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Europeanization, European Integration and Environmental Policy:

The case of Great Britain until *Brexit*

Ph.D Thesis - Summary

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Key Words: Europeanization, European integration, (mis)fit, environmental policy, Brexit.

SUMMARY

Europeanization has become one of the main themes of European Studies in recent years, and while the significance of this concept remains contested, there is a quasi-universal consensus on the distinction between the European Integration, as a policy making process at European level and Europeanization, as representing the effects of the EU at the level of the Member-States with which the EU is in partnership.¹

This doctoral thesis aims to analyze the complexity of the Europeanization process, by presenting the most famous approaches in the specialized literature, by reproducing the different types and mechanisms of Europeanization, as well as its results, mentioning also the theoretical debates that try to explain this process. Since there are no papers written in romanian to present problems such as defining the process of europeanization and its evolution in the specialized literature, presenting the types of europeanization but also the mechanisms by which this process generates changes at the level of the national states, problems such as the theoretical debates around this phenomenon and the results on institutions, policies and political processes at the national level, it was considered necessary to highlight the theoretical aspects related to the europeanization process.

The application of the theoretical framework of the europeanization process will be done at the level of United Kingdom, which, although it has been a member of the European Union for more than 40 years, has been cataloged as an awkward, insecure and semi-detached state in terms of its relationship with the European Union. As a young researcher, I followed with great interest the course of this state within the European Union, even before becoming a member state and until now. If in the bachelor`s degree I chose to analyse the British vision of the european unification process from Churchill, Margaret Thatcher and Tony Blair, in the dissertation paper I chose to analyse in depth the change in the attitude of the British government, led by Tony Blair, towards the EU. After Britain became a state membre of the European Union, successive governments

¹ Ian BACHE, *Europeanization and multilevel governance. Cohesion policy in the European Union and Britain*, Lanham, Rowman & Littlefield Pub, 2008, p. 1.

adopted policies that made Britain an „awkward partner”², seeking to promote her own interest by isolation from other member states. The proactive attitude adopted during the Blair government, the attempt to place Britain at the heart of Europe, as well as the involvement in decision-making and the development of European Policies by the British authorities represented a new stage in the relationship between the two entities of the international relations scene. On the one hand, the UK was considered to be a strange, uncertain, detached partner regarding any attempt to advance European integration, and on the other hand, it learned to operate efficiently at the EU level, having a very good rate of European law implementation. Although there were significant differences in the negotiation styles of the British governments at the EU level since the accession year, 1973, there was also a continuity in the „substance” of British politics and a preference for intergovernmentalism, as a way of decision-making and development of policies at the European level.

Thus, the way of applying the mentioned theoretical framework will be realized through a comparative study between the adopting of European Drinking Water Directive and European Bathing Water Directive, the European Birds and Habitats Directive and the Directive on Integrated Pollution Control and Prevention, respectively between the two mechanisms through which the process of Europeanization took place. The changes that have taken place internally due to membership of the European Union, will be analyzed and the evolution of the mentioned directives, as well as the political and institutional adaptation following the decisions taken at the supranational level, will be compared.

Thus, the method of applying the said theoretical framework will be achieved by means of a comparative study between the adoption of the European Drinking Water Directive and Bathing Water Directive, The EU Birds and Habitats Directives and The Directive Concerning Integrated Pollution Prevention and Control, and between the two mechanisms through which the Europeanisation process occurred. The changes that appeared internally due to EU membership will be systematically analysed and the evolutions of the aforesaid directives will be compared, as well as their political and institutional adaptation following the decisions taken on a supranational level. An analysis will be made concerning the ability of British political actors to project their

² G. Stephen, *An awkward partner: Britain in the European Community*, third edition, Oxford, Oxford University Press, 1998, p. 15.

preferences on an EU level by means of repeated negotiation sessions, through the UKREP - The UK Permanent Representation to the EU located in Brussels or by means of various channels, as well as their capacity to adapt to the EU requirements. The three directives were chosen due to the different mechanisms through which the Europeanisation process occurred and in light of the different position taken initially by British officials concerning these sectors. In terms of environment and the first directives mentioned, the EU is considered to be the most important initiator in British internal policy, providing a supranational framework for the development of a national policy.

