

# Implementation, a modest process with grand implications

*What the implementation of a climate directive can reveal about integration*

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## Abstract

European integration is perceived as a grand project, although it also affects day-to-day policies. Grand theories attempt to explain the entire integration process but seem to overlook the incorporation of integration's outcomes. This thesis argues that policy implementation is a logical extension of integration, which may reveal some of the nature of integration. The missing link between two theoretical levels provides a puzzle that needs to be solved. This thesis attempts to solve this puzzle by doing a congruence analysis and testing factors provided by three implementation approaches (management-, enforcement-, and legitimacy-), linking them to the grand theoretical contexts of Postfunctionalism and Liberal Intergovernmentalism. By analysing the factors that influence a country's implementation effort, this paper attempts to draw meaningful conclusions about integration. The cases used for this analysis are the implementation processes of the National Emission reduction Commitments Directive (NEC) in Belgium and the Netherlands. Ultimately, this study observes that implementation of- and compliance with policy adhere primarily to the enforcement approach, with elements of the management approach and a few features from the legitimacy approach. These findings strengthen the liberal intergovernmentalist framework of domestic preference formation with mainly economic interests. Although not conclusively because factors that better fit the postfunctionalist framework also provide a partial explanation for implementation effort.

*Keywords: European integration, policy implementation, liberal intergovernmentalism, postfunctionalism, environment, Belgium, The Netherlands*

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## List of abbreviations

<b>DG</b>	Directorate General
<b>EAP</b>	Environmental Action Program
<b>EC</b>	European Commission
<b>ECJ</b>	European Court of Justice
<b>EEA</b>	European Environmental Agency
<b>EEB</b>	European Environmental Bureau
<b>EEC</b>	European Economic Community
<b>EU</b>	European Union
<b>GDP</b>	Gross Domestic product
<b>IenW</b>	Ministerie van Infrastructuur en Waterstaat
<b>IIR</b>	Informative Inventory Report
<b>LI</b>	Liberal Intergovernmentalism
<b>LNV</b>	Ministerie van Landbouw, Natuur en Voedselkwaliteit
<b>LRTAP</b>	Long Range Transboundary Air pollution
<b>MEP</b>	Member of the European Parliament
<b>MS</b>	Member States
<b>NAPCP</b>	National Air Pollution Control Programme
<b>NEC</b>	National Emission reduction Commitments Directive ((EU) 2016/2284)
<b>NF</b>	Neofunctionalism
<b>NMVOCs</b>	Non-Methane Volatile Chemical Compounds
<b>NOx</b>	Nitrogen dioxide
<b>NSL</b>	Nationaal Samenwerkingsprogramma Luchtkwaliteit
<b>PAMs</b>	Polices and Measures
<b>PAS</b>	Programma Aanpak Stikstof
<b>PF</b>	Postfunctionalism
<b>PM2.5</b>	Particulate matter
<b>QMV</b>	Qualified Majority Voting
<b>SALV</b>	Strategische Adviesraad voor Landbouw en Visserij
<b>SERV</b>	Sociaal-Economische Raad van Vlaanderen
<b>SLA</b>	Schone lucht akkoord
<b>SO2</b>	Sulphur dioxide
<b>TAIEX</b>	Technical Assistance and Information Exchange instrument of the European Commission
<b>TEU</b>	Treaty on European Union
<b>TFEU</b>	Treaty on the functioning of the European Union
<b>UNCE</b>	United Nations Economic Commission for Europe

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# 1. Introduction

At the end of 2016, the revised National Emission Ceilings Directive (NEC) went into effect. Establishing overall limit values for specific air pollutants that the Member States (MS) of the EU must meet. Proportional to prior emissions, it sets targets for 2020 and 2030 (European Union [EU], 2016). Directives like the NEC find their legal foundation in the Treaty of Rome (1957). The Treaty of Rome is one of the many treaties created after World War II and is one of the pillars of European integration. The starting point for European integration was a shared desire to promote peace in Europe (EU, 2022). As further integration commenced and the European countries grew ever closer, theorising about this unique type of multilateral cooperation developed with it (Schimmelfennig, 2015, p.17). In 1992 the Treaty on European Union (TEU), better known as the Maastricht treaty, was signed (EU, 2022). Positive sentiment prevailed after the signing of this treaty, and the EU expanded substantially. However, the last three decades have brought about new difficulties, crises, and legitimacy concerns. As a result, integration today faces more challenges and problems than the initial cooperation anticipated (Hodson & Puetter, 2019). New crises have resulted in new scholarly debates to rethink the current literature on European integration (Wiener et al., 2019, pp.1-24). Crises shape our understanding of the interplay between European nations, but the union's day-to-day functioning structures this integration constantly. The EU is founded on and governed by law; law is the primary tool for achieving the Union's goals, and implementation of this law is vital for European integration (Voermans, 2015). This thesis examines European integration by contrasting two of its major schools of thought and sheds new light on it through the lens of policy implementation efforts to address the climate crisis. More concretely, it focuses on how a specific policy, the NEC-directive, is implemented in two cases.

What is not immediately evident is why this research delves into policy implementation and climate policy specifically. To clarify this, consider the concept of a 'grand theory.' Grand theories continue to structure and inform academic debates regarding the big picture and overall development of European integration (Schimmelfennig & Winzen, 2019). Many researchers contend that far too much International Relations (IR) theory and research is abstract and with little or no policy application. That is why IR theorists do not often research the more practical application of their theories (Eriksson, 2014, p.94). And if they do, the focus lies primarily on foreign policy (George, 1993; Leggold & Nincic, 2000). Nevertheless, if we seek to maintain a broad theoretical scope, our views should remain inclusive of all possible relevant developments in the EU. It should be interesting to look at different macro theories and test them with a micro approach of policy implementation because combining two levels gives greater explanatory power to those grand theories (Skjærseth, 2018, p.513). But these are two types of theories or fields of research; why then could implementation be part of the integration process? This thesis argues that policy implementation is an integral part and an extension of European integration because implementation and incorporation of EU law into the national and local level shapes perception of – and attitudes toward the EU (Leuffen et al.,



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2022, p.57). In a way, it is the next step or continuation of integration. And thus, looking at implementation could provide clues about integration. The EU is a complex system that works on many levels. Consequently, the functioning at lower levels, i.e., implementation, reveals the character of Europeanization (Sverdrup, 2005, p.3). As the EU continues its vertical integration, more policies are shared and interdependence increases. Different states might be affected in different ways by this. Consider it as a missing link of integration after international agreements. The question of how policy is implemented and received in a country gives us insight into both levels. By tracing how the implementation commences and how different factors influence this process, we can make inferences about which framework of grand theory is best suited to understand these implementation processes of climate policy.

To clarify the focus on climate policy specifically, examine the position of climate change in IR theorising. Although climate change now finds itself in the centre of many political debates, in the field of IR, research on the change or adaptation of policy to tackle climate change is lagging and theorising has received little attention. Sending and Øverland (2020) calculated that between 2015 and 2019, in the top five IR journals, only 0,76 per cent of articles were related to climate change (p.184). Irrespectively, there are major implications for IR, the results of climate change (like rising sea levels) that challenge the territorial integrity of states, or the security issues resulting from food scarcity and the degrading of land (ibid.). These implications make a compelling reason to examine climate action from an IR perspective. The EU is committed to tackle climate change through policy. It is embarking on a new collective approach with the introduction of the 'Green Deal', a comprehensive plan to make Europe the first climate-neutral continent (EC, 2019). The EU can execute this plan through regulations and through directives. The latter differs from other EU legislative instruments in an important way, they give MS more leeway in interpretation. Although a goal has been established, the path taken can be designed by the MS (EU, 2022). This results in a less straightforward implementation process that varies between MS, which makes it theoretically more intriguing.

The context of the ongoing integration debate, combined with the challenge of dealing with a crisis through an ambiguous implementation process, should make it worthwhile to study European climate change policy. The handling of crises and the decision-making process is already extensively elaborated on in integration literature and textbooks (Wiener & Diez, 2009; Bache et al., 2015; Leuffen et al., 2022), and there is also a substantial body of literature on policy implementation (Baker et al., 1997; Knill & Lenschow, 1998; Treib, 2006; Zhelyazkova et al., 2016). However, what is lacking, is a link between these two levels of theorising. This missing link creates a new puzzle. The literature on integration and implementation does not (or hardly ever) interact with one another. There are gaps in our knowledge regarding the processes that result from integration. This thesis examines which grand theory provides the best overarching framework for explaining implementation. There are three main approaches in implementation literature. These approaches offer factors for explaining a country's implementation effort. This thesis argues that these factors can also be fitted into the framework of a grand theory. Now the puzzle is testing each factor's relative strength and

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determining which factors best fit each framework. A solution to this puzzle is needed to achieve a more comprehensive understanding of integration. For this understanding, multiple questions must be asked; Is implementation a result of imposition and abiding European institutions? Is it politically driven? Is it hanging on the balancing of domestic capabilities and compliance costs? Or a combination of different mechanisms? These questions will be further postulated in various hypotheses. However, the main question of this thesis is:

*Which grand theory of European integration can provide the best framework in which the implementation effort of EU climate policy can be explained?*

The first grand theory used is Liberal intergovernmentalism (LI). LI expects national governments to be the driving forces behind integration. Their interests are reflected in policy. Directly, or indirectly through supranational institutions created by bargains, as well as through institutional 'lock-ins'. The shape of the implementation process should reflect these governmental interests (Andersson, 2016, p.41). LI is one of the most widely used theories of integration. It is renowned for its explanatory power and often used as a baseline theory for many studies in this field. As it explains cooperation through areas of decision-making where national governments have power, it can also be used in other areas of EU policymaking like the adoption and implementation of policies (Verdun, 2020, p.4).

The second grand theory is Postfunctionalism (PF). In PF politics has primacy. The theory sees a growing disjunction between 'functional pressures' and the 'institutional status quo' since the Maastricht treaty. This disjunction has increased (mass) politicisation of EU issues. In this politicisation process identity plays a significant role which is aggravated by political parties (Hooghe and Marks, 2009). These downward pressures then might influence implementation. PF is a quickly emerging type of theory that is a better fit for this thesis than its more established predecessor neofunctionalism as it considers the more recent crises (financial- & migration crisis and Brexit) and changed dynamics in European politics, which might affect the implementation effort.

The three implementation approaches are. The enforcement approach, where countries act rational and consider the costs and benefits of (non) compliance (Börzel et al., p.1363). The management approach focuses on a country's ability to comply shaped by its capacity and constraints. And the legitimacy approach, which is based on public support and cultural attitudes (ibid.)

### **Societal relevance**

With governments taking (drastic) environmental measures, the social impact of these environmental policy measures is evident because government policy influences citizens directly (Pye et al., 2008, p.9). Studying the implementation of climate/environmental policy provides a better understanding of the process, which contributes to society in a way that policymakers and bureaucrats can intervene and change it to be more efficient. Extending this argument to general policy implementation, developing a framework, and analysing this

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climate policy process enables us to draw inferences about the broader implementation process and identify where it hinders, thereby facilitating the future streamlining of the implementation process. Identifying influential factors allows policymakers to evaluate the impact of a policy or provide pressure groups with the opportunity to exert influence in a more targeted way. It offers European policymakers the right tools and knowledge to intervene where it has the most impact. Lastly, it could help the EU with possible compliance issues as environmental/climate directives have a relatively high number of infringement cases (EC, 2022).

### **Scientific relevance**

The scientific relevance becomes apparent when testing which theories about European integration hold up under the conditions present in the two cases studied, ideally increasing the relative strength of one approach. A different view or focus of the actual implementation processes could offer critical perspectives on the dynamics of European integration as *“research has shown that EU climate and energy policies cannot be fully understood without reference to the complementary nature of traditional theories of EU policymaking and integration”* (Skjærseth, 2014, p.4). This research is theoretically innovative because it extends integration literature into policy implementation, two levels of theorising that have barely engaged until now but are argued to have potential in explaining the studied phenomena. The topic of climate change is extra salient as it makes up a tiny amount of IR research, and if scholars keep ignoring it, there is a danger that future global affairs cannot be adequately explained (Sending & Øverland, 2020, p.184). Including the two major theories is not only the foundation of a good explanation of the cases researched in this thesis, but it is also a precondition for making any meaningful contribution to theoretical discourse (Blatter & Haverland, 2012, p.152). For the implementation part of this research, most literature studying EU policy implementation focuses on the legal transposition of a directive. Recent research clarified that legal transposition and practical implementation are decoupled processes (Zhelyazkova et al., 2016). Thus, new research into the factors behind these processes should be insightful.

### **Outline**

This thesis is structured as follows: first, the theoretical framework will set the expectations on both theoretical levels and provide a hypothesis for each relevant factor. Next, these expectations will be operationalised and made more concrete along with the research design, which is then elaborated on in the methods chapter. What follows is an introduction of the cases in their historical context, followed by a comprehensive analysis of all relevant factors. With the results from this analysis, inferences are made about each factor’s influence and subsequently the relative strength of each grand theoretical context.

## 2. Theoretical framework

*Working from single policy implementation towards the larger framework of European integration.*

This chapter provides the theoretical foundations and includes a historical description of EU policy implementation/compliance literature, as well as an outline of the development of European integration theories. Thereby disclosing potential explanatory elements for the upcoming case study and providing a connection to integration theory. Integration theory consists of "grand theories" that analyse and clarify the interaction between states and institutions and provide an explanation for the EU's overall integration. This research is a small-N study that requires at least two of these grand theories. Utilising only one theory will not substantially contribute to the current debate (Blatter & Haverland, 2012, p.162). The theories used are liberal intergovernmentalism and postfunctionalism; the former is well-known and well-established, while the latter is newer and considers current political changes in the EU. Although newer, PF is already widely used within political science research (Börzel & Risse, 2017; Schmidt, 2019; Zeitlin et al., 2019). Or used in textbooks for political science students (Leuffen et al., 2022). These two theories are already locked in fierce competition. However, the practical consequences of these ideas become more evident when the key scholarly arguments and their theoretical implications are combined with a more concrete level of compliance and implementation theory. These two levels create a broad theoretical scope necessary for theoretically innovative research (Blatter & Haverland, 2012, p.155).

The first section of this chapter consists of a firm foundation of theoretical expectations regarding implementation. The second section elaborates on the theoretical basis for analysing integration and the discussion between grand theories. The last section combines the two theoretical levels to form hypotheses.

### **2.1. Theories of (European) policy adaptation/implementation**

Analysis of a single directive's implementation process can reveal whether this process happens in a climate influenced by political parties in a politicised debate on EU issues (PF) or more following efficiency and capability (LI). This thesis focuses on implementation as a policy output. It looks at the content of implementation, so the acts of governments are considered and not the effects of a policy after implementation (Bondarouk & Mastenbroek 2018, p.16). The focus on output is the purest and precise, because when studying the effects of policy, it is hard to isolate the influence of the EU out of an abundance of other national factors (ibid.). In this case it is also unclear what the exact results will be because the directive's aims are set until 2030. In the end, the process is a major contributor to the outcome, so whatever influences the process influences the outcome.

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### **2.1.1. Development of policy implementation theorising**

To do substantive research into the adaptation and integration of European policy, theories that can assess implementation must be found. Note here that implementation has been analysed from many different perspectives, and with a multitude of research methodologies. Earlier research demonstrated that looking at multiple theoretical perspectives is more worthy than seeking one common theoretical framework (Winter, 2006). Much research that focused on the theory behind the domestic implementation of European policy, started in the neofunctionalism versus intergovernmentalism debate. Approximately, there are three waves of theorising (Treib, 2006). Three main approaches—enforcement, management, and legitimacy—run through these waves like a red thread (Börzel et al., 2010).

The first wave of EU-related implementation research arose from the process leading to the single market programme. These studies consider the adoption of European legislation as a practical process of effective administration and smooth procedures (ibid.). Scholars from this wave characterise non-compliance with directives as stemming from problems inside administrations or the complicated content of a directive (Mastenbroek, 2005, Treib, 2006). Pridham (1996) theorises that the structure of the state can obstruct implementation. For example, federal states with several levels seem to have more issues. The approach in this wave is more mechanical and is frequently criticised. Nevertheless, it provides a framework for additional theorising, especially for the management approach.

