennig/Sedelmeier 2004). This approach inspired the research design of various studies on neighbouring countries and on different policy fields (e.g. Lavenex/Stulberg 2008; Lavenex/Wichmann 2009; Lavenex et al. 2009; Weber et al. 2008; Weber 2009).

The ‘external governance approach’ highlights the crucial analytical distinction between the far-reaching transfer of European rules and policies imposed by Brussels during the enlargement process and the more selective institutional approximation of countries deprived of a clear membership perspective within the ENP framework. Yet, the conditional approach, which still characterises most ENP policy fields, is integrated by the approach as a more hierarchical mode of governance. In this mode, the EU sets the agenda with legally binding commitments and monitoring mechanisms based on Brussels’ ability to withhold rewards (‘positive conditionality’). Such a hierarchy is only possible where the EU holds an advantageous bargaining position *vis-à-vis* the neighbouring countries, grounded on favouring power asymmetries (Lavenex/Schimmelfennig 2009: 797). It is assumed that Brussels is principally keen on promoting more binding and formalised rules and policies that provide more reliability. However, the EU might rely on less binding, and less substantial ones within less hierarchic modes of governance when it is unable to do so. Policy networks, agencies and thematic regional programmes provide frameworks for more symmetric governance modes and facilitate socialisation and social learning among the various actors with the intension of facilitating a more selective approximation of partner countries based on joint ownership (Lavenex 2008: 946; Weber 2009: 12).

With regard to the effectiveness of the ENP in terms of ‘outputs’ that reflect Europeanisation, Lavenex et al. (2009) provide a fruitful and differentiated analytical device that categorises diffused norms and rules according to the dimensions of ‘obligation’, ‘precision’ and ‘delegation’. The authors adopt these three dimensions of ‘legalisation’ based on the works of Abbott and Sindal (2000) and adapt them to specify the external governance contents within the ENP. In this context, it is supposed that the EU intends to promote rules and policies that are closely related to the *acquis* and as binding as possible. Empirically, the ‘outputs’ can be equated to the EU’s *acquis communautaire*, inspired to some degree by it or

other internationally existent rules, or be very different. ‘Obligation’ in this context means the degree to which actors are obliged to follow the regulations, which can be operationalised by a spectrum that comprises binding supranational and international law and legally binding contracts on the one hand, and voluntary agreements and declarations of intention on the other. The dimension ‘precision’ addresses the degree to which a specific behaviour is demanded or authorised by regulations. Here, the spectrum includes *acquis*-precision, EU accepted international rules, *acquis* but with flexibility or largely interpretative content that is subject to negotiation. Finally, the degree to which authority is delegated to an institution to implement, interpret and enforce regulations is subsumed under the dimension of ‘delegation’. Within this dimension, binding judicial control, dispute-settlement mechanisms more-or-less binding benchmark monitoring, political monitoring or no monitoring can be identified. The scaled design of such an effectiveness concept toward institutional approximation holds the advantage of capturing a wide range of ‘outputs’, therefore addressing the aforementioned ‘grey zone’ of Europeanisation that a binary concept with a simple testing of the adoption or non-adoption of the *acquis communautaire* widely misses. Along with Brussels’ overarching goal to promote as binding and far reaching Europeanisation as possible, one expects the neighbourhood policies to be more effective the higher the degree of ‘legalisation’ across the three dimensions within the ‘outputs’.

Lavanex’s external governance approach – as useful as it proves to be to qualify outputs – implies, however, the relative shortcoming of not capturing ‘outputs’ as the result of deliberative decision for or against a certain degree of approximation by domestic actors. Rather, it focuses on institutionally favouring conditions, but widely disregards domestic conditions under which constellations of actors decide the outputs under investigation. Domestic factors are, however, at the heart of the ‘logic of consequence’ and the ‘the logic of appropriateness’, and are therefore also the main explanatory decision-making mechanisms of Europeanisation. The ‘external governance approach’ – taken alone – would thus be of a rather descriptive value for a comprehensive evaluation of effectiveness by categorising the institutional results of Europeanisation.

### **3.3 The policy convergence approach**

Similarly to the ‘external governance approach’, the ‘policy convergence approach’ (e.g. Knill 2005; Barbé et al. 2009) tries to capture the approximation to EU rules and policies in the neighbouring countries and suggests a more differentiated view toward the ‘outputs’ than the ‘external incentives model’.

The notion of ‘policy convergence’ focuses on the “[...] similarity between one or more characteristics of a certain policy [...]” (Knill 2005: 768), but has been applied to the EU and neighbouring countries only in the context of foreign and security policy by Barbé et al.

(2009). While the ‘external governance approach’ describes the selected rules according to criteria of ‘legalisation’, the ‘policy convergence approach’ moves the analytical focus to policy content similarities between the ‘outputs’ on the EU level and the ‘outputs’ in the neighbouring countries. Furthermore, the ‘policy convergence approach’ concentrates on the actors in the neighbouring countries and holds the advantage of including the rationalist as well as constructivist explanatory mechanisms of decision-making, thus facilitating the generation of clear hypotheses based on the ‘logic of consequence’ and the ‘logic of appropriateness’ with regard to more-or-less ‘Europeanised’ policies. In this context, policy convergence between neighbouring countries and the EU can be based on the EU’s rules, *inter alia* the *acquis communautaire*, EU-promoted international rules or policy content and rules that have been developed during bilateral negotiations. According to Barbé et al. (2009), the more policy convergence based on the EU’s rules is expected, the more partner countries perceive the EU as a legitimate actor and its policies and rules as legitimate content on the one side, and the more bargaining power Brussels holds *vis-à-vis* its neighbours on the other. The authors find that both criteria need to be fulfilled so that policy convergence based on the EU’s rules and policies occurs, which they measure by textual analysis.