The British Environment policy will be analysed by means of European directives and it will be proven that it had been with no doubt subjected to the action of mechanisms pertaining to the Europeanisation processes, that the requirements of the European Commission produced changes in British administrations and that Europeanisation had specific effects both on institutions and on national policies and political processes.

The main theme of this study is the Europeanisation process. This PhD thesis approaches the Europeanisation process as a process that affects politics, institutions and national public policies. The Europeanisation process is given a minimalistic approach within the frameworks of this research due to the fact that the changes which occurred on a national level as a consequence of the UK being a member of the EU will be analysed, and not a maximalist one which would perceive change as a general phenomenon through which states are influenced by “Europe”.

Europeanisation will be analysed in respect to the degree of compatibility/incompatibility between national structures and EU engagements and will also include the impact this process has on a national level, as well as an analysis of the ability of EU member states to influence decision taking and policy development on an EU level. As far as the definition of the Europeanisation process is concerned, it will be analysed as a “two-way” process, between the European and the national level, implying pressures from both directions.³

Due to the fact that throughout this PhD thesis Europeanisation will be analysed as a “two-way” process between the European and the national level implying pressures both “from up to

³ Kevin FEATHERSTONE, G. A. KAZAMIAS, „Introduction: Southern Europe and the Process of „Europeanization””, în: Kevin FEATHERSTONE, G. A. KAZAMIAS, (eds.), *Europeanization and the southern periphery*, London, Portland, OR, F. Cass, 2001, p. 6.

down” and “from down to up”, the *top-down Europeanisation* model and the *bottom-up Europeanisation* model will be employed in order to emphasise the manner in which British environmental policy was Europeanised.

Based on the two research models, of top-down Europeanisation, based on the integration compatibility principle, through negative integration, this study will attempt to answer *questions* such as: Did a Europeanisation process take place in UK environmental policy? To what extent has the environmental policy been Europeanised? What were the factors that facilitated or impeded the Europeanisation process? What were the mechanism and the results of the Europeanisation process? Could there be other sources that bring about changes on a national level in addition to Europeanisation? Was the approach of British delegations a proactive or a passive one as far as EU policy development is concerned? Were they able to project their national preferences in terms of environment protection on an EU level? Was the UK able to successfully adapt politically and institutionally to EU environmental decisions? The actual context characterised by negotiations, uncertainties and tensions concerning Brexit leads to a situation in which it is necessary to ask questions such as: What will happen with British environmental policies after the withdrawal of EU membership? Will the UK be able to maintain strict standards and a favourable environmental protection evolution without the EU constraints and pressures? Will the UK keep EU principles and the paradigm of EU environmental policies? The questions regarding the analysed European directives that have brought about changes at UK level are also important because after the withdrawal process is completed, there is no pressure for the British authorities to maintain the strict standards imposed for example by the Directive concerning Birds and Habitats. No matter the relationship model the British authorities will chose in future relations with the EU (the possible models will be analysed in a subchapter of this paper), the mentioned directive is left without international constraints or pressures and non-governmental organisations as well as environmentalist groups have already expressed their concern regarding to what will happen in the UK after EU withdrawal.

The conclusion of this paper will show that the British Environmental Policy is definitely subject to the action of the mechanisms of the Europeanisation process, that the requirements of the European Commission produced changes in British administrations and that Europeanisation had specific effects both on institutions and on national policies and political processes. The main

hypothesis concerning environmental protection in the UK and the Europeanisation process that it is subjected to, shows that a high incompatibility degree between national and European policy will lead to high adaptational pressures and to very high implementation costs. This is also the reason why British officials changed their strategy concerning the relationship with the EU in the field of environmental protection in the 1990ies into a more proactive one, thus managing to influence the content of the policy, which lead to lower adaptational pressures and to minimal implementation costs, due to the fact that the compatibility level with Europe was high. According to Gummer it is estimated that approximately 80% of English legislation concerning environmental protection originates from Brussels and Strasbourg.