At the end of the 1990s came the second wave, which extends the management approach and focuses more on the European impact on the domestic political systems. Compatibility is given more importance, indicating that the main point is the (mis)fit between domestic regulatory practices and European rules. Similar to Knill and Lenschow's (1998) research on the implementation of EU environmental policies (p.596). Researchers find that the greater the disparity between these two levels, the more implementation is hampered. In practice this concept of 'goodness of fit' could only explain the outcomes of a few situations. Also, the interaction with domestic actors and their logic remained largely unclear (Treib, 2006, p.9).

A broader focus was needed and so came along the third wave. Research by Treib (2003) made evident that party political preferences of governments have a substantial influence on policy implementation. Versluis (2007) distinguishes between legal- and practical (socio-political) implementation. She finds that implementation is not nearly as perfect if the concept of practical implementation is used (p.63). Regarding the earlier conceptions of 'fit' between regulatory practices, Mastenbroek and van Keulen (2006) hypothesise that rather than a good fit with current national policies, the ease of EU policy implementation is influenced by the 'fit' between the EU policy and the national preferences (p.38). Research by Zhelyazkova et al. (2016) specifies this theory with differentiation within this 'fit' between willingness and the capacity to do so (p.829). They eventually discover that policy implementation is shaped mainly by the institutional capacities of an EU member state and the level of legitimacy that social actors have for European policy. To their surprise, they also find that political actors' desires have little impact. This is an excellent example of third-wave

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research, as most third-wave research is somewhat inconclusive with support for several ideas. Some find that public and political support for European integration is crucial. Others think the earlier theorising was correct and that it is a matter of good 'fit' and efficiency (Treib, 2006, p.11). These conceptions link neatly within the larger theoretical discussion between LI and PF, since PF focuses more on politicisation while LI focuses on efficiency as a motivation for restricting national sovereignty. In the third wave, there was more quantitative research on compliance. Findings show that compliance is essentially a cost-benefit analysis, reflected in the enforcement approach: states' administrations view and value some issues differently. Thus, an issue's significance should be included as a factor (Spendzharva & Versluis, 2003, p.1501). Furthermore, in this wave research was done into the effect of the addition of new EU MS on compliance (Toshkov, 2008; Sedelmeier, 2008). The process in new MS illustrates very clearly how policy is implemented from 'scratch' without a vast history of European integration. This wave also included 'veto points' into implementation theorising, specifically related to the goodness of fit (Haverland, 2000, p.83).

### **2.1.2 Main factors in assessing outputs**

European policy implementation is "*a decoupled process*" (Zhelyazkova et al., 2016, p.828). The policy output consists of legal implementation, followed by practical implementation. States must first translate a directive into national legislation before beginning the actual implementation and before laws take effect (Steunenbergh & Rhinhard, 2010). Decoupling demonstrates the degree to which practical implementation lags behind legal implementation and clarifies the extent to which national approaches diverge from EU criteria (Zhelyazkova et al., 2016, p.828). This divergence is an interesting area that reveals which actors and conditions influence the implementation process. This thesis examines not only the legal implementation of an environmental directive but also its practical implementation. What plans governments have in place to reduce emissions in a specific sector is an example of this practical implementation. Because this directive encompasses more than just a potential change in laws, it requires active monitoring and reporting back to the EU and thus substantial plans from governments. Börzel and Buzogány (2018) give another reason not to just look at what laws are changed. They argue that legal transposition of climate legislation is only temporary and that compliance in this part of the process will be reached eventually (pp.6-8). It is more compelling to look at the goals set by the directive and if/how they are met.

Earlier is established that this thesis will investigate policy outputs because that's where the process is at its purest. To judge these outputs, we need an analysis of policy instruments (Bondarouk & Mastenbroek, 2018, p.17). A good assessment of the policy outputs requires an analysis of the policy content as well as the instruments used (Bauer & Knill, 2014; Bondarouk & Mastenbroek, 2018). Policy instruments are the "*tools of the government for implementing their policy*" (Bouwma et al., 2015, p.9). They essentially provide some practical grips for the translation of general law into executable legislation and practical measures. Fortunately, Bondarouk and Mastenbroek (2018) present three dimensions for assessing the performance of policy instruments. The purpose of this thesis is not to evaluate the

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implementation process, but these general dimensions provide a clear starting point for putting theoretical considerations into practice.

The first dimension is substance, which refers to the policy's objectives. What is regulated? This dimension includes definitional details and goals. This relates to practical implementers' procedures when converting European law into local measures. The more precise the requirement, the more specific the local implementation will be (ibid, pp.18-19).

The second dimension is the scope, which refers to the range of the policy. The scope is separated into territory (where does this policy apply?), duration (for how long is this policy active?) and addressees (who is targeted by this policy?) (ibid. pp.18-19). Scope decreases or increases with the number of cases or target groups on which a particular policy focuses (Bauer & Knill, 2014, p.33).

The third dimension is effort, which consists of the efforts implementers put into achieving goals set by a policy (Bondarouk & Mastebroek, 2018; Bauer & Knill, 2014; Winter, 2006). The dimension is further subdivided into categories that evaluate the amount of time and resources invested in successful implementation. Which includes staff, expertise, budgets, prioritisation, and monitoring (Bondarouk & Mastebroek, 2018, p.20). Although all three dimensions are relevant for measuring the performance of implementation, this thesis is interested in the production of an output. This is preferably done by looking at the third dimension, which lies solely in the jurisdiction of the state. Furthermore, since this research only investigates one directive, the first two dimensions are a constant and although considered are not the focus of analysis.

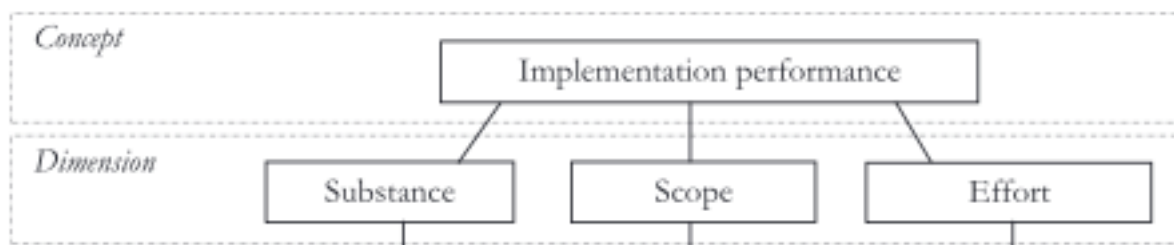


Figure 1, The three dimensions of Bondarouk & Mastebroek (2018, p.18)

## 2.2. Grand theories

On the domestic level effort seems to be of great importance when assessing the implementation process. The factors that could indicate the degree of effort are known, but which factor has the biggest effect? What motivates a government to increase or decrease its effort? Why do some states not make sufficient efforts into compliance? Alternatively, why do governments actively choose not to comply? We may find answers to these problems if we adopt a larger perspective. Perhaps grand theories provide a better context for understanding the motivations of states in this complex process. And therefore, by linking implementation literature to integration literature, create a more comprehensive understanding of European cooperation. Like implementation research, integration research has examined European nations to see how they function, and which factors are important at each level. The

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integration of European states was accompanied by theorists trying to explain how European states integrate. The conceptualization of this process started with the formation of the European Communities in the 1950's (Bache et al, 2015, p.10). The old realist notions of self-interested states without overarching authority could not explain this anomaly of cooperation. Thus, researchers started to wonder why countries collaborate on an international level. European integration theory has its roots in the writings of David Mitrany who published 'A Working Peace System' in 1943, which laid a foundation for the functional theory in IR (Verdun, 2020, p.3). Karl Deutsch (1957), another early influential scholar, researched political communities and the limitations of integration. Amitai Etzioni's (1965) analysis of leaders and mechanisms driving unification was also influential. As the EU became more integrated, various grand theories emerged. These are expansive and flexible theories that have not yet been falsified. They are so prevalent that they can be regarded as schools of thought (Hooghe & Marks, 2019, p.1113).

### **2.2.1. Liberal intergovernmentalism**

The competition between nation states, more specifically national governments, is the main emphasis of intergovernmentalist theorising (Rauh, 2019, p.2). Intergovernmentalism is a theory that is focused on the state. It uses some neofunctionalist ideas, such as the primacy of economic interests in national preferences. Though it adds that integration is not 'self-contained' and is part of a larger international context (Wiener and Diez, 2009, p.22). Stanley Hoffmann (1966) is one of the first prominent theorists to defend an intergovernmentalist view of European integration. As a result of the 'Empty chair crisis,' where one state (France) interrupts the entire process, he concludes that sovereign states control integration. At first, these theories adhered to the realist tradition by assuming that states are unitary actors also known as 'black boxes' (Verdun, 2020, p.4). Intergovernmentalism developed more from the 1990s onward. LI revitalised the intergovernmentalist ideas and gave governments' internal bottom-up processes more importance instead of realism's black boxing of states. Examining different actors inside states and how they interact with one another became the new practice. According to LI, European states are the main actors who control Europe. States will only give a central actor like the EU authority if doing so lowers transaction costs (Szulecki, et al., 2016, p.550). Whereas classical intergovernmentalism was unable to explain 'anomalous' events like the creation of the communities, LI is able to view it as a 'rational choice' decision made by states, since it is sometimes more efficient to cooperate.

Andrew Moravcsik developed the theory at the beginning of the 1990s. Many scholars consider it as one of the most important theories regarding European integration. Integration, according to Moravcsik, is the "*institutionalized international policy coordination*" between multiple sovereign states (1993, p.473). The approach is 'liberal' since it stresses the role of domestic economic factors in determining a state's goals, therefore it is referred to as liberal intergovernmentalism (Verdun, 2020, p.6).

Fundamentally, LI is based on two assumptions about international politics. These assumptions determine how international negotiations are shaped, rather than a security



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dilemma, as realism contends. The first is that states are central actors who reach their goals through bargaining. States seek to reach a compromise that benefits all parties in the negotiations (Moravcsik & Schimmelfennig, 2009, p.68). The second assumption is that states are rational. Any agreements made, institutions created, or other outcomes of international negotiations are the result of rational state choices, which means that various outcomes are weighed and that states will maximise utility (ibid. p.68).

As mentioned earlier, states are no longer 'black boxes.' However, because LI sees the integration of states as a two-level game, states are viewed as unitary actors. This strategy was developed by Putnam, who divided up international politics into multiple levels (1988, p.434). First, state preferences are formed at the domestic level. The most dominant and powerful domestic actors then shape these preferences. The actors who stand to gain or lose the most from a particular issue will try to have the most influence. Domestic actors also help form state preferences on international issues because what happens in terms of international cooperation can have a big effect on domestic redistribution and institutional disruption (Moravcsik, 2018, p.1650). It is important to note that not all actors have the same interests, and coalitions may re-align to focus on different issues. This is what LI refers to as being 'issue-specific.' However, this concept encompasses more than just the representation of the preferences of a nation's large businesses, industries, or financial institutions. Other factors, even immaterial ones, such as defence, anti-crime, and anti-terrorism policies are also included (ibid. p.1651). Simply put, the theory says that different interest groups and major economic actors advise and influence governments.

The second level is the international arena, where nations interact and bargain with one another to serve the interests of the main actors at the national level. States act unitary and rational, meaning 'as if' they have a single voice and 'as if' they weigh all their options and preferences (Moravcsik, 1998, pp.22-23). The states with the greatest bargaining power have the biggest influence on decisions. However ultimately, a decision is made based on the lowest common denominator. LI expects that state preferences are 'positive sum', meaning that all parties benefit from an agreement (Moravcsik, 2018, p.1653.) Given this, if a state knows it will benefit more from an agreement it is more willing to compromise than other states in the negotiation (Moravcsik, 1998, pp.61-62).

The third and final level is 'institutional lock-in,' which refers to a minimal international regime that is only able to ensure compliance to the decisions made and lacks the capacity to expand the initial bargain (Rauh, 2019. p.3). In other words, states decide whether and how to create supranational governments and organisations, such as the European Commission (EC). Most relevant for this thesis is the agenda-setting by the EC, which Moravcsik (2018) sees as '*deeper forms of delegation or pooling*' (p.1655). States sometimes choose to constrain their sovereignty because they need '*credible commitments*' forming a solid base for compliance to agreements and locking states in place (Moravcsik, 1998, p.73). The delegation of power relies on 'regime theory' which perceives institutions as a tool to help states '*implement, elaborate, enforce and extend incomplete contracts under conditions of uncertainty*' (Keohane, 2005; Moravcsik, 1998, p.67). Regime theory also contends that

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different types of problems will result in different types of cooperation and institutional designs (Moravcsik, 2018, p.1654).

Ergo, integration is the result of three steps taken by political leaders in response to the existing international situation of interdependence. The development of domestic preferences comes first, followed by institutional bargaining and, finally by substantive bargaining, which secures international agreements. Scholars of LI state that *'the preferences of national governments regarding European integration have mainly reflected concrete economic interests rather than other general concerns'* (Moravcsik & Schimmelfennig, 2009, p.70). This indicates that further integration is the outcome of national cost-benefit analyses, where deepening integration is found to be more advantageous than the alternatives. Implying that international relations are not a zero-sum game, and that thus further cooperation can lead to progress in international stability. Moravcsik and Schimmelfennig argue that this theory is also valid and applicable outside of Europe because it is not primarily based on characteristics that are unique to European states (ibid. p.474).

### **2.2.2. Postfunctionalism**

One of the first theories that followed as a reaction to the realist perception of international relations is neofunctionalism (NF). Theorists in this school value international organisations and shared ideas (Niemann & Schmitter, 2009). The most important authors in this strain of theorising are Haas (1958), who researched the European Coal and Steel Community, Lindberg (1963) and Schmitter (1970). They see integration as a pluralistic process where governments interact on different interests and levels, hoping to create spillovers and thus even more integration. While there may be hiccups or even periods of delayed integration, overall integration is in an upward trend (Hooghe & Marks, 2019, p.1115). The interaction at various levels shows that the theory of neofunctionalism views the state as a collection of various groups and actors rather than as a single unified actor (Bache et al., 2015. p.10). There are two types of spillovers created: functional and political. These features are present in functionalism too, but NF places more importance on institutions and shared interests. So, interest groups across different countries collaborate with each other, creating non-state international actors all representing issues on a supranational level. Neofunctionalists view the EC as the most important non-state actor (ibid., p.11). Thus, NF is a more supranationalist view. Another aspect of NF is that (regional) integration is steered by various transnational actors that form alliances who represent different issues (Wiener and Diez, 2009, p 48).

Still, neofunctionalism was created in the 1960s, and even though authors like Lindberg and Scheingold (1970) saw the possibility of Euroscepticism as a contributing factor, it was assumed that the general public supported further integration of the EU (p.62). However, as argued by Schmitter, neofunctionalists did not anticipate negative politization threatening integration (2009, p.211). During a time of troubling dynamics in European integration, a new theory that concerns itself with the current legitimacy issues came to be. Postfunctionalism, developed by Liesbet Hooghe and Gary Marks, builds on a neofunctionalist basis but claims that we need to go beyond economic preferences. They perceive that not only functional and

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distributional pressures but also identity politics play a role in changing attitudes toward European integration and the EU in general (Hooghe & Marks, 2009, p.5). Creating what Philipp Genschel in his lecture nicely formulates as a "*trade-off between the functional scale of governance and the territorial scope of community*" (2020). According to Hooghe and Marks (2009), NF and LI are becoming obsolete because these theories are based on the first decades of European integration, which were driven by economic interests of firms and had little impact on the people. With identity issues complicating integration, the theory predicts that domestic politics will have a constraining effect on national EU-level commitments due to Eurosceptic parties and sentiments. EU issues are "politicised," and this will happen in three steps. First, interdependence generates a mismatch between "functional pressures" and the "institutional status quo." The next step concerns the area of decision-making. Decisions can be made at any level (government, European bodies, or interest groups). The level of decision-making is determined by the stakes of the issue at hand and the ability of actors to politicise the issue. An issue can become exposed to the masses, be it by the mass media, political parties, or social movements. This is done by political parties that designed this arena. They decide whether an issue enters the arena of mass politics or remains in a place where only interest groups have concerns about it (ibid. p.8). The more salient an issue is, the more attention it gets. Popular activation over EU-issues (politization) then leads to possible electoral contestation and the "mobilization of national identity" based on the conflict between identity and functional interests mentioned in step one. This is where the name postfunctionalism comes from. It illustrates an uncertainty about whether decision-making and the outcome of that process will be characterised by functionality (Hooghe & Marks, 2019, p.1117). The third step analyses how political conflict is shaped by European integration, concluding that this politization has "*a disruptive potential for the EU*" (Hooghe & Marks, 2018, p.5).