Even though the approach is lacking a clear concept of effectiveness, the operationalisation of Europeanisation in the neighbourhood is very similar to Lavenex et al.’s (2009) scheme mentioned above. Different degrees of convergence can be interpreted as different degrees of effectiveness, while the point of departure for the graded scale of effectiveness lies here in the policy content Brussels intends to promote as ‘outputs’ in the neighbourhood within the specific policy fields. Yet, the approach does not consider ‘legalisation’ explicitly as the ‘external governance approach’ does; instead, it ignores the bindingness of ‘outputs’ as criteria of effectiveness and formal Europeanisation. However, insights from the literature on international law, ‘hard’ and ‘soft law’ (e.g. Abbott/Sindal 2000; Downs et al. 1996; Huber/Shipard 2002; Trubek et al. 2005), point to the importance of this institutionalist aspect with regard to the association between the ‘output’ and the ‘outcome’ dimension of effectiveness.<sup>5</sup>

#### **4. Further research venues and the potential of a combination of approaches to measure the ENP’s effectiveness**

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<sup>5</sup> For instance, several authors (e.g. Huber/Shipard 2002; Trubek et al. 2005) generally suppose that more ‘legalised outputs’ lead to more ‘effective outcomes’.

While the existing literature presents a mixed picture on the approaches to measure the effectiveness of the European neighbourhood policies, it also proves a conceptual *lacuna* and shortcomings to address the guiding questions that arise for academics as well as for policy-makers: To what degree are the European neighbourhood policies effective and how can we measure their effectiveness?

Many contributions that come to a quite negative judgment and suggest the broad negation of any of the ENP's effectiveness seem to approach the subject of research in a rather inappropriate manner. The main reason for this lies in the fact that the underlying comparison between Europeanisation in the neighbourhood and the adoption of the *acquis communautaire* in the context of the enlargement process is misleading. Furthermore, such a comparison establishes too ambitious criteria for results in the institutional context of the ENP, where the EU is deprived of the strong leverage it held during accession negotiations. On the other side, research that establishes more flexible criteria that relate to the policy 'outputs' in neighbouring countries suggests that the ENP can be effective to a certain degree.

Moreover, many contributions lack a clear concept of effectiveness, which constitutes the base for comparison across countries and policy fields. Instead, a multitude of policy-specific criteria exists. Acknowledging this, I propose following the separation of the 'output' and 'outcome' dimensions of effectiveness, derived from policy field research. Furthermore, I suggest focusing on the 'output dimension' in the context of Europeanisation, since 'outcomes' cannot be separated from policy field-specific evaluation criteria, which would facilitate research analysing and comparing the policy results in the neighbouring countries from an institutionalist perspective. External Europeanisation provides a suitable analytical toolbox with regard to the overarching EU goal of bringing neighbouring countries closer to the Union in a number of policy fields. However, further research will be needed in order to investigate the relationship and association between 'outputs' and 'outcomes', and the interfering variables that might vary across both policy fields and countries.

The discussion on the three approaches that focus on the 'output dimension' of effectiveness within the conceptual context of Europeanisation revealed their utility and limits in providing a comprehensive explanation and operationalisation of effectiveness. However, one can identify several contact points a future analytical framework could take advantage of in order to overcome existing shortcomings.

While the 'external incentives model' proved to be highly relevant in order to analyse the enlargement process, its binary dependent variable of *acquis* adoption seems to be rather inappropriate in the neighbourhood context because it misses a highly interesting 'grey zone'.

This 'grey zone' covers partial approximation below the imposed and legally binding *acquis* and is better addressed by the 'external governance approach', which provides a useful scale to assess 'outputs' according to their degree of 'legalisation', based on the assumption that the EU is generally interested in promoting more legally binding policy results in this context. Its operationalisation of policy 'outputs' provides a clear added value to research on the ENP's effectiveness. However, the 'external governance approach' does not feature a comprehensive explanation that includes rational institutionalist and constructivist explanations of 'top-down' Europeanisation. Yet, combined with the rationalist explanatory design of the 'external incentives model', it could contribute to the analysis of the very heterogeneous policy 'outputs' in the neighbouring countries by replacing the binary variable of an 'one-to-one adoption' of the *acquis communautaire*. Finally, the 'policy convergence approach' adds the suggestion of considering the policy content in the 'outputs' in more detail and additionally relies on the constructivist 'logic of appropriateness' that could extend the rationalist explanatory design based on the 'logic of consequence'. Thus, further testing of the two logics on decision-making in different domestic and policy field contexts could be carried out.

In sum, a combination of the analysed approaches could help in analysing the process of external Europeanisation and its effectiveness in the neighbourhood across different policy fields and countries, therefore enriching the future research agenda. Additionally, the association between the 'output dimension' under investigation and the related 'outcomes' deserves further attention. With regard to this interlinked question, the detailed measuring of the effectiveness of external Europeanisation represents a valuable preceding step to answering the complex question of whether European foreign policy beyond enlargement is effective.

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