The time frame selected for conducting this study concerning the Europeanisation of British policy, institutions and processes in the field of environment is closely linked to the periods when the European directives analysed were adopted at European level and implemented at the level of the United Kingdom. In order to emphasise the degree of compatibility/ incompatibility between English national legislation and the EU law we conducted an analysis of the way in which British environmental policy was developed before EU membership in the field of water quality, biodiversity protection and pollution control. The periods of development and change in EU environmental protection policy will be given increased importance since they also represent the times in which pressures for national and political adaptation grew as a result of the evolution and adoption of new EU legislation.

CHAPTER I - THE EUROPEANISATION OF UK ENVIRONMENTAL POLICY

While the *Introduction* of this PhD thesis will provide an overview of the research, it will be followed by *Chapter I*, which aims to analyse the actual stage of the research in the field of the Europeanisation of British environmental policy and to evaluate the contributions, problems and debates around this process. Starting with the assumption that EU environmental policy holds a high degree of institutionalisation, the impact of European environmental directives on UK national policy will be analysed as well as the manner in which researchers approached this subject.

Great Britain and British policies have been the study of various works in the field of Europeanisation due to the attitude of British authorities towards the formation and the

development of EU policies. The protection of the environment is a field in which the Europeanisation process was analysed both by comparative studies of certain member states or state groups (states such as Spain, Portugal and Italy, or the 10 states that joined the EU in 2004) as well as by analysing the policy of a single state. Great Britain's environmental policy was also the subject of various studies both due to the distinct manner in which successive British governments reported themselves to the EU as well as due to the fact that British environmental policy was influenced and even transformed (in certain aspects) as a consequence of EU membership. Empirical studies concerning the Europeanisation of the environmental policy are usually case studies using qualitative analysis methods or comparative studies of a limited number of states including Great Britain. The studies which use quantitative methods are limited and emphasise the differences which appear in the process of transposing of European directives on EU member states.

While the evolution and the process of elaboration and implementation of European environmental policies constitutes the subject of most research studies, this is not the case for the impact of EU directives on member state institutions, policies and political processes. As mentioned above, literature provides a high number of comparative studies between member states in order to prove the different impact EU environmental policies have on the level of state entities. Usually, any comparative studies include Great Britain as a subject, however this type of analysis is not able to offer an in-depth explanation of the impact the European legislation has on British internal policies and can only offer an overall explanation.

CHAPTER II – THE THEORETICAL ANALYSIS OF THE EUROPEANIZATION PROCESS

Chapter II will establish the conceptual framework for the theoretical study of the process of Europeanisation by: presenting the definitions, considered to be important, offered by the speciality literature regarding Europeanisation over time; presenting the various meanings of the concept; the presentation of the types of Europeanisation; the presentation of theoretical debates concerning the relationship between Europeanisation and general theories of European integration; the mechanisms through which the Europeanisation process takes place as well as its results.

Moreover, this chapter will provide answers for questions such as: What does Europeanisation mean? Is there a universally accepted definition of this process? Is the Europeanisation process delimited territorially? Is Europeanisation limited to the borders of the present European Union? What are the mechanisms by which the process of change occurs on a national level? Do changes brought by Europeanisation lead to convergence or harmonization? Are they temporary or long lasting? What are the factors that determine the change on a national states level? Are there different models of Europeanisation present within the European Union? Can we talk about the Europeanisation of British environmental policy? Was there a transformation of British policies, political processes and institutions as a result of the Europeanisation process? All these questions and many others are meant to draw a clear image and a consistent analysis of the Europeanisation process.

Chapter II will present in detail the stages and the generations of research in the field of Europeanisation. Thus, the first generation of Europeanisation researchers focused on European integration, more specifically, on the process of institution consolidation and policy development on a European Union level; the second generation of Europeanisation researchers used European integration as an explanatory factor of the change promoted internally and of the continuity of this change; the third generation of Europeanisation researchers, analyse this process and its impact on the level of the intentions of the Member States, but also on the level of their policies and political processes, as a transfer of ideas and practices between states, which occurs by directly involving but also without directly involving the European Union.⁴