Since the 1990s, the 'permissive consensus' on European issues has given way to what they call a 'constraining dissensus,' with increased politization engaging the public and leading to Europeans increasingly contesting EU integration (ibid., p.6). Since the Maastricht treaty, European decision-making has entered the world of party competition and all that it relates to. Citizens of the EU now can express their concerns and criticisms in referenda and European elections. As a result, national governments must try and anticipate what effects their decisions at the European level have on the domestic public (ibid. p.9). So, why does identity contribute to more negative attitudes toward Europe? Political entrepreneurs use cultural and economic insecurity, as well as EU policy, to mobilise political tensions (ibid. p.13). They attempt to shape public opinion about Europe. Political parties with a focus on 'traditionalism/authority/nationalism' (TAN) that have criticised the EU are the main actors in this model (ibid. p.16). These parties are the counterparts to the green/alternative/libertarian (GAL) parties, resulting in a new cleavage that is not economic and has a different logic than the traditional left-right divide (ibid.). Hooghe and Marks provide three generalisations about how national identities influence public opinion about Europe. For starters, identity is more important in shaping public opinion than it is in shaping the opinions of elites or interest

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groups. Second, identity does not speak for itself and must be constructed politically along the lines of gal/tan party positioning. Third, the more one identifies with an ingroup, the less one will support an outgroup-related cause (2009, p.12). For example, if a person has a strong national identity that is exclusive to other national identities, that person is vulnerable to Euroscepticism. This tension is difficult to resolve because collective identities are relatively stable and European institution building occurs at a faster rate than the construction of a European identity (ibid, p.13).

### **2.2.3 Debate between Liberal intergovernmentalism and Postfunctionalism**

*“LI and PF sharply differ in their perception of the preferences of key political actors which results in contrasting approaches to evidence as well as contrasting ontologies” (Hooghe & Marks, 2019, p.504).*

Although Moravcsik (2018) describes PF as a *“welcome contribution to integration theoretical debates,”* he criticises it for not being a true integration theory that covers all three stages of the integration process and still relies on LI for its micro foundations (p.1658). Any complication, backlash, policy stagnation, or even reversal (such as Brexit) should not be interpreted as unequivocal evidence for PF, because LI's 'issue specific' preferences can also explain backlash (ibid. p.1659). While analysing the three PF steps, Moravcsik discovers that the first step echoes LI's core assertion that further integration comes from 'interdependence-based functional pressures' that protect the 'benefits' of improved problem solving (ibid. p.1660). Essentially, coalition formation on various issues within a country. Also, the second step of 'mass mobilisation' can be explained by functional calculation and thus LI, plus the one non-falsifiable argument that mobilisation is part of psychology. In the third step, where identity can become disruptive, Moravcsik finds that there are few theoretical accounts of when public resentment influences substantive policy (ibid. p.1660). Furthermore, PF fails to theorise interstate bargaining and institutions, and it fails to address the EU's paradox, which is that Europe has become more integrated and intergovernmental. For example, Europe has not responded to the refugee crisis with more disintegration. Similarly, on the rise of populism, he claims that it has little effect and that it is ineffective in referendums and European elections (ibid. p.1663).

Hooghe and Marks respond by claiming that Moravcsik downplays events that are not subject to LI. They also claim that he downplays Brexit and writes it off as 'British exceptionalism', his argument that populism had 'little effect' ignores the rise of populism and the research that accompanied it (2019, p.504). He essentially overlooks public opinion and says nothing about immigration. In this regard, Hooghe and Marks disagree with Moravcsik's claim that *“nationalism is symbolism without substance”* (ibid. p.407). Then they claim that Moravcsik tries to incorporate more than he claims to explain at first, which they call regressive because stretching of LI allows for ad hoc adjustments.

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Table 1: Comparing the Schools

	Literature	Puzzle	Focus	Actors	Causality
<b>Intergovernmentalism</b>	international political economy	outcomes of intergovernmental bargaining	government preferences and asymmetric interdependence	national governments and issue-specific interests	lowest common denominator
<b>Postfunctionalism</b>	political behavior	causes and effects of politicization	the structure of political conflict	political parties and public opinion	identity

Figure 2, Comparing the Schools (Hooghe and Marks, 2018, p.10)

### 2.3 Bridging the gap, theoretical hypothesis

Now that it is clear what the theoretical perspectives are (figure 2) and how policy instruments are evaluated, we are one step closer to drawing conclusions about integration. With as goal to answer the question: *which grand theory of European integration can provide the best framework in which implementation effort of EU climate policy can be explained?* There is still a missing link between this evaluation of the implementation process and the bigger picture. Due to Oliver Treib's (2014) conclusion that research into EU-level factors is largely inconclusive, the emphasis will be on domestic factors to connect this missing link (p.22). This thesis argues that the three main approaches (enforcement, management, and legitimacy) in the implementation and enforcement literature provide a bridge to the bigger picture and give insight into which factors may influence the process of implementing EU policy. The advantage of using all three approaches is that it gives political-, societal- and technical context. A broad context that is, according to Oliver Treib (2003), missing in previous research (p.27). These approaches can be used at the same time as they provide different but not mutually exclusive perspectives (Börzel & Buzogány, 2019, p.316). Now these theoretical factors must be placed into the more practical scheme of assessing outputs. This thesis argues that the key factors can be seen as aspects of effort in the three dimensions of Bondarouk and Mastenbroek (Figure 1) (2018, p.18). The key factors are all country-level factors and thus the only variables that can differ between states. An overview of all factors can be found in figure 3.

KEY FACTORS

Enforcement approach	Management approach	Legitimacy approach
Party political preferences (in government)	Mis-fit	Culture of law-abidingness
Interest groups		
Crucial domestic actors	State capacity: Government autonomy (veto players)	Public support for EU
Cost-benefit analysis	State capacity: Government capacity	
Power of a country		

Figure 3, Key factors explaining implementation effort

The first approach is the enforcement approach, in which countries are viewed as rational actors, weighing the costs and benefits of (non) compliance with a particular policy (Börzel et al., 2010; Downs et al., 1996; Fearon, 1998). It assumes choices in the process to be voluntary. Economic and political preferences form the basis of compliance here. This means that states may see that an agreement is in their best economic interests but choose not to comply because of ‘political calculations’. The party-political preferences of the government can also play a role (Treib, 2003; Tallberg, 2002), as well as crucial domestic actors (Zhelyakova et al., 2016). The attitudes of these actors toward the policy that must be implemented ultimately shape the policy output. A country’s willingness to implement consists of two variables: issue salience and issue preference (Bondarouk et al., 2019; Spendzharova & Versluis, 2013). Domestic actors representing and forming these preferences include a diverse range of lobbyists, companies, and other groups defending specific interests. As a result, they will be referred to as interest groups throughout the remainder of this thesis. In other words, if a government represents environmental groups’ interests and prioritises environmental protection, environmental directives will be implemented more quickly. Alternatively, if a country is reliant on its fossil industry, it will be hesitant to implement regulations on oil production due to the high cost of compliance. To avoid free riding by states, monitoring and enforcement (hence the name of the approach) are needed (Tallberg, 2002, p.612). This approach also incorporates European factors. For starters, states with greater economic or political power are less sensitive to reputational and material costs. Second, more powerful states already hold more power in decision-making, implying that they shape European law to their advantage and thus have no difficulty complying with directives (Börzel et al., 2010, pp.1367-1368).

The second approach is the management approach, which focuses on the constraints and capacities that shape state actors’ ability to comply (Börzel et al., 2010). The assumption here is that implementation choices are rather involuntarily. On the one hand, there is the ‘mis-fit’ hypothesis, which holds that implementation is hampered when the institutional demands of an EU directive are incompatible with domestic institutional traditions and require big changes in national law. Misfit can also point to a language barrier in the agreement or when goal formulation is uncertain (Treib, 2014; Zhelyazkova et al., 2016). On

the other hand, there is focus on the bureaucratic and administrative capacities of public bodies. Comparably, the argument that practical barriers are hampering or advancing the implementation process becomes more functional. In this case it is not unwillingness to comply, but an inadequate capacity (Tallberg, 2002). The ability to implement a directive is influenced by both human and financial resources (Tallberg, 2002; Treib, 2014; Börzel et al., 2010). States are unable to comply because of one or more of the following three reasons: lacking state capacities, unclear formulation of norms, or insufficient time to reach policy goals (Börzel et al., 2010, p.1369). State capacity can be split into government autonomy and government capacity. Autonomy refers to the number of veto players, which is a political actor that can block or influence voting (Tsebelis, 2002). Government capacity is the financial plus the human resources side of the national government (ibid.). Börzel et al. (2010) see this as a very influential factor. Even when a government has sufficient resources, its structure may lead to coordination issues. They distinguish between two components of government capacity. The management of the resources (resource endowment) and the efficiency of the bureaucracy. These two components are meant to account for issues as corruption and disorganised government agencies (ibid., p.1370).

The legitimacy approach is the third approach. Börzel et al. (2010) discover it to be complementary to the other two approaches (p.1369). The legitimacy approach assumes that rules set by institutions that have widespread public support are more likely to be complied with (Börzel et al., 2010; Hurrell, 1995). Specifically, the two main factors are a culture of law abidingness (acceptance of the rule of law) and public support for the EU (ibid.). The greater the societal support for a particular EU policy, the faster and better it will be implemented. This is because governments and supranational actors anticipate public outrage if a popular policy is not implemented, or vice versa. When the public expresses dissatisfaction, policymakers feel more obligated to implement a policy and are more likely to do so (Zhelyhaskova et al., 2016, p.832).

Now these factors must be tied into the integration context. The first factor is party political preferences, this means that the preferences of the ruling parties will influence the implementation of policies. Which context fits best? On the one hand, PF emphasises the importance of political parties in mobilising public opinion, but these aren't always government parties. On the other hand, it could be argued that political parties represent societal preferences, which form the basis of LI's preference formation at the national level. Ultimately, LI assumes that government preferences are issue-specific and the result of societal interest groups rather than party-political pressures. Furthermore, this issue formation happens at stage one, and policy implementation is a result of stage three. (Moravcsik, 1998; Moravcsik & Schimmelfennig, 2009). That is why this thesis argues that the political preferences of parties can then be seen as a factor supporting PF. The fact that PF not only includes government parties but also challenger parties, makes that the first hypothesis is formulated as follows:

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*H1. The political preferences of parties are a key factor influencing implementation effort, thus supporting the postfunctionalist assumption of political parties' role in integration.*

Regarding interest groups, the enforcement approach assumes that political actors can steer the implementation process (Zhelyazkova et al., 2016). The management approach also includes these actors as part of government autonomy, described as veto-players that can block or influence the process (Tsebelis, 2002). As these are two very similar factors, this thesis will combine them in one factor *interest groups*. It seems that one grand theory particularly focusses on the (powerful) interest groups on the domestic level and the bargaining between them. Yet again this does not apply to the third level, according to LI, on the first level states form their preferences through powerful domestic actors. After international bargaining these preferences are accounted for. So, once domestic actors' preference and power constellations have influenced government positions, their contribution to integration is over (Leuffen, et al., 2022, p.6). *"Institutions can help effectively remove issues from the varying influence of domestic politics, which might build up pressure for non-compliance if costs for powerful domestic actors are high"* (Moravcsik, 1998, p.73). The creation of an organisation like the EC is the 'lock-in', outputs from these organisations are not susceptible to the same dynamics as happens in level two. Then PF, where interest groups do play a role. Firstly, in the process of issue creation. Secondly, when an issue is not spilled into the public sphere, here interest groups play a main role (Hooghe & Marks, 2009, p.5) Which for the implementation of a technical policy is likely (Leuffen, et al., 2022, p.8). This results in the following hypothesis:

*H2: Interest groups are a key factor influencing implementation effort, thus supporting the postfunctionalist assumption of interest groups as issue creators and the importance of the interest groups arena on non-politicised issues.*

Political actors consider not just one optimal outcome, but a wide range of possibilities, weighing the advantages and disadvantages of various outcomes (Moravcsik, 1997, pp.523-524). Here Moravcsik refers to the LI notion that states are rational; governments weigh costs and benefits when assessing national interests because MS essentially remain in control of the integration process. Comparable to LI, the enforcement approach, which includes this factor, has its origins in game theory (Tallberg, 2002, p.611). Furthermore, this analysis of costs and benefits relates to the 'regime theory' after the institutional lock-in assumed by LI. In this stage there can still be collaboration problems because of the potential gains of noncompliance (Moravcsik, 2020, p.16). It is important to remember that the political part of considerations is covered by the first hypothesis. This factor only focusses on the economic and administrative cost-benefit analysis that shapes policy. Therefore, this factor does not really fit the PF context as even the non-politicised distributional logic is shaped in the interest group arena (which is covered in h2). This leads to the following hypothesis:



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*H3: Cost-benefit analyses are a key factor influencing implementation effort, thus supporting the liberal intergovernmental assumption of the rational state.*

On the aspect of compliance to an agreement the enforcement approach gives bigger states a higher chance to deter. 'States are more sensitive to reputational and material costs imposed by others if they have less political or economic power' (Börzel et al., 2010, p.1368).

This can be seen as a result of both international bargaining on level two of LI and the resulting institutional lock-in on level three. LI assumes that more powerful states have greater bargaining power, resulting in policies that may favour those countries more (Moravcsik, 2020, p.9). The following institutional lock-in helps in the monitoring and enforcement of international rules, sanctioning states that fail to comply. It becomes even more interesting for implementation in this case because it may be asymmetrical, with powerful states' capacity of bearing more (enforcement) costs when not complying. It is possible that a more powerful country believes it can interpret the rules more loosely. So, the next hypothesis is:

*H4: The power of a country is a key factor influencing implementation effort, thus supporting the liberal intergovernmental assumption of power imbalances*

The next factor is public support for the EU, which relates to Hooghe and Marks' (2009) contention that the increased influence of EU institutions has politicised public debate. PF even has its roots in public opinion research (Hooghe & Marks, 2020, p.5). Linking this factor to the PF theory, we can expect ideology and public attitudes to have a huge impact on how a policy is received and then implemented, certainly on a politicised issue. Not every issue becomes politicised; some issues can be resolved through extensive deliberation (Steunenberg, 2006, p.314). Or through issue linkages between domestic actors (Falkner et al., 2004, p.466). Which is in accordance with PF, where not every issue will enter the mass arena (Hooghe & Marks, 2009, p.8). As a result, it is possible that public opinion has no influence because the topic of this directive has not yet entered the mass arena. However, if it has and evidence of public opinion influencing the process is discovered, the PF argument will be significantly strengthened. This means that we can formulate the following hypothesis:

*H5: Public support for the EU is a key factor influencing implementation effort, thus supporting the postfunctionalist assumption of the possibility of public opinion steering European integration.*

Then the concept of mis-fit, which is the difference between existing national legislative rules and European rules, a technical mismatch. This means that a higher misfit causes a MS to change more national laws or have more difficulties interpreting EU law. According to LI, the result of international negotiations is mutually beneficial and produces efficient outcomes (Moravcsik & Schimmelfennig, 2019, p.7). Delegation results in a more effective and

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integrated policy regimes than bilateral agreements provide. Following this line of reasoning, it seems more inefficient if European legislation results in a complicated process of adjusting national law. As a result, if there is a substantial mismatch between EU legislation and national legislation, which leads to increased work/effort for the MS, the LI notion of efficient international cooperation is disproven. Vice versa, if the contents of the directive easily match existing national legislation, it indicates effective international cooperation. This results in the following hypothesis:

*H6: A high degree of misfit is a key factor influencing implementation effort, thus contradicting the liberal intergovernmentalist assumption of efficient international cooperation.*

The next factor is government capacity, state/government autonomy made up of institutional and partisan veto players is already covered in the second hypothesis. Therefore, the next factor that needs to be interpreted is government capacity, which consists of financial endowment and human resources. In the short term of an implementation process, a government has only limited control over the number of resources it has, and this is therefore involuntary. Some countries are simply wealthier than others. The allocation of available resources for implementing a certain directive at the cost of other governmental spending is part of the 'cost-benefit analysis' hypothesis. This factor just relates to a lack of government resources impeding or otherwise influencing the implementation process. To adhere to LI, the capacity must be compared to the capacities of other nations. However, this factor is difficult to compare between nations because it is difficult to standardise government capacity as a single factor as each government is designed different with different departments assigned to deal with this directive. Also, a comparison between the relative power of states is already addressed in H4. This factor however does not fit within the PF framework either, as it is unrelated to national political communities in the mass arena or actors in the interest group arena. The incompatibility with both frameworks leads to the following hypothesis:

*H7: Government capacity is a key factor influencing implementation effort, thus, supporting neither liberal intergovernmentalist or postfunctionalist assumptions.*

Culture of law abidingness is the last factor. Subdivided in; the characteristics of legal awareness, general attitudes toward the supremacy of the rule of law, and general attitudes toward the judicial system and its values (Gibson & Caldeira, 1996, pp.56-49). This rule of law is very general and is not specified and encompasses both the government and citizens. In addition, neither PF nor LI emphasises the acceptance of the rule of law as a significant factor. One could argue that if citizens' strong opposition to the rule of law influenced policy outcomes, this would support the case for PF. But this is already accounted for in H1 and H5. And although Hooghe and Marks (2009) state that; 'communities demand self-rule, and the preference for self-rule is almost always inconsistent with the functional demand for regional authority' (p.2). This conception still does not encompass the whole concept like Gibson and

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Caldeira (1996) describe. The main difference is that PF looks only at popular attitudes, and that the culture of law abidingness is also reflected in governments’ attitudes. That is why the last hypothesis is formulated as follows:

*H8: Culture of law abidingness is a key factor influencing implementation effort, supporting neither liberal intergovernmentalist or postfunctionalist assumptions.*

<b>Liberal intergovernmentalism</b>	<b>Postfunctionalism</b>	<b>Neither</b>
Cost-benefit analysis	Party political preferences	Culture of law abidingness
(Lack of) Misfit	Public support for EU	Government capacity
Power of a country	Interest groups (domestic actors / government autonomy)	

*Figure 4, Factors explaining implementation effort sorted by grand theory*

## 3. Research design

*The implications of doing a congruence analysis with a small-N study.*

The methodological approach is discussed first in this chapter. Section 3.1 contains an outline of this method. Section 3.2 describes the research design and how it will proceed from here. Section 3.3 goes into detail about which cases are used. The theoretical concepts from the previous chapter will then be operationalized in 3.4. Finally, section 3.5 discusses the validity and reliability issues that this thesis still may have.

### 3.1. Method

The preceding chapter discussed multiple factors that can influence implementation. This means that the preferred method in this study should be able to account for all these factors while also reflecting the complexity of a process through extensive observation. Aside from comparing the three approaches, theoretical inferences about the two competing grand theories must be made. These requirements provide a valid reason to conduct a case study, which is a 'small - N' study that includes many empirical observations for each case investigated as well as feedback on theoretical concepts (Blatter & Haverland 2012, p.19).

A case study can be conducted using one of three methods. The first is co-variational analysis, which focuses on a single independent variable and its relationship to a dependent variable, implying that X has a causal effect on Y after controlling for other variables (Blatter and Blume, 2008, p.318). Second, there is causal process tracing, which goes a step beyond simply identifying a causal relationship. This is known as 'Y-centred research,' in which causal mechanisms are built to answer questions such as 'how was event A possible?' (ibid. p.321). The third technique is known as congruence analysis, and it is used to assess the relevance and strength of multiple theories. With this method, the researcher reflects closely on the relationship between theoretical concepts and actual observations. If the theoretical implications of Theory A and the observed evidence presented by the case study are more congruent than the evidence with the implications of Theory B, it could be argued that Theory A has more explanatory power (Blatter & Haverland 2012, pp.144-145). This thesis is best suited to this third technique of congruence analysis. We want to figure out which approach provides the best explanation and what inferences can be made in a broader context using these insights. And not simply identify causal relationships or the implementation process' driving forces.

Blatter and Haverland (2012) distinguish two types of congruence analysis. The 'competing theories approach' which assumes that one theory can give a better explanation than other theories. Contradicting theories lead to different implications, meaning that in each instance in the real world only one theory can provide the best explanation. The second type is the 'complementary theories approach', which emphasises the complementary nature of theories and the possibility that a combination of different aspects from both perspectives

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may provide the best explanation (ibid. p.145). The fact that this thesis formulates hypothesis from different schools of thought makes that a 'competing theories approach' seems logical. However, one must consider that reality often is ambiguous. And these two are ideal types, following that logic, the focus will lie on the theories competing, but complementary aspects will not be shunned.

### **3.2. Research design**

This research is designed as a case study, meaning one phenomenon delimited by space and time with a theoretical significance (Gerring, 2004, p.342). There are 27 MS and countless directives that are implemented in those countries. This gives a lot of potential cases. The implementation process of the NEC directive in the Netherlands and Belgium is chosen with regards to the length of this thesis and the relevance of the case.

Which methods are used and how will data be collected? There are multiple ways to collect evidence and access information about the case. The six main sources are: documentation, archival records, interviews, direct observation, participant observation and physical artifacts (Stake, 1995; Yin, 2009). If a researcher needs to make substantive and convincing claims, s/he must collect data from multiple sources, allowing evidence to be double or even triple checked. This is called data triangulation (Smith, 2018, p.1044). Documents and people are the main sources of evidence in this thesis, because in policy research almost all relevant evidence, data, and ideas come from these two types of sources (Bardach, 2009, p.69).

The first is desk research into policy documentation about the implementation of the NEC directive. This documentation consists of proposed legislation, letters to parliament and EU documentation (Stake, 1995). These documents are freely available on government websites. All documents that mention the NEC directive are considered and judged on its content. Useful documents will be analysed. In practice this means all policy documents made available by the government that do not just mention the NEC directive but discuss its substance, from 14-12-2016 (when the directive was decided upon) until the start of the research (1-4-2022). For the Netherlands there are 33 documents in eight types that are relevant and mention the NEC-directive in such an extensive way that text can be contextualised and meaningful inferences can be made. These documents are policy rules (beleidsregels), 'wet openbaar bestuur' requests (wob-verzoeken), decisions (besluiten), letters (brieven), briefings from the government to the house (kamerstukken), answered questions from the house (kamervraag met antwoord), publications (publicaties) and reports (rapporten). For Belgium 18 documents could be found that purposefully elaborated on the directive. Three of these come from the federal government, the rest is from the Flemish government and consists of plans (Plannen), briefings (kamerstukken), reports (verslagen), decrees (decreten) and reports of hearings (verslagen van hoorzittingen). This documentation will consist of primary data as well as secondary data. Meaning both information that is already collected and processed or observed first hand. Press articles that might give some further evidence or insights will also be looked at. Certainly, for the Belgian case where

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unfortunately and after many attempts no one was able to do an interview. All these sources grouped together will form one comprehensive storyline, resulting in relevant factors being identified. The text in the documents will be analysed and, if it fits, be assigned one of the categories of the operationalised factors. Important to note is that this coding is 'not a precise science, but a 'primarily interpretive act' that occurs between data collection and more elaborate data analysis that happens once all the data has been categorised (Owen, 2014, p.15). The second source of evidence are interviews. Because this gives a different interesting point of view from an insider that has first-hand experience of the process or another type of relevant knowledge of the case. It also helps to verify the findings and put them in context. People found willingly to cooperate with this are Mr. drs. Jacobs who is the 'Theme Leader Legal Program DG Nitrogen'. Mr. J. Reiss who is senior management at the ministry of Infrastructuur en Waterstaat (IenW). And someone who wants to remain anonymous, but who works at the Directorate General (DG) Environment for the EC. The interviews are semi-structured and guided by the different factors contained in a theoretical prediction matrix as prescribed by Blatter and Haverland (figure 5) (2012, p.188).

Implementation is largely determined by the level of effort a government invests in the process. Thus, it is necessary to identify the motivations behind a government's implementation efforts. This study is conducted as follows. To provide context for this case, an overview of the evolution of environmental policy is given first. Second, the effort for each country is evaluated based on standardised reports under article 6 of the NEC directive. Thirdly, the eight theoretical variables provided by the three approaches are then used to analyse the implementation-influencing variables. Finally, theoretical conclusions are drawn.

### **3.3. Case selection**

While doing a congruence analysis, a researcher first must choose relevant theories (as has been done in the previous chapter) and then select the case(s) which are most fitting to the goal of the research (Blatter & Haverland, 2012, p.150). The goal of this analysis is to try and provide sufficient evidence to add to the relative strength and explanatory power of one or both theories. Due to the focus on the theories, case selection is far less important for valid inferences in a congruence analysis than in a covariance analysis. However, some prior knowledge of the cases is still required (Blatter, 2012, p.7).

A directive's implementation process is chosen because directives differentiate from other EU legislative instruments in one important way. They provide MS more flexibility in terms of interpretation. A goal is set but the path taken can be designed by the MS (EU, 2022). Directives have a far more extensive implementation process than a regulation that just needs to be entirely adopted into national law. This makes a directive theoretically more interesting. In this case the NEC directive has been selected (Directive (EU) 2016/2284). This directive sets a goal for countries to reduce emissions for five important air pollutants (European Environmental Agency (EEA), 2016). Its relative recency is one of the reasons that this directive is selected. This implies that the contents are relevant, and that the implementation process is not out of date. But the directive is not that recent, which means that there are already

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enough documents available that provide context for the process, as well as studies that provide overviews of the measures taken and evaluate MS implementation efforts. Another reason this directive was chosen is because there is a lot of public discussion in both Belgium and the Netherlands about the greenhouse gases covered by this directive, particularly nitrogen dioxide (Bontjes, 2022). This means that there is a high chance of politicization while at the same time there is still a clear result of delegated and pooled sovereignty. This combination makes it a good testcase for LI vs PF. What makes it even more suitable as a testcase for these two theories, is that environmental policy has strong and clear economic implications (limiting and constraining economic activity) as well as an ideological divide (the environment is a bigger issue for the GAL parties). The Netherlands and Belgium are specifically picked not just for the language in which policy documents are available, but also for the different approaches in which both countries seem to have implemented the directive into their legislation. The EEA (2020) stated that when countries were required to disclose their additional policies and measures (PaMs) resulting from the adoption of this regulation, the Netherlands reported none, whereas Belgium reported 72 PaMs, the highest of any country. This difference may indicate a contrast in implementation which is theoretically interesting and makes for a stronger case study in a congruence analysis. In this type of analysis, it is preferable that cases show substantial differences in the main independent variable, which in this case is the implementation process (Blatter, 2012, p.7). Another aspect that makes these two countries particularly suitable for congruence analysis is that, aside from the apparent difference in implementation, they are very similar in terms of size, power, and culture. This is a strength in isolating factors that influence implementation effort but, is a weakness in the generalizability towards a greater population of European countries.

### **3.4. Operationalising implementation**

Operationalisation is to make abstract theoretical concepts measurable (Bleijenbergh, 2015, p.53). It is of importance to operationalize the theoretical concepts that are being explained and the variables that try to explain. This transition from concept to observable phenomenon is performed as follows. The dependent variable, implementation effort, is operationalised first. Second, the various factors influencing implementation effort is made measurable. The process of implementation in a state is shaped by the amount of effort put into it, as shown by the table of Bondarouk and Mastenbroek (figure 1) (2018, p.18). But why does a state choose to put effort in it and is this even a choice? The explanation to why can be found in a broad context with many variables that can have an influence. It is not likely that all variables can be accounted for, but the three approaches to complying with EU law give a steady point of departure for identifying the most important variables that influence the effort a state puts in the implementation process. Note here that both compliance and implementation literature are used, which might seem like different fields of inquiry. Nevertheless, this is a semantic distinction, most of the compliance and implementation research is concerned with both the process of how a given norm is implemented and the

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result in terms of rule conformity. “*Implementation and compliance are therefore two sides of the same coin*” (Treib, 2014, p.5).

### *Effort*

What needs to be explained is the effort, which is the political attention and power invested domestically by governments to achieve a policy's goals (Schaffrin et al, 2015, p.262). This goes beyond technical limitations and is therefore theoretically the most interesting. Before analysing the drivers of implementation effort, the amount of effort must be determined. Bondarouk and Mastenbroek interpret relevant aspects of effort in a mostly technical manner. However, because policies are implemented into (partly) existing legislation, budgets are not drawn up for every policy and measure, and because each country has different budget distributions, it is difficult to compare between states. As a result, it was decided to use an easily comparable interpretation of effort. Namely, the National Air Pollution Control Programmes (NAPCP) report, this is an official and mandatory reflection made for both countries and includes the efforts to comply with the rules evaluated by independent researchers. The benefits of using this report are, once again, comparability; each state here reports their emissions in the same format, which is then evaluated by the same research team. According to the EC it is the main governance instrument by which MS must ensure that the emission reduction commitments for 2020–2029 and 2030 onwards are met (2022). The second advantage is the completeness of the review, as it considers both the reporting by states and the PAM's. The lack of comparison to other reports is a disadvantage of using only one type of report. Another disadvantage is that these reports only show the final legislation and measures. So, the effort that went into making these agreements is not accounted for.

### *Hypotheses*

Now that the effort has been established, the factors influencing effort must be operationalised. Oliver Treib (2014) summarized and brought together most implementation and compliance literature. In his overview he identifies four domestic factors influencing willingness to comply, namely: party politics, misfit, public opinion, interest groups (p.22). Then there are also two factors relating to a state's capacity to comply, being administrative capabilities and the number of veto players (ibid. p.25). The variables are used as a tool to assess the documents. Coincidentally the factors Treib provides are almost identical to the theoretical factors formulated in the preceding chapter. With minor differences, namely that in this thesis veto players and crucial domestic actors are combined as the factor *interest groups*, that (economic) *cost-benefit analysis* is included, and that *Culture of law abidingness* is included. The following matrix gives an overview of these factors including all hypothesis, that will be operationalised next.



<b>Factors</b>	<b>Liberal intergovernmentalism</b>	<b>Postfunctionalism</b>
Party political preferences	Party politics in government is important, but this is not a part of the institutional lock in, so it is expected not to play a role.	Political parties shape arena choice. This influence might be reflected in policy implementation.
Interest groups	Bargaining between domestic actors is important, but again does not occur at the third level.	Interest groups play a big role in issue creation. And influence decision-making if an issue does not get politicised.
Cost-benefit analysis	After the institutional lock in there can still be collaboration problems because of potential gains of noncompliance	Focus lies on political pressures or on interest group pressures not on technical considerations.
MS power	The power of a MS is a very important factor both in shaping policy (making it easier for them to implement) and in the implementation process (powerful states can carry higher costs of noncompliance)	Focus lies on identity not MS power.
Public support EU	Does not play a role, even national preference formation happens through pressure groups and not public opinion	Public opinion is very important as a reaction to the mismatch between function and form, it is a basis for the formation of party strategy.
Misfit	International cooperation is assumed to be more efficient, so LI expects there be to be little misfit.	Differences in institutional layouts or unclear goals is not a part of postfunctionalism.
Government capacity	Is involuntary and has in this conception no relation to the relative power of a state.	Capacity and resources of governments do not play a big role in this theory
Culture of law abidingness	Does not have a strong focus on accepting the rule of law.	A culture wide phenomenon is not limited to public opinion, so PF does not have a meaningful prediction on the role of this.

Figure 5, Prediction matrix

There is a brief description of each factor's empirical manifestation. Many of these factors were used in quantitative analyses, suggesting a bit of flexibility from the researcher in

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translating them into qualitative research. The next step is to carefully consider which indicators in texts may indicate support for one of the hypotheses.

*Party political preferences:* There are several indicators that can make this factor relevant. The most straightforward are direct mentions of political parties (in or out of government). The second are reflections of political beliefs or principles in final policy plans, discussions, or draft versions. To recognise them, this analysis first determines what the political parties' positions on emission reductions and environmental control are. It can then be better recognised whether these positions are reflected in the documents.