The theoretical debates between Europeanisation and the general theories of European integration were also analysed during this chapter. Europeanization is not a theory in itself, but, as already mentioned above, it is rather a process through which the change occurring on the national states level as a result of their European Union membership is analysed. Just as there are various definitions of Europeanisation and various meanings attributed to this concept, there are also various theoretical frameworks through which this concept is analysed. The perspectives of Liberal

⁴ Ian BACHE, Simon BULMER, Defne GUNAY, „Europeanization: A Critical Realist Perspective”, în: Theofanis EXADAKTYLOS, Claudio M. RADAELLI, (eds.), *Research design in European studies. Establishing causality in Europeanization*, Houndmills, Basingstoke, Hampshire, New York, Palgrave Macmillan, 2012, p. 67.

Intergovernmentalism, Neo-functionalism, and New Institutionalism (historical, rational and sociological) concerning Europeanisation were analysed in detail.

The mechanisms of the Europeanisation process such as positive integration, negative integration and facilitated coordination will be explained in the context of the changes they generate on a national states level. The relationship between Europeanisation and European integration will be debated and the usefulness of the concept of Europeanisation will be argued. The criticisms of the concept of Europeanisation, the problems of its use in the analysis of the impact of the EU at the level of the national states will be mentioned as well.

CHAPTER III - THE RESEARCH METHODOLOGY

This chapter will present the methodological arguments concerning the research philosophy, methodology, collection, reduction and analysis of data as well as the adopted strategy or research model. There are various directions for Europeanisation research and various theoretical frames in studying this phenomenon. Apart from the unidirectional approach which implies a communication from the bottom upwards, there is also a bidirectional approach which includes both the bottom-up and the top-down communication and even a multidirectional approach.

Thus, after their brief presentation, the methodology chosen for studying the manner in which the British policies in this paper have been Europeanised will be presented and analysed. Having considered that an adequate analysis of Europeanisation must commence on a European level by presenting the manner in which EU policies and institutions directly affect national states (through the necessity of implementation) or indirectly (through different horizontal channels of the Europeanisation process), I chose the bidirectional approach to the Europeanisation of British policies. We cannot omit the fact that all policies that need to be downloaded by EU member states were elaborated (uploaded) on a European level by the participation of delegations and politicians belonging to the United Kingdom.

Both the environmental policy and the other policies were developed by outlining a common, European, supranational vision and subsequently this vision had to be implemented at

national level. The manner in which the environmental policy has been implemented, the change it has generated at the national level, the factors that have or have not facilitated the implementation process, are just a few aspects of the Europeanisation mechanisms that will be analysed throughout this chapter. Moreover, I would like to demonstrate that despite the UK's withdrawal from the European Union, British environmental policy will remain Europeanised.

Two research procedures were used in order to test the aforementioned hypotheses. First of all, text analysis, conducted after a long process of collecting data for: evaluating the policies, institutional structures, political processes in the UK but also in the EU in the field of environmental protection; assessing national preferences and interests occurring in this area over time; the analysis of the models of policy development mentioned on a national level in order to compare them later to the models which operate in the EU, as well as all the theoretical aspects concerning Europeanisation. The basis of this textual analysis, in addition to academic writings are reports British government, entitled *Review of the Balance of Competences*, which were conducted from the autumn of 2012 to the autumn of 2014 and which represent an *audit* of the way in which the European Union acts and of the way in which the EU actions affects Great Britain.

Secondly, in order to support the research results from a statistical point of view, another research procedure was used, in the form of the numerical analysis, more precisely by using quantitative data obtained from various sources. The main source for quantitative data was Eurostat, the statistic office of the European Union located in Luxembourg, considered to be the most important supplier of high-quality statistics concerning Europe. Its mission consists of offering statistics on a European level allowing to compare states, regions.

The second source of qualitative data used is represented by the annual reports of the European Commission in the field of environmental protection and by the reports of various environmental agencies and various interest groups. At the same time, the Eurobarometer surveys of the European Commission were used in order to highlight the position of the British public regarding EU membership, as it influences the British political preferences and the ability to adapt or promote their interests on a European level.

In conclusion, the information and data supporting this analysis derive from reports, papers and procedures of parliamentary committees, government departments, EU organizations and institutions, private research, articles and presentations from various conferences.