*Interest groups:* This factor relates to the external influence (outside the authorities) on the policymaking process and encompasses an array of organisations. First, interest groups that can influence the policy process need to be identified (for example, environmental organizations, action groups, or lobbying groups). If they as an organisation (or results from their research) are mentioned in documents, this could indicate their influence. For example, 'in the drafting process company A/organisation B were consulted.' Nevertheless, political influencing does not always take place in the open or is documented. Therefore, interviews can be useful for this factor, because people involved in the implementation process have a better understanding of which actors are involved.

*Cost-benefit analysis:* This consists of the different options national governments have regarding policy and compliance with economic considerations. It is expected to be an influential factor when one or more of the following is recognised. First, is the mentioning of the EU's enforcement mechanisms. Second, when comparisons to other countries' compliance behaviour are being made, or third the presentation of policy options in a way that acknowledges both the pros and cons of a certain decision. Note that if it concerns political considerations, it will be labelled as *party political preferences* because this factor is focused on the economic and technical parts of policy considerations. This last one might be difficult to distinguish from budgetary estimates. So, overviews of different costs won't be included, but if these budgets contain considerations or when alternatives are given, they will be included.

*MS power:* This is the one factor that is best valued/formulated when contextualized in comparison to other nations (i.e., for example, government capacity can 'stand' on its own, but power exist only in relation to other countries). And is not something you would find in a text. So, if the experts could confirm or deny the possibility of a larger role for powerful states in the policymaking process and subsequent (non)compliance, then the interviews would be very useful for this factor. Furthermore, real power to shape EU law is mainly mitigated by a highly institutionalised context. But things like population, and GDP are some exact measures of power. For the power in the decision-making process shaping policy indices like the one

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created by John F. Banzhaf are used to measure the political power of countries in voting systems (Gabor, 2020).

*Public support for EU:* This factor is present when a decision's potential unpopularity is mentioned. Both previous public discontent as a reaction to an earlier measure or expected discontent can be used as an argument for changing or scrapping a measure. This could also work the other way around by mentioning a European law or directive that is perceived to be popular among the public. A more indirect measure of public support for the EU is when the documents mention public consultation on this directive. Consultation with the general public may reveal some attitudes toward the EU, but it may also be just about the directive's contents. If it is revealed that public opinion, in general, is of great importance, this could still contribute to the analysis.

*(Lack of) misfit:* Misfit in this thesis is the incompatibility of an EU directive with national Law, or the unclear language/goals that are formulated. Prior research identified the major sources of misfit in terminology as the following: sometimes European concepts do not match national concepts. Existing national regulations then use different definitions. Another problem is vague or completely undefined European concepts. Moreover, implementation problems sometimes arise if the scope of a concept is different at the European and national level (Raad van State, 2011, p.36). It is expected to be a big factor when there are found to be mentions of the difficulty of language and uncertain goals in directives. For example, 'it is not clear what the limit value in... needs to be.' Also, comments relating to the incompatibility or difficulties in changing policies in measures to fit the directive.

*Government capacity:* This factor relates to issues with human and financial resources. For this factor to be present, there must be mention of the (lack of) budgets and or staff to execute and control measures. If the scope of a policy proposal is 'there is decided only to go this far due to budgetary limitations,' or 'this could not be executed/evaluated because of a lack of staff', then this is a clear indication of government capacity having influence.

*Culture of law abidingness:* The most difficult factor to operationalize because of its broadness. In most research it is operationalised on a country level with indicators like the transposition speed (Toshkov, 2007). The transposition speed will still be included. However, more indicators are needed. The number of infringement proceedings could give an indication of how many times a MS does not adhere to European law. The transposition speed and number of infringements are both given by the EC (2022). Evidence for a culture of 'non-law abidingness' in the documents, could be phrased as; discrediting European institutions, downplaying the importance of implementing this directive, and failing to meet deadlines or goals set by the directive. In a law-abiding culture, one might expect to read about things that must be done because an EU directive requires it, but not in a context of the potential costs (this is *cost-benefit analysis*). If a country implements based on the perceived legitimacy of the

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EU in that country and not solely based on enforcement costs, this could also be a sign of this culture.

### **3.5 Validity and Reliability**

Regarding external validity (the degree of generalizability of the results), a high degree of external validity can never be obtained for research with only one or a few cases, such as this thesis. This is due to the context specificity of one case (Flyvberg, 2006 p.224). This thesis is not seeking a couple of factors that can be labelled as 'if X is present then Y'. The main goal is trying to explore which of the theoretical insights, on both levels, give the best explanation. This research attempts to test hypothesis and generalise them to theory, rather than inferring from statistical fact. Here it is important to understand that case inference must not be confused with statistical interference (Yin, 2009). The most-similar method adopted in this qualitative study is prone to problems of nonrepresentativeness because without selecting from a large-N sample with a systematic cross case selection strategy case selection can be speculative (Gerring, 2009, p.28). The fact that the two cases chosen for this most-similar case study are from relatively average European countries should aid isolating factors that influence implementation. As a result, there may (hopefully) be some conclusions that help in formulating theoretical premises which might have implications for theories of European integration.

Secondly, there is internal validity, which refers to the extent to which a study attempts to reduce systematic error and bias. Confirmation bias, selecting and interpreting information in such a way that it supports one's hypothesis, can be a big issue in case studies (Flyvberg, 2006). This means that a researcher must make clear why factors are measured in a certain way (Bleijenberg, 2015m p.120). It is certainly a problem when gathering facts through document analysis. Because the researcher has selected all the evidence found in documents him/herself. Blatter and Haverland (2012) propose a solution to combat this bias by being specific and explicit when formulating predictions and doing so before conducting empirical analysis (p.165). Specifically for a congruence analysis, the internal validity must be increased by making sure that the (predicted) observations reflect the conceptualization of a theory precisely, this is called concept validity (Blatter& Blume, 2008, p.327). A high degree of concept validity is achieved in this research by being as transparent as possible, providing an extensive overview of the documents used and which parts were considered to as indicating a factor. Confronting selection bias is done by considering all types of documents that concern the NEC directive, and by comparing these findings with the conducted interviews. Nevertheless, there are still limitations to the research in this thesis. On the one hand there is selection bias on the side of the researcher deciding on if a document is suitable. On the other hand, there is also selection on the part of the governments that do not release just any documents if they might include delicate political information or other internal information that could be useful in this analysis. After the decision of suitability there is still the issue of subjective interpretations by the researcher. To combat this, achieve intersubjectivity, and of course increase knowledge, different interviews are conducted. This will ensure the

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incorporation of different perspectives and try to mitigate the possibility of a limited selection of information by governments and by the researcher.

When research is reliable, it produces similar results when repeated using the same method. The reliability can be secured by clearly mapping out all the steps taken in the research plus a justification of those steps. Concretely, when a congruence analysis is based on “*explicit differentiation and specific temporal order with respect to the two inferential leaps*” its reliability can be improved (Blatter & Haverland, 2012, p.165). The first step is extracting expectations from the theory. Secondly, these should be compared with empirical evidence. Thirdly, the researcher draws conclusions about the explanatory power of the used theories for the cases investigated by this research. This is done by comparing levels of congruence between the observations and expectations. The predictions not only have to be empirically supported, but they must also have more empirical evidence than the rivalling hypothesis. Lastly, the theoretical explanatory power is being fed back into the broader theoretical discourse and its relevance compared to other theories is asserted (ibid.).

## 4. History of climate directives

*What historical developments paved the way for this directive?*

Before analysing the implementation process, a thorough examination of the history the directive is required so that the reader and researcher can be properly introduced to the subject.

Environmental problems do not end at borders, for example pollution of large European rivers as the Rhine or the Danube concerns many countries. This is also true for air pollution, for example the problems of acid rain in the 80's caused by UK coal plants that impacted Scandinavia (Delbeke & Vis, 2016, p.9). When the potentially disastrous effects of climate change became clear, it was evident that more international cooperation was required, and Europe needed to speak with one voice in international negotiations. The first treaties of the EU did not refer specifically to any policy regarding climate. The climate policy of the EU started as a part of environmental policy. With climate policy concerning the reduction of greenhouse gasses, and environmental policy concerning nature in general, including biodiversity water and air quality, as well as chemicals (EU, 2014). During the Paris summit of 1972 the European Economic Community (EEC) set a starting point for the EC to draft the first Environmental Action Program (EAP). The legal basis of the current legislation can be found in the Single European act of 1987. Based on that act provisions concerning the environment were added to the EU treaty (EU, 2012). This ensured that the Council together with the European Parliament could make decisions on environmental laws based on qualified majority. This is what is now known as the 'ordinary legislative procedure' (Delbeke & Vis, 2016, p.9). The history of directives goes way further back with its legal basis in the Treaty on the Functioning of the European Union (TFEU) signed in 1957. A directive is phrased as '*a legislative act that sets out a goal that all EU countries must achieve. However, it is up to the individual countries to devise their own laws on how to reach these goals*' (EU, 2022). In the 80's and 90's a discussion emerged concerning which instruments should be used to reduce emissions. Some states were in favour of taxing pollution and others thought of setting overall limits on pollution (capping) (Delbeke & Vis, 2016, p.10). Eventually the debate steered towards cap-setting and emissions trading which was beneficial for the total reduction and where legislation could be decided on through Qualified Majority Voting (QMV) in the council (ibid.).

### 4.1 Process leading up to the current directive

Although there are many international and European strategies to reduce air pollutants, there is still a big part of the European population that is exposed to higher concentrations of pollutants than the agreed upon limits (EEA, 2018). The first NEC Directive was adopted in 2001 and put limits on four air pollutants that needed to be reduced by 2010 and every following year (EEB, 2016, p.10). In 2013 the Commission published the Clean Air Programme

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for Europe; this contained a proposal for a new NEC directive together with other proposed bills. To achieve adequate levels of air quality and to reduce impacts on ecosystems and the environment, the European Parliament and the council have signed the NEC directive that will put stricter limits on five pollutants (EU, 2016).

#### **4.2 Contents of the directive**

To reap better results in the improvement of air quality across Europe the National Emission reduction Commitments (NEC) Directive (2016/2284/EU) entered into force on 31 December 2016 (EU, 2016), replacing earlier legislation namely Directive 2001/81/EC. The goals of the 2016 NEC directive are to cut EU-wide emissions of sulphur dioxide (SO<sub>2</sub>) by 79%; nitrogen dioxide (NO<sub>x</sub>) by 63%; non-methane volatile chemical compounds (NMVOCs) by 40%; ammonia (NH<sub>3</sub>) by 19%; and particulate matter (PM<sub>2.5</sub>) by 49%, compared to the emission levels in the base year 2005. These are all primary pollutants (European Commission, 2016). This goes further than the directive it replaces and adds one extra pollutant. There are emission ceilings for 2020 and 2030. The ceilings for 2020 are equal to the ceilings set by the Gothenburg Protocol (which were set by the United Nations Economic Commission for Europe (UNECE)). The new ceilings are based on projections of the effects of current policies in Europe. These effects have been calculated using a GAINS calculation model. With this model an optimal distribution among the various countries is made (Ibid.). The percentages differ per MS which is a difference with earlier air quality guidelines. Another difference is that earlier, states were only required to develop air quality plans if they exceeded pollution limits; now, states must develop plans regardless of pollution levels. Though this directive does not address methane emissions, it does include a recommendation in the appendix to encourage efforts to reduce methane emissions.

Regarding reporting and control, this directive requires that MS draw up national air pollution control programmes where they describe how the emission reduction commitments will be met. This is called The National Air Pollution Control Programme (NAPCP), which is in article 6 of the directive. MS must report their national emissions to the Commission in February within a 2-year time span using the methodologies set by the UNECE Long Range Transboundary Air Pollution (LRTAP) Convention. Therefore, emissions of 2018 must be in before February 2020 (EEB, 2016, p.20). Every year a briefing is made to summarise the most recent data. In article 5 several flexibilities are included. An adjustment process is included here where MS can adjust their emission inventories downwards when noncompliance is caused using newer methods of measuring (EEA, 2016). This extra flexibility should help MS avoid missing targets due to changes in knowledge, or vice versa, from failing to precisely adapt their emission inventory to the most recent knowledge to avoid missing targets (ibid.).

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## 5. Cases

*When comparing two cases, what parallels can be identified in the actual implementation process?*

This chapter describes the implementation processes in both the Netherlands and Belgium. Beginning with the transposition into national law and the implementation effort of both countries according to the NAPCP report. The evidence found for each identified factor constituting this effort is then presented.

### 5.1 the Netherlands

The Netherlands has been implementing policies to clean the air of emissions and pollutants in various sectors since the 1990s. An example of this are the emission requirements for industry and agricultural companies. These rules were also the result of the implementation of earlier European directives in national regulations (Rijksoverheid, 2019). This provides a solid foundation for the new legislation. During preparation the NEC program was discussed with provinces, municipalities, environmental services, social organizations, and industry (Ministerie van IenW, 2020). Furthermore, the program was, according to article 6 paragraph 5 of the NEC guideline, open to the public for comment and remarks, by using section 3.4 of the General Administrative Law Act. The NEC program was then submitted to the House of Representatives (Tweede Kamer), based on forecasts made by RIVM, the responsible ministry (IenW) expects the Netherlands to comply with the reduction commitments (RIVM, 2018). In the national budget of 2018 (the first that was drafted after the NEC directive went into effect) the new guidelines are incorporated. The clarification of the budget states that the new guideline uses reduction percentages instead of emissions ceilings, which is somewhat complicating, but this does not increase costs. The 'Nationaal Samenwerkingsprogramma Luchtkwaliteit' (NSL) is prolonged until the new environmental code is in force in 2023 resolve some issues (Rijksoverheid, 2017). In the following year's budget, some bottlenecks are mentioned for intensive livestock farming (PM2.5) and for inner cities (NO<sub>2</sub>) (Rijksoverheid, 2018). Same for the 2020 budget. In 2020 the clean air act was signed (Schone Lucht Akkoord (SLA)) which gave an additional 50 million euro to resolve air pollution problems (Rijksoverheid, 2020). The budget for 2022 points out that the estimate of NH<sub>3</sub> emissions in 2030 might exceed the EU guideline with 1 kiloton (Rijksoverheid, 2021). But in the end, it is very likely that with the current adopted policies the Netherlands will meet the emissions reduction commitments for both 2020 and 2030.

The NAPCP report for the Netherlands concludes that with measures only the NH<sub>3</sub> emission reduction commitment is missed by just 1%, and with additional measures every commitment can be fulfilled (Ricardo Energy & Environment, 2021A, pp.10-11). The Dutch Informative Inventory Report (IIR) lacks comprehensive information on projection methodologies, underlying assumptions, and data used, according to the research team. Also,



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the reporting format is not correct. So, the transparency and completeness of the reports are not up to standard (ibid. p.17). The comparability and the consistency of the projections are good, the accuracy of the projections need minor improvements (ibid, p.19).

What factors could be identified as key in the implementation process? What follows is an overview of the evidence found in 33 documents for each potential factor influencing implementation complemented by the interpretations of the professionals that are interviewed.

### *Party political preferences*

All documents combined, there is no mention of a political party, indicating that further investigation is required. Figure 6 provides a brief overview of the stances of the political parties in government to easily identify party political preferences. These are the parties' positions on the nitrogen crisis because it is closely related to the directive and no party takes a political position on the NEC directive.

VVD (Conservative liberal)	CDA (Cristian democrat)	D66 (progressive liberal)	CU (Christian)
Certainly, wants sustainability if it is possible but not if it harms the economy and not every nature reserve can be saved (VVD.nl, 2022).	Wants to reduce emissions, but needs a 'proportional contribution from all sectors' (CDA, 2021, p.69)	Focusses a bit more on the climate and nature but still wants room for the economy (D66, 2021)	Wants more sustainability and room for nature with ambitious emission reductions (CU, 2022)

Figure 6, Overview of political stances Dutch governmental parties

With these stances in mind, still no clear opinions can be recognised in the texts. There are occasional government stances on how to implement the directive like *“regarding the view of the government on burden-free implementation, the directive is leading in this regard”* (2019B, p.69). However, these are not truly political convictions. This can be explained by the fact that policy documents should not reflect political views. As Mr. Reiss (Appendix B) describes *‘from legal theory it is a basic principle that you implement the directive as neutrally as possible.’* He confesses that in practice it is unavoidable that politics gets involved, because in the end *‘everything is politics.’* When the draft legislation enters parliament, you see all parties trying to interfere, both in and out of government, and give the legislation their own taste, regardless of the wiggle room MS get in a certain directive. Mr. drs. Jacobs claims that *“the political-administrative landscape plays a very important role in the method of implementation.”* But that it is dependent on the scope member states' own interpretation given by the directive.

In a couple of documents of required reflection towards the EU, there are arguments to suggest that the scope of this directive is too limited. This does not really reflect on the views of the parties in government, but is interesting nonetheless. For example, in a concept report on the nitrogen crisis; *“The decrease in imports is also limited by the only slight decrease in the NEC ceilings”* (2021L, p.676). Or from the response to an EU questionnaire: *“there is little or no regulation of the components of particulate matter, in particular black carbon which*

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*is also an important short-lived climate pollutant” (2018, p.5). Followed by, “The fact that, especially for PM10 and PM2,5, the EU limit and target values are less stringent than WHO advisory values leads in several countries to discussions whether the EU norms are sufficiently protecting human health or stricter standards are needed” (ibid, p.11). Mr. Reiss wouldn’t be surprised if this is politically motivated. It could be that the Netherlands wants more stringent demands, and then it becomes an internal market discussion, because “your own national industry is confronted with very strict requirements. While the neighbouring countries, which also all emit nitrogen and emissions, have less strict regulations.”*

### *Interest groups*

Are stances of third parties reflected in policy considerations? Some domestic actors are mentioned, these are mostly the two associations of local governments. Like in the elaboration on the ‘omgevingswet’: *“IPO and VNG have indicated that they agree with the proposal not to allow decentralized environmental values for the nec-ceiling.” (2019B, p.71). Or in a letter to the house; “During the drafting process the program was discussed with provinces, municipalities, environmental services, social organizations and industry” (2019, p.4). Here the industry and social organisations are mentioned, but there is no elaboration on which organisations of companies specifically had their say. From the public consultation we learn that one of the parties representing industry is EnergieNederland, which is a trade association for all energy companies (Energienederland, 2019I, p.4). In the reflection to the EU there is noted that; “The Netherlands has a number of interest groups that regularly ask for attention to be paid to the subject of air quality and how to deal with yet remaining exceedances” (2018, p.6). The experts confirm the importance of consulting third parties; all groups are 'extensively involved,' according to Mr. drs. Jacobs. Mr. Reiss explains that lobbying and influencing occur at all levels, including the European parliament or Council, the government, and political parties. “All large companies have representatives and professions, and industries all have a large lobby.”*

In this case there are no notions of individual actors in the process.

### *Cost-benefit analysis*

Regarding this factor, 18 of the 33 documents mentioned one or more considerations made regarding the costs of the to-be-implemented policy, the EU's enforcement mechanisms, and/or other countries' compliance behaviour. For example, in a released record of a cross-departmental meeting the directive is mentioned as follows: *“for the emission reduction percentages that NL needs to realise it is possible to make ... a cost-effective distribution” (2021A, p.140). This could indicate that policymakers are concerned with keeping the expenses low without noncompliance, just as the following quote where the flexibility of the directive is used in so there is no need to comply at all costs: “it is possible to differ in emission level’s ... to retain flexibility in the way the Netherlands wants to reach the emission ceilings” (2019B, p.69). Furthermore, in different reports advising policymakers, different policy options are given both with their pro’s and con’s, this is also the case in the official Dutch NEC-*

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program (2019H, p.36) A clear example of the government being concerned with the enforcement mechanisms can be found in a letter from the minister of foreign affairs to the chair of the house; *“there is an exceedance of the emission ceiling under the NEC-guidelines ... for this a correction is to be requested in order to prevent juridical consequences”* (2019D, p.3). A note released in 2022 states; *“if other countries comply to their NEC-obligations for 2030 (which is by no means certain) ... 36% of the Natura2000 will be below the KDW”* (2022C, p.397). This indicates that other MS compliance behaviour to this directive is considered when designing policy. Also, in the broader nitrogen dioxide debate there are regular mentions of economic costs in comparison to the environmental benefits. For example, comments to a report by ABDTOPConsult: *“Achieving VHR goals ... require (too) significant economic sacrifices.”* (2022B, p.269). Therefore, it is safe to say that policy documents indicate cost-benefit analyses to be a substantive part of this directives’ implementation process.

The experts endorse these findings. Although Mr. Reiss stresses that almost all these analyses and impact assessments happen in the formative stages of a directive. *“When a draft directive is announced a whole process that ends in implementation is started ... and fairly quickly the impact on different parties is looked at”* (Appendix B). This is done with a so called ‘BNC fiche’ where the ministry assesses the impact. To inform the government as well as the house and the senate of all the consequences it has for which sector. Mr. drs. Jacobs confirms this and explains that *‘most of the influence is in the preliminary stage’*, and that in that stage *“member states with the same interests can join forces, but a country that does not comply is not an example”* (Appendix B).

### *Power*

The Dutch GDP was 860,7 billion Euros in 2021, which ranked them fifth, below Spain and ahead of Poland (Statista, 2022). Concerning population, the Dutch people make up 3,89% of the European population. Making it the 7<sup>th</sup> most populous country in the EU (Kajaneck, 2022, p.182). Voting power in the EU Council is also a good indicator of state power. Jakub Gabor (2020) calculated each MS's voting power before and after Brexit using Banzhaf indices. The Netherlands was ranked seventh on both occasions, just below Romania and above Belgium (p.196). In terms of power, the Netherlands ranks above average, just below the most powerful countries in Europe.

How does this power reflect in policy? Mr. Reiss states that to influence policy at the early stages you need big countries to get a majority, so there they are influential. But after the directive is released, *“Big or small member states, this doesn’t matter, if you don’t transpose properly this will be a reason for the Commission to start a procedure”*. He thinks it isn’t the case that countries would try and dodge European legislation. *“I don’t believe that there is then a lot of searching for, well, to put it in quotes, to dodge what is intended.”* This is also in accordance with a law-abiding culture.



Figure 7, Overall transposition performance (EC, 2022)

### *Public support*

This factor may be of interest in this case, as it pertains to the public debate surrounding the nitrogen crisis. For the establishment of the NEC-program there was a public consultation where individual citizens could review the program and give comments. The ministry concludes that; *“The submitted views have not led to major changes in the NEC programme. However, the NEC program has been supplemented and clarified in places based on the views”* (2019C, p.4). Indicating that the public’s opinion is at least taken seriously, because there is regard for what citizens submitted. Mr. Reiss confirms that this public consultation is obligatory and that it includes all parties, not just private citizens. He then goes on to say that *‘if the minister or the government, thinks it makes sense, that is incorporated into the design [law].’* But these consultations are unannounced and mostly professional compliance parties are the ones who keep an eye on when a draft is released, he thinks that regular citizens will mostly miss this.

In the broader context of policymaking within the nitrogen crisis the potential tensions in the farming sector are mentioned (2022B, p.268). Plus, that the current polarisation is

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insufficiently accounted for (ibid. p.269). But these reflections of public opinion on this directive and not an expression of the public support for the EU. Mr. Reiss asserts that the government and policy assistants will always consider how society will perceive a policy. *“They will adjust accordingly, as long as it within your national policy of course.”* Mr. drs. Jacobs specifies that; *“public opinion plays a big role in the sense that it influences the political-administrative landscape.”*

### *Misfit*

Misfit relates to number of policies that need to be created and/or the extent to which existing policies need to be adjusted. In contrast to other MS the Netherlands reported no additional PaMs (EEA, 2020). This could indicate a straightforward process, and thus a good fit. This apparent fit was also reflected in official government documents, which referred to it as a *“policy-poor turnover”* (2019A, p.1). The official decision announces that there is no mayor change and that *“The main change is that the NEC-ceilings are designed as environmental values and are included in the Decree on the quality of the living environment”* (2019B, p.72). And in a strategic report by the ministry of LNV is concluded that *“... to fulfil these goals. This NEC-program contains no additional measures”* (2022E, p.50). The official NEC-program reports some bottlenecks that need collective effort (mainly NOx exceedances in some places), but this could easily be resolved with some minor changes (2019A, p.3). There are mentions of unclear formulations and incoherence, which are reflected upon in a questionnaire created by the EU to allow states to judge various air quality measures. For example, among other small complaints; *“It is not clear yet, what the PM2.5 limit value will be in 2020 ... Member States do not have an indication of the PM2.5 limit value in 2020. So, they can’t implement any new limit value yet, or anticipate a stricter value”* (2018, p.19). Thus, the texts could not provide any clear evidence of misfit.

The interviewees reflect this in their views. *“Never experienced a misfit. However, when implementing a directive, it will of course be necessary to carefully consider the compatibility with national policy”* (Mr. drs. Jacobs). She expects it to be more the case for directives that are entirely new, but for directives (like NEC) that build on earlier agreements this is not the case. Mr. Reiss agrees and sees that misfit is accounted for in preliminary stages. *“If this misfit is very technical the EC will recognise this on its own”* and if it concerns broader policy MS will seek alliances with bigger states that have the same problem.

### *Government capacity*

Although there are more than several mentions of costs of policies, or for example expenses that had to be made to maintain measuring equipment, it is never formulated in a way that could indicate a shortage in budget or staff. Costs are mostly referred in a similar way as is done in the next quote from the official gazette: *“The costs for the national government for drawing up national emission inventories and forecasts are estimated at an average of EUR 500,000 per year”* (2017, p.6). This means that policy documents can not provide any indications of a lack of government capacity.

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The experts agree that it is not a big factor, but that MS can voice concerns about their (perceived) lack of budgets or capacity in the formative stages, the whole process *“of guiding the design into a definitive version”* (Mr. Reiss). When a directive is finalized and published in the Official Journal of the European Union, then states can only ‘slide’ with national instruments to ensure the lowest administrative costs. Concerning the transposition time Mr. Reiss admits that among other factors, in the ministry of IenW limited capacity of staff could delay the process. Saying; *“We do have to deal with a lot of European regulations and what will affect you is that you may have limited capacity in your staff, regarding turnover of policy.”*

#### *Culture of law-abidingness*

The following sentence exemplifies the acceptance of the necessity to comply with and follow EU rules.; *“the NEC-program is designed in accordance with an obligatory format, approved by the European Commission in their executive order”* (2019C, p.2). This type of formulation is based on respect for EU jurisdiction and was quite common, the word ‘obligation’ came back a lot and regularly sentences on the elaboration of policy ended with ‘this is done conform the guidelines.’ Additionally, there were also indications that the Netherlands sees itself as law abiding *“Member States that make insufficient efforts to improve this (this referring to air quality) and make the living environment cleaner for all Europeans should be dealt with more quickly than is currently the case”* (2022G, p.4). Or *“Member States only recently have, or still do not have, a proper action plan to improve air quality where it does not meet the standards. While the standards have been in force for years”* (2018, p.8). It thus seems like the Netherlands has a strong culture of law-abidingness and tries to proliferate themselves in texts as law abiding. Mr. drs. Jacobs confirms this saying; *“There is an obligation to implement so there is no choice.”*

What do the statistics then say about the Dutch law-abiding culture? The overall transposition performance (which includes the transposition deficit, the number of long-overdue directives, the total delay, and the amount of incorrectly transposed directives) for the Netherlands is one of the worst in Europe (figure 6) (European Commission, 2020). But Mr. Reiss points out that this is due to an increase in ‘test moments’ in national legislation and that there is no negative attitude towards EU law. Then the total infringement procedures support the notion that the Netherlands is law abiding, with 686 in total which is the 18<sup>th</sup> place (27 in total) (European Commission, 2022).

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## 5.2 Belgium

Belgium is a federal state, so its structure slightly differs from the preceding case. Air pollution policy is partly a competence of the federal government (product standardization, tax policy) and to a larger extent a regional competence (emission inventory, emission limit values, energy policy, mobility policy, etc.) (Federale overheid, 2019, p.1). This means that the three regions all have their own, but interconnected government plans. For the Flemish Region, this directive is transposed by the decision of the Flemish government of 27 October 2017 amending the governmental decision of June first, 1995, containing general and sectoral provisions relating to environmental safety and amending article 3.7.10.2 of title III of the 'Vlaams Reglement betreffende de Milieuvergunning (VLAREM) of 16 May 2014 (Vlaams Parlement, 2020, p.4). What followed is the very comprehensive air policy plan 'luchtbeleidsplan 2030' (VMM, 2019). The Walloon region commissions a plan called 'PACE 2030.' Lastly the Brussels Capital Region already adopted a 'PACE' plan, and in December 2018 they adopted the 2030 Climate and Energy Plan (PNEC2030) (Federale Overheid, 2019. pp.1-8). All three regions expect to comply with the goals for 2030, except for the Flemish region where in the 'maximal-growth' scenario SO<sub>2</sub> emissions will not meet the accepted values (ibid. p.3). In Belgium, the Consultation Committee (Overlegcomité), that provides consultation when community and regional governments and the federal government must make political decisions together, sets up the Interministerial Conference on the Environment (ICL). Here environmental decisions can be deliberated on with the concerned federal and regional government officials (Senaat, 2018, p.26).

The NAPCP report for Belgium concludes that in both scenario's, calculated by Belgium with measures and with additional measures the emission reduction commitments are fulfilled for every pollutant (Ricardo Energy & Environment, 2021B, pp.10-11). But the review team found that the IIR is not fully transparent and does not provide sufficient info regarding methodologies and assumptions used in calculating the projections (ibid, p.16). So, the transparency of reporting and the consistency of projections need some minor improvements, as well as the accuracy of the projections. The Comparability and completeness of reporting are good (ibid p.17). Meaning that Belgium complies with the directive's reporting criteria slightly better than the Netherlands.

Regarding the important factors in the implementation process 18 documents could be found that purposefully elaborated on the directive. Three of these were from the federal government, the rest was from the Flemish government. The fact that less documents could be found in Belgium compared to the Netherlands can be explained by the lack of a 'wob', meaning less public access, in Belgium. The documents used were an array of reports of meetings, advices, policy letters and proposed decrees.

### *Party political preferences*

As the regional governments decide the most about air pollution policy, we take the standpoints of the Flemish government, which has been the same since 2014.

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N-VA (conservative/liberal)	CD&V (Christian democrat)	OpenVLD (liberal)
Says it continues to strive for better air quality with fewer pollutants. And government and citizens should combine forces to combat climate change (NVA, 2022).	Are ambitious in their objectives and measures, but at the same time want to ensure that the energy transition is also feasible and socially just but, expect a vigorous supporting policy from Europe. (CD&V, 2022).	Endorses the European ambitions to have no net greenhouse emissions in 2050 (2022).

Figure 8, Political stances Flemish governmental parties

All three parties want to help and combat climate change and air pollution, but they are not radical in their stances. In the documents there weren't any clear political stances, it just reflected what Europe expects. One can argue that this fits the narrative of the parties but is certainly not real proof of political preferences having an influence. The only information that points to political preferences being reflected in policy is in the broader nitrogen debate. In a hearing concerning the 'Programma Aanpak Stikstof' (PAS) (which also concerns the NEC directive) there is made clear that political considerations were of importance for the final decision (2021C, p.26). That political considerations play a role and not just every European directive is transformed in national law is reflected by the following statement of the minister for environment Zuhal Demir, when being interviewed about the nitrogen crisis; *"Positions within the government differ. That also makes sense. Many interests come together: agriculture, nature, and industry"* (Cobbaert, 2022). It also seems that there is disagreement between the government parties, because similarly as in the previous case there were mentions of this directive not going far enough. A N-VA member of European parliament (MEP) stated: *"The ambition level could have been even higher in our opinion"* (Het Nieuwsblad, 2016).

### Interest groups

There is a substantial amount of evidence pointing to the influence of interest groups, namely in 6 of the 18 documents. For Wallonia's PACE 2030 project stakeholders were consulted (Federal government, 2019, p.7). Also, the comprehensive Flemish air policy plan mentions that; *'for the realization and implementation of the actions in this action plan, we will continue to consult with stakeholders to increase support and concrete feasibility'* (2019B, p.77). Similarly, a recommendation from the council of ministers is phrased as: *"To select an effective and acceptable mix from the set of available reduction measures, knowledge input is required for each relevant sector, collected by an independent body"* (2017A, p.7). These descriptions are very general, but some are more specific. For instance, in a court hearing on the opening of the political dialogue with the European Commission on improving European air quality, the SERV and the SALV are mentioned (2019D, p.9). The SERV is a dialogue between employers and employee organizations and the SALV is the advisory board on agriculture and fisheries.