While the main method used in approaching this research is a qualitative one, used in presenting the concept of Europeanization, the way it operates in the Member States, its evolution in the academic debates and the specialized literature, and especially the way in which the British policies studied were Europeanised, the quantitative approach, through the analysis of various reports and surveys, provided depth and highlighted the reality of the Europeanization of the British policies in the field of environmental protection.

CHAPTER IV - THE EUROPEANISATION OF BRITISH POLICIES: BEFORE AND AFTER BREXIT

Chapter IV will belong to the case studies on the Europeanisation of environmental policy. The concept of Europeanisation will be first applied to the British environmental policy before 1990, through the positive integration mechanism and the compatibility of integration argument. The two water quality directives and the two European biodiversity directives will be analysed according to the top-down Europeanisation methodology. The conclusion of this chapter will highlight the fact that the environmental policy in Great Britain in the analysed areas has been Europeanised. The result of the Europeanisation process in the British legislation on water quality and biodiversity was transformation and accommodation.

Subsequently, the concept of Europeanisation will be applied to British environmental policy after 1990, when British authorities learned to act during EU negotiations and adopted a more proactive attitude. Great Britain is a state that at the time of the implementation of the European Directives had both expertise and experience in the field of environmental protection. If, at the time of drafting the directives concerning water quality and biodiversity, the British representatives chose not to export their own methods of addressing these issues (this led to very high implementation costs), after 1990 their attitude changed. DoE (see abbreviation list) representatives were directly involved in the development of the European Directive for Prevention and Integrated Pollution control, projecting their own legislation on a European level.

Thus, the directive had a clear British footprint and did not impose high costs or changes in domestic law for implementation.

Apart from the actual analysis of the Europeanisation process which took place in British environmental policy before and after 1990, the evolution of European environmental policy was also presented. The stages of building and elaborating European environmental policy as well as environmental action programs were analysed in order to present the way in which decisions were taken on a European level (the institutions involved) and the characteristics of each directive.

In the last part of this chapter, the options that the UK has for managing future relations with the EU will also be analysed. Each model will be analysed from the perspective of the British environment policy and the focus will be on the changes that will occur at the level of the national legislation on environmental protection.

FINAL CONSIDERATIONS

Europeanisation provided strong discipline to the British environmental policy placing it closer to European integration, raised national environmental standards and made decision taking in the field more transparent. Moreover, Europeanisation stimulated the improvement of environmental protection and on the other hand prevented the British government to make decisions under the pressure of economic interests, be they industrial or agricultural.⁵ The choice of the environmental policy to be analysed was made due to the different, atypical attitude adopted by the British authorities (DoE members, UKREP members, local and sub-local authorities) towards the process of elaborating the environmental policy on a European level.

During this PhD thesis, it was demonstrated that the British environmental policy was Europeanised both in terms of the content of the policy, moving from the reactive to the proactive model, and in terms of problem solving, by moving from the model of effect solving to a model of sources identification and diminution. Moreover, the political instruments of procedure have been modified due to the adopted participatory model, based on initiative.

⁵ Andrew Jordan, *The Environmental Case for Europe: Britain's European Environmental Policy*, <https://www.econstor.eu/bitstream/10419/80244/1/513782648.pdf>, accesat la data de 18.04.2019.

Brexit brings with it a new series of discussions, debates regarding the way in which the UK and EU will relate in the future. It would be interesting to analyse what will happen after Brexit on a national level with the directives analysed in this paper. The possible relationship models between the two entities were touched superficially in the last subchapter but would require a broader analysis. However, it is still premature to elaborate on the assumptions or trajectories of how British environmental policy will develop in the future. Concerns about lowering environmental standards in the absence of a higher authority and pressures exerted by the European Commission and the European Court of Justice have already been raised at the level of British environmental groups. Thus, a future analysis of British environmental policy, in the context of Europeanization and de-Europeanization, would be welcome. It is hard to believe that on the British environmental policy level there will be a process of de-Europeanisation, due to the high investments in technology in line with European law, due to the pressures of environmental groups and not least, due to public opinion supporting environmental projects and higher standards for water, air, or biodiversity.

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