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Finally, a lawsuit filed by Greenpeace is mentioned in relation to the NEC guidelines that must be achieved (2020C, p.4).

### *Cost-benefit analysis*

The Flemish air policy plan for 2030 provides the most evidence of a cost-benefit analysis influencing the implementation of this directive. The whole plan consists of a very comprehensive consideration of policy options and an analysis of the consequences for all the relevant sectors. Things like reconsidering what was not effective under the previous NEC program: *“Some measures considered in the previous NEC programs have not been found feasible or cost-effective on further study and in a number of cases have not been successful anywhere in the world”* (2019B, p.114). Furthermore, a report from December 2018 provides evidence for the cost-benefit analysis to play a big role in the implementation process: *“The goals set by the NEC-guidelines are based on a comprehensive cost/benefit analysis which shows the benefits exceed the costs’* (p.3). Not only the Flemish government, also the federal government weighs their decisions. Notes from the commission meeting show that the minister weighs different scenarios for the reduction of PM2 emissions (2021, p.24). Comparisons to other countries needs to comply are also made. As a MEP for the N-VA states, *“About 45 percent of the air pollution in our country comes from our neighbouring countries. Joint European agreements are therefore necessary to structurally tackle this deadly problem”* (Het Nieuwsblad, 2016). In another article concerning calculations of emissions from other countries, the government states that; *“For the Netherlands, we base ourselves for 2030 on the obligations of each Member State under the NEC Directive”* (Landbouwleven, 2022).

### *Power*

With a value of 506,95 billion euros, Belgium's GDP ranks eighth in the EU (Statista, 2022). Belgium ranks eighth in terms of population, accounting for 2.56 percent of the total EU population (Kajaneck, 2022, p.182). According to the Banzhaf indices developed by Jakub Gabor, Belgium also ranks eighth, below the Netherlands (2020, p.196). Belgium is above average in terms of power compared to other European nations, ranking just below the most powerful countries and just below the Netherlands.

### *Public support*

As in the case of the Netherlands, there is no evidence that public opinion on the EU plays a key role in the implementation process, only consultation of public opinion on these specific emission reduction measures. There was a public inquiry in September 2018 (Federal government, 2019, p.1). A decree from 2020 concerning changes in environmental laws states that; *‘the involvement of the public is included in the considerations’* (2020A, p.73). Additionally, as a response to the EU asking for a ‘Fitness Check’ of the air policy, there was a public consultation where individuals also could participate (2018, p.3). Results from this consultation were taken seriously afterwards; *“The final version will take into account the opinions and comments of citizens and organisations”* (ibid.).

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### *Misfit*

No record, report, Q&A, or any other document shows signs of difficulty in rhyming national/regional policy with EU policy. The only sign that can indicate difficulty is the fact that Belgium reported those 72 PaMs, the highest number of all the MS (EEA, 2020). However, this high number is partly the result of the way the government is designed in Belgium. Because the PaM's submitted are the cumulative amount of the three regions. Close examination of the PAMs database reveals 21 unique Flemish measures, with the remaining measures coming from the other two regions (EEA, 2019).

### *Government capacity*

Like the previous case, there is an explanation of costs, but there is no mention that they are too excessive for the federal or regional government to handle. It is expected that the capabilities of national governments are already considered during the early stages of policy creation.

### *Culture of law abidingness*

In this case lots of indications for a law-abiding culture could be found. In 12 of the 18 documents there were one or more mentions of the fact that EU policy should be respected. In the general policy note the federal government says: "*Compliance with European standards is an absolute priority*" (2020, p.37). In the NAPC program the federal government ensures that both Flanders and Wallonia will meet targets (2019, pp.2-7). Additionally, there are, a lot of formulations that mention the fact that the country must adhere to, or that it is necessary, to meet the standards. For example, in a decree by the Flemish government: "*...necessary to comply with international and European legislation on reporting emissions data*" (2019C, p.43). Or "*EU standards must be met as soon as possible, and the emission ceilings must be respected*" (2019D, p.9). In terms of transposition speed, Belgium scores relatively well (figure 6) (European Commission, 2020). But actual compliance may be more of a concern for Belgium, which ranks sixth overall with 1073 cases of infringement (European Commission, 2022).

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## 6. The congruence analysis proper

*What are the theoretical implications of this analysis?*

This chapter puts the hypothesis developed in chapter two to the test. What follows is a systematic comparison of the empirical data from the two cases combined with the viewpoints of the DG ENV employee, to the expectations provided by the various theories. Then, the level of congruence between each grand theoretical perspective and the empirical evidence is determined.

### 6.1 Comparing both countries

Regarding effort, both countries try to comply with- and implement this directive. The Netherlands incorporates the guidelines into the NSL before signing the SLA to address air pollution concerns. However, policymakers do not define them as additional measures resulting from the directive. In Belgium, all three regional governments have developed new plans to combat air pollution (Luchtbeleidsplan 2030, PACE 2030, PNEC2030). Policies and measures taken in these plans are reported to the EU. Both countries will fulfil their commitments, albeit that the Netherlands needs additional measures to comply with NH<sub>3</sub> ceilings. Both countries are not transparent enough in reporting to the EC, though the Netherlands scores lower. In the completeness of reports, the difference between the two is even bigger. Where Belgian reports are complete, the Dutch completeness is lacking. Dutch projections are more consistent, and both countries' projections are equally accurate.

Member State	2020 Projections					2030 Projections				
	SO <sub>2</sub>	NO <sub>x</sub>	NMVOC	NH <sub>3</sub>	PM <sub>2.5</sub>	SO <sub>2</sub>	NO <sub>x</sub>	NMVOC	NH <sub>3</sub>	PM <sub>2.5</sub>
Austria	Good	Good	Good	Good	Good	Good	Good	Good	Good	Good
Belgium	Good	Minor	Minor	Minor	Minor	Good	Minor	Minor	Minor	Minor
Bulgaria	Major	Major	Major	Major	Major	Major	Major	Major	Major	Major
Croatia	Minor	Minor	Minor	Minor	Minor	Minor	Minor	Minor	Minor	Minor
Cyprus	Major	Major	Major	Major	Major	Major	Major	Major	Major	Major
Czechia	Minor	Minor	Minor	Minor	Minor	Minor	Minor	Minor	Minor	Minor
Denmark	Good	Good	Good	Good	Good	Good	Good	Good	Good	Good
Estonia	Minor	Minor	Minor	Minor	Minor	Minor	Minor	Minor	Minor	Minor
Finland	Minor	Minor	Minor	Minor	Minor	Minor	Minor	Minor	Minor	Minor
France										
Germany	Good	Good	Good	Good	Good	Good	Good	Good	Good	Good
Greece	Major	Major	Major	Major	Major	Major	Major	Major	Major	Major
Hungary	Good	Good	Good	Good	Good	Good	Good	Good	Good	Good
Ireland	Minor	Minor	Minor	Minor	Minor	Minor	Minor	Minor	Minor	Minor
Italy	Major	Major	Major	Major	Major	Major	Major	Major	Major	Major
Latvia	Good	Minor	Good	Minor	Good	Good	Minor	Good	Minor	Good
Lithuania	Major	Major	Major	Major	Major	Major	Major	Major	Major	Major
Luxembourg	Major	Major	Major	Major	Major	Major	Major	Major	Major	Major
Malta	Major	Major	Major	Major	Major	Major	Major	Major	Major	Major
Netherlands	Major	Major	Major	Major	Major	Major	Major	Major	Major	Major
Poland	Good	Good	Minor	Good	Good	Good	Good	Minor	Good	Good
Portugal	Minor	Minor	Minor	Minor	Minor	Minor	Minor	Minor	Minor	Minor
Romania										
Slovakia	Good	Minor	Minor	Minor	Minor	Good	Minor	Minor	Minor	Minor
Slovenia	Minor	Minor	Major	Major	Major	Minor	Minor	Major	Major	Major
Spain	Good	Good	Good	Good	Major	Good	Good	Good	Good	Major

Figure 9, Overall quality of projections (Ricardo Energy & Environment, 2021C, p.53)

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Which country performs better in implementation effort when all aspects of the projection reports are considered (transparency, comparability, completeness, consistency, and accuracy)? From the results seen in figure 7 (Ricardo Energy & Environment, 2021C, p.53). It becomes clear that, at least according to the researchers, Belgium puts more effort into complying than the Netherlands (at least in the quality of measures taken and reporting).

### 6.1.1 Individual hypothesis and partial conclusions

*+ H1. The political preferences of parties are a key factor influencing implementation effort, thus supporting the postfunctionalist assumption of political parties' role in integration.*

No direct evidence of the earlier identified party standpoints can be found. Other than mentioning that *'political considerations were of importance'*, there are no direct mentions of political stances. The legal theoretical principle (that you implement as neutrally as possible) can explain this lack of political motivation in policy. In reality, however, everything is politically motivated, and political parties will always try and find a way to give regulations their own twist regardless of how much room the directive provides. The DG ENV employee says it is *'absolutely'* reflected in the council positions and *"maybe more Eurosceptic countries or less green countries, would devote less financial and staff resources to the implementation of environmental legislation"* (Appendix B). Still, once the co-legislator and the commission adopt the directive, there is little room for political influence, *"whatever the government colour, we treat them equally."* Ergo, all countries are equal after a directive is in place. Although party politics are not reflected directly in official correspondence and documents, it is an integral part of the implementation procedure. As a result, it is a major determinant of implementation effort.

*++ H2: Interest groups are a key factor influencing implementation effort, thus supporting the postfunctionalist assumption of interest groups as issue creators and the importance of the interest groups arena on non-politicised issues.*

Interest groups identified in the Dutch texts are collective representatives of lower governments and the industry organisation of energy companies. In Belgium, these are employers and employee organisations, the advisory board on fisheries, and a lawsuit by Greenpeace who had their influence. All relevant stakeholders are involved and consulted in the formal implementation process. Adding to this is the informal lobbying by third parties, which happens at every stage. The European Environmental Bureau (EEB) reports that the industrial farming lobby was highly active and drastically lowered the ammonia ambition and removed methane from the reduction commitments (2017, p.17). So, the influence of third parties on this process is considerable. The employee of the DG ENV states that after the directive is final, it is too late for groups to influence them, *"we don't spend time on this"*. But in the formative stages their influence is more significant, *"I think all stakeholders' views are received either formally through Council from official consultation or informally because they proactively come to us. And we must reflect that when we prepare a new legislation in the*

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*impact assessment.*” In this thesis, no real evidence is found that they act as veto players. Nevertheless, domestic actors are essential for consulting along the formal route and are influential by lobbying through the informal route, impacting the process. Thus, interest groups are a significant factor.

*++ H3: Cost-benefit analyses are a key factor influencing implementation effort, thus supporting the liberal intergovernmental assumption of the rational state.*

Cost-benefit analyses, which weigh the advantages and disadvantages of different policy outcomes, are influential in both cases. This is reflected in the policy documents and confirmed by the experts, but with the added assumption that weighing of options happens mostly in the preliminary stages of a policy process. Regarding the weighing of compliance costs, both cases present evidence that other MS' compliance behaviour is considered when designing policy. The employee of the DG Environment assumes *“it puts some pressure on the member states to implement measures.”* However, countries exactly comparing their compliance to others is not the case because, as s/he puts it, *“the deadlines are set in the directive.”* Thus cost-benefit analysis is not a huge factor regarding compliance. However, it is a big factor in a state's policy considerations. Making it an essential factor overall.

*+ H4: The power of a country is a key factor influencing implementation effort, thus supporting the liberal intergovernmental assumption of power imbalances.*

Both countries are in the ‘sub-top’ of EU power, which means no real distinction can be made between the two cases. The experts explain that in the stages before finalising a directive, the more powerful states or alliances tend to have more power. The DG employee confirms this, *“they can devote more time into passing their opinion, shaping the opinion and passing them.”* This power is also clearly illustrated by a critical report of the EEB. They find that the now agreed-upon reduction commitments are much less ambitious than first proposed by the EC (2017, p.17). There are multiple MS that managed to weaken their commitments or lower their targets. MS also managed to remove methane altogether from the directive (ibid.). Furthermore, *“a number of flexibilities have been introduced by the Council during negotiations, despite opposition by the European Parliament and strong criticism by civil society”* (ibid. p.24), confirming the prominent role of intergovernmental bargaining. But after the directive is publicised, there is no difference in implementation effort between powerful or weaker states. This could be explained by the possible damage to the reputation of that country. *“There is also a reputational effect, I think. Of course, bigger countries have more resources, but they also want to keep their reputation probably.”* (DG ENV employee). Thus, on the one hand, power can really shape the final outlook of a directive, but after it is official every country is equal, making it an important factor.

*+/- H5: Public support for the EU is a key factor influencing implementation effort, thus supporting the postfunctionalist assumption of the possibility of public opinion steering European integration.*

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In both cases, there is no clear indication that public opinion toward the EU is influencing the process. Policy documents show that formal procedures are in place to address public concerns. But outside these prescribed paths, none of the experts can indicate that public pressures directly influence the implementation of an individual policy substantially. Public opinion (pro- or anti-EU) plays a more fundamental role in influencing the political-administrative landscape. Along these lines, it can be stated that public opinion is a component of policy formation. Still, for the implementation effort of this specific directive, it is only one of many to consider. Certainly, public sentiments toward the EU in general are marginal in implementing a single directive, making it a factor without great importance.

– H6: *A high degree of misfit is a key factor influencing implementation effort, thus contradicting the liberal intergovernmentalist assumption of efficient international cooperation.*

The process of MS being involved early in the process seems to mitigate large discrepancies between European and national legislation. *“There is a co-decision process, so they have time to adjust in case there is a big discrepancy between the national law and what is coming”* (DG ENV employee). The fact that it is based on pre-existing regulations reduces this directive's potential misfit even further, because states already have a body of legislation on which to build. Aside from a few mentions of unclear formulations or minor incoherence's reflected in the EU questionnaire, there seems to be no clear indication of misfit. Consequently, it is reasonable to conclude that there was little incoherence between EU and national policies and that misfit had little impact on the process.

+/- H7: *Government capacity is a key factor influencing implementation effort, thus, supporting neither liberal intergovernmentalist nor postfunctionalist assumptions.*

In either case, there is no explicit mention of a lack of funds or a staff shortage. However, countries can voice concerns about state capacity during the formative stage. For example, high administrative costs can influence the design of directives concerning the reporting procedures of states. *“Can a member state work with, for example, a reporting obligation instead of a permit for certain activities? Whether there is sufficient government capacity or not plays a role in these kinds of choices”* (Mr. Drs. Jacobs).

Later in the implementation process, limited capacity, among other factors, can influence transposition time, as seen in the Netherlands. The DG ENV employee says that they sometimes see that government capacity could be an issue, *“but we try to help and compensate for all this with a lot of capacity building measures towards Member States”*. S/he mentions peer-to-peer networks, TAIEX instruments (Technical Assistance and Information Exchange instrument of the European Commission), and workshops on specific topics as tools to mitigate the impact of limited capacity. Thus, most evidence suggests that government capacity is not a major factor in explaining implementation effort.

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+ H8: Culture of law abidingness is a key factor influencing implementation effort, supporting neither liberal intergovernmentalist nor postfunctionalist assumptions.

Both countries indicate that European law should be respected, with many references to the obligations set by the EU. The experts endorse this by reflecting on the fact that there are no negative attitudes toward EU law and that there is no choice but to implement it. As Mr. Reiss says, “there is still a search for such a European law-abiding / union-abiding way to explain policy.” The employee of the DG ENV says that in terms of culture, only the hierarchical nature of a culture plays a role. “What I think can play quite a big role in the implementation is whether a country is more or less hierarchical in its organisation of the of the ministry. In some cases, we very easily talk to people than in some other.” “Basically, slowing very much the process.” And yet, as s/he has stated repeatedly, states must comply once the directive is finalised. This confirms the law-abiding culture. As a result, it is undoubtedly an important factor influencing implementation effort.

**6.2 The analysis**

Next is the evaluation of the relative strength of each of the two grand theories for each factor. To summarise, for the liberal intergovernmentalist framework to show a high level of empirical congruence, cost-benefit analysis, government capacity, lack of misfit, and a country's power are essential. For the postfunctionalist framework these are party political preferences and public support for the EU. Then there are the factors of interest groups and law-abiding culture, which do not fit into either theoretical realm. The prediction matrix created earlier in the operationalisation chapter comes in handy again. This time it is colour coded based on its perceived importance based on this analysis.

++	Very important factor
+	Important factor
+ -	Not that important factor
-	Not important factor
Dark green	Very important factor corresponding with a grand theory.
Light green	Important factor corresponding with a grand theory.
Orange	Not that important factor corresponding with a grand theory.
Red	Not important or not corresponding with any grand theory.

Factors	Liberal intergovernmentalism	Postfunctionalism
Party political preferences +	Party politics in government is important, but this is not a part of the institutional lock in, so it is expected not to play a role.	Political parties shape arena choice. This influence might be reflected in policy implementation.

Interest groups ++	Bargaining between domestic actors is important, but again does not occur at the third level.	Interest groups play a big role in issue creation. And influence decision-making if an issue does not get politicised.
Cost-benefit analysis ++	After the institutional lock in there can still be collaboration problems because of potential gains of noncompliance	The focus lies on political pressures or on interest group pressures not on technical considerations.
MS power +	The power of a MS is a very important factor both in shaping policy (making it easier for them to implement) And in the implementation process (powerful states can carry higher costs of noncompliance)	The focus lies on identity not MS power.
Public support EU +/-	Does not play a role, even national preference formation happens through pressure groups and not public opinion	Public opinion is very important as a reaction to the mismatch between function and form, it is a basis for the formation of party strategy.
Misfit --	International cooperation is assumed to be more efficient, so LI expects there be to be little misfit.	Differences in institutional layouts or unclear goals is not a part of postfunctionalism.
Government capacity +/-	It is involuntary and has in this conception no relation to the relative power of a state.	The capacity and resources of governments do not play a big role in this theory
Culture of law abidingness +	Does not have a strong focus on accepting the rule of law.	A culture-wide phenomenon is not limited to public opinion, so PF does not have a meaningful prediction on the role of this.

Figure 50, Prediction matrix with adjusted colours

The most important empirical evidence for the strongest theoretical inferences comes from observations that align with theory A while simultaneously contradicting theory B. In this thesis with a ‘competing theories approach’ this is even more true (Blatter & Haveland, 2012, p.190). LI has three of these observations that fit in the same theoretical framework while contradicting the PF framework. Two factors seem very important, and there is one that is just important. As can be seen in figure 7, these are cost-benefit analysis, lack of misfit, and MS power. This strengthens the intergovernmentalist argument of rational states having possible



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collaboration problems after institutional lock-in and that state preferences are mainly economic. According to these findings, intergovernmentalist ideas can thus be extended from integration theorising into the realm of policy implementation. It also strengthens the assumption that international cooperation increases efficiency and the argument that the main players are nation-states. This interstate bargaining in is what PF fails to theorise (Moravcsik, 2018, p.1661). Concerning PF, this important evidence is present with the factor interest groups. This is a very influential factor, strengthening the assumption that interest group arena is still of importance as a counterpart of the mass arena. And at least equally important, weakening the LI assumption that domestic actors' contribution to integration is over once they have influenced government positions. The other important factor, party political preferences, is present in both cases, albeit more as a hidden process. Strengthening the notion of political parties as key players in European integration. To a lesser extent, there is evidence for the factor of public support for the EU. Despite playing a rather indirect and otherwise formalised role, this factor fits within the PF framework in which public opinion can always create or influence issues. All previous factors also lessen the strength of the LI claim that there is no more influence of actors from earlier levels after states 'constrain' their sovereignty.

For a 'sound' congruence analysis, another type of observation is required: observations that are essential for explaining a case but do not fit within the framework of either of the two theories (Blatter & Haveland, 2012, p.191). This is the case for 'culture of law-abidingness.' This factor does not necessarily contradict one or both theories, but it was substantial and ingrained in the entire implementation process. Because in both cases, the necessity to implement was accepted by the states, and the fact that there was no option to opt out was seen as a given. Government capacity is the same category of observations, albeit as a less influential factor. This is a factor that policymakers mainly consider in the formative stages of a directive. Although these factors do not fit in either grand theoretical perspective, their relevance does not disprove LI or PF. Nevertheless, the relevance of these factors could mean theories must be expanded or that a different theory is needed to explain all that is happening in this case.

## 7. Conclusion and discussion

### 7.1 Conclusion

This thesis attempts to contribute to the scientific debate by making new theoretical combinations. It seeks to find more explanatory power by combining a macro and a micro approach in the context of a crisis that could have major implications for IR. The rationale for this analysis is entirely deductive. First, it introduces the implementation of literature where there are some contradictory findings. It then discusses the two main theories within the context of the grand theoretical debate. The theories are characterised by linking different factors provided by the implementation literature into the narrative of the grand theories. Eight theoretical hypotheses are formulated, and the expectations are deduced. These expectations are tested to give meaning and interpret the two cases of policy implementation. Using both documents and interviews, an overview is made of the implementation efforts of both countries for the NEC directive. As a result of these findings, it is possible to make new theoretical inferences.

The implementation of a single directive is a rather technical process that looks to be quite similar in both cases. Despite the seemingly different amounts of effort put in by both countries, the factors that have the most influence appear to correspond. Thus it still provided a clarifying and worthwhile insight into the implementation process. And a solid basis to answer the main research question: *which grand theory of European integration can provide the best framework in which the implementation effort of EU climate policy can be explained?* The answer is a bit ambiguous. If we consider the number of factors in line with one theory while contradicting the other, the relative strength of LI in providing the proper framework is a bit higher than the strength of PF. Thus, based on the evidence presented in the two cases, we can conclude that the grand theoretical context that best explains this implementation process is a context of domestic preference formation in which governments primarily channel and represent economic interests in bargaining. At least, a bit better than a context of effective public pressures through the politicisation of voters by parties with the aim of self-determination. As is the case here, a theory in IR is never completely verified or falsified. Although the LI framework fits the findings slightly better, it must be added that this framework is not exhaustive. Because interest groups play an essential role in both cases, they consult in formal ways and influence policy through the informal route. The same goes for party political preferences, which seem to be an essential part of implementation underneath the process.

Theoretical conclusions can also be drawn regarding the three implementation approaches. The approaches provide distinct but not mutually exclusive perspectives, suggesting modest implications. Still, we can conclude that all the factors provided by the enforcement approach have proven to be important (figure 12). Even though the other two approaches' factors are certainly relevant to some extent, the enforcement approach provides the best overall explanation for what shapes implementation effort. However, these

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conclusions, on both levels, are now only meaningful for the two cases and are subject to the study's limitations. These limitations are discussed in the following section.

<b>Liberal intergovernmentalism</b>	<b>Postfunctionalism</b>	<b>Neither</b>
Cost-benefit analysis	Party political preferences	Government capacity
(Lack of) Misfit	Public support for EU	Culture of law abidingness
Power of a country	Interest groups (domestic actors / veto-players)	

<b>Enforcement approach</b>	<b>Management approach</b>	<b>Legitimacy approach</b>
Party political preferences (in government)	(Lack of) Mis-fit	Culture of law-abidingness
Interest groups Crucial domestic actors	State capacity: Government autonomy (veto players)	Public support for EU
Cost-benefit analysis	State capacity: Government capacity	
Power of a country		

Figure 11, Theoretical implications for the approaches and the grand theories

## 7.2 Limitations

There are, almost unavoidably, factors that limit the impact of this research. Firstly, the selection of cases, it uses only two countries that are quite similar apart from the governmental structure. Take for example, the country with the highest number of infringement cases (Italy) and the country with the lowest (Lithuania) (European Commission, 2022). When compared, it may be possible to differentiate between factors constituting implementation effort more precisely. Or compare a very hierarchical country to a less hierarchical one, as the DG ENV employee indicated that this could play a big role in implementation. Regarding the selection of directives, this study only examined one directive. There is a possibility that different types of directives yield different outcomes, such as a directive relating to something that has never been regulated and therefore may not have the same legal basis in each MS. Perhaps with such a directive, government capacity could be more influential. Or a directive with a more politicised topic. Here party-political preferences could have an even greater influence. All these case selection choices reduce the generalizability of this research.

Secondly, there are theoretical limitations. Including no more than two grand theories might limit the contextualisation of the used implementation level factors. When considering all grand theories, implementation level factors might fit a third grand theory better than LI or PF. Furthermore, by condensing implementation level factors into clear categories, some

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factors that have less evidence from earlier research were left out and others were combined. This helps structure the analysis and link the two levels but obscures some theoretical refinements.

Thirdly, the data collection process has its limitations. Despite continued attempts, no Belgian interviewees were found. This limits the ability to evaluate the analysis of Belgian documents. More setbacks with the interviews came when reaching out to employees of ministries and politicians and mentioning the NEC directive. Many people thought they did not have sufficient knowledge on this topic, significantly reducing the number of possible respondents. Furthermore, all documents used were from official government websites, making them officialese. This style of writing potentially conceals the importance of some factors. Additionally, this research is entirely qualitative, which means that without using statistics, the researcher may be susceptible to producing biased results. This implies that when testing factors, the categorisation of empirical data is somewhat more iterative than described in the methodology chapter. However, minor tweaks in the name of consistency and theoretical alignment did not undermine the results because a substantial body of knowledge was available to evaluate the evidence.

### 7.3 Discussion and recommendations

Despite these limitations, this study has shed light on the implementation process, possibly allowing policymakers to consider relevant factors. And perhaps assisting the EC in streamlining the procedure, resulting in fewer infringement cases for environmental/climate directives.

Blatter and Haveland (2012) state, *“A study on the Eastern enlargements of NATO and the EU has a stronger impact on the theoretical discourse in the field of IR than a study on a policy-field-specific agreement”* (p.198). From a purely IR perspective this might be true. But what this thesis tries to exemplify is that no field of theorising is an island and that meaningful insights can be discovered by making well-founded connections. So, attempting to explain what is, in a sense, the logical continuation of integration by combining two theoretical levels can be viewed as theoretically innovative and certainly has its contribution. However, this research also makes minor contributions on each individual theoretical level. On the level of grand theories because it concerns countries' responses to climate change which is an underexposed part of IR. And on the level of policy implementation because it focusses on legal- and practical implementation, where in most of the literature only legal implementation is considered. Furthermore, it challenges earlier findings in the literature that the power of a country and government capacity have the biggest influence (Börzel et al., 2010).

There are also some more general implications and discussions. Not all relevant factors fit into one of the theoretical contexts; this may indicate that existing theories need to be expanded or that a new, challenging theoretical perspective is necessary. For the factor 'culture of law-abidingness,' one could argue that it might fit better in the realm of constructivism that focuses more on norms, ideas, and a cultural context (Leuffen et al., 2022, p.118). The expansion of a theory could also be possible with 'culture of law-abidingness'

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which might fit better in a PF context if the so-called 'community demand for self-rule' is expanded to explicitly include the government of that community as well. For the factor of 'government capacity', there could be argued that it can be part of 'power of a country', certainly when used in intergovernmental bargaining. Because states with bigger and more effective authorities could bargain for more compared to smaller states with less capacity or that are less effective. Further strengthening the LI argument. Continuing with the LI framework, critics of this study might argue that instead of the creation of the EC, every individual agreement or decision that flows out of the EC can be interpreted as a 'lock-in'. Giving even more leverage to the main factors LI provides. This framework also provides more flexibility, and without clear evidence of effective public pressure influencing policy implementation and subsequently European integration, the postfunctionalist framework does not give enough room to include all relevant factors. This creates three options. First is the conclusion that limits on emissions are not as politicised as expected, giving PF not a 'fair' chance in this study. The second option is that we need to endorse the following quote by Moravcsik (2018); *"The future of integration theory lies in creatively elaborating LI"* (p.1648). The need of a third or fourth grand theory is the third option. As argued earlier, the two chosen theories might not provide the best context for making these theoretical links.

The pursuit of this third or fourth theory would provide a solid starting point for future research. Start exploring alternative theoretical perspectives that place additional factors in their proper context without excessive mental gymnastics. Discovering additional potential factors influencing implementation effort can be insightful. Similarly, a further examination of countries with greater variation in factors such as culture, government capacity, and power would really be beneficial. This thesis provides the foundation for the argument that implementation is the logical continuation of integration. Additional research should seek to bolster this argument, incorporate additional variables, and establish more link between the different theoretical levels.

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## Sources:

- Andersson, H. E. (2016). Liberal Intergovernmentalism, spillover and supranational immigration policy. *Cooperation and Conflict*, 51(1), 38–54.  
<https://doi.org/10.1177/0010836715597945>
- Baker, S., Kousis, M., Young, S., & Richardson, D. (Eds.). (1997). *The politics of sustainable development: theory, policy and practice within the European Union*. Psychology Press.
- Bardach, E. (2009). *A practical guide for policy analysis: The eightfold path to more effective problem solving* (3rd ed.). CQ Press.
- Bauer, M. W., Knill, C. (2014). A conceptual framework for the comparative analysis of policy change: measurement, explanation and strategies of policy dismantling. *Journal of Comparative Policy Analysis: Research and Practice*, 16(1), 28–44.  
<https://doi.org/10.1080/13876988.2014.885186>
- Blatter, J. (2012). Innovations in case study methodology: congruence analysis and the relevance of crucial cases. *Swiss Political Science Association*, 2(3), 1–32.  
<https://www.unilu.ch/fileadmin/shared/Publikationen/blatter-congruence-analysis-and-crucial-cases-svpw-conference-2012.pdf>
- Blatter, J., & Blume, T. (2008). In Search of Co-variance, Causal Mechanisms or Congruence? Towards a Plural Understanding of Case Studies. *Swiss Political Science Review*, 14(2), 315 – 356. <https://doi.org/10.1002/j.1662-6370.2008.tb00105.x>
- Blatter, J., & Haverland, M. (2012). *Designing Case Studies: Explanatory Approaches in Small-N Research (ECPR Research Methods)* (1st ed. 2012 ed.). Palgrave Macmillan.
- Bleijenbergh, I. (2015). *Kwalitatief onderzoek in organisaties*. (2nd Ed.). Boom Lemma.
- Bondarouk, E., & Mastebroek, E. (2017). Reconsidering EU Compliance: Implementation performance in the field of environmental policy. *Environmental Policy and Governance*, 28(1), 15–27. <https://doi.org/10.1002/eet.1761>
- Bondarouk, E., Liefferink, D., & Mastebroek, E. (2019). Politics or management? Analysing differences in local implementation performance of the EU Ambient Air Quality directive. *Journal of Public Policy*, 40(3), 449–472.  
<https://doi.org/10.1017/S0143814X19000035>
- Bontjes, A. (2022, 12 January). *Belandt België nu ook in een stikstofcrisis? Duizenden Vlaamse boeren vrezen voor hun toekomst*. Trouw. Retrieved 5 June 2022, from

Master thesis • Implementation, a modest process with grand implications.

<https://www.trouw.nl/duurzaamheid-natuur/belandt-belgie-nu-ook-in-een-stikstofcrisis-duizenden-vlaamse-boeren-vrezen-voor-hun-toekomst~bb46b871/>

Börzel, T. A., & Buzogány, A. (2018). Compliance with EU environmental law. The iceberg is melting. *Environmental Politics*, 28(2), 1–24.

<https://doi.org/10.1080/09644016.2019.1549772>

Börzel, T. A., & Risse, T. (2017). From the euro to the Schengen crises: European integration theories, politicisation, and identity politics. *Journal of European Public Policy*, 25(1), 83–108. <https://doi.org/10.1080/13501763.2017.1310281>

Börzel, T. A., Hofmann, T., Panke, D., & Sprungk, C. (2010). Obstinate and inefficient. Why Member States do not comply with European law. *Comparative Political Studies*, 43(11), 1363–1390. <https://doi.org/10.1177/0010414010376910>

Bouwma, I. M., Gerritsen, A. L., Kamphorst, D. A., & Kistenkas, F. H. (2015). *Policy instruments and modes of governance in environmental policies of the European Union: past, present and future*. (WOT-technical report; No. 60). Statutory Research Tasks Unit for Nature & the Environment (WOT Natuur & Milieu). <https://edepot.wur.nl/373629>

CD&V. (2022). CD&V | Leefmilieu, klimaat & duurzaamheid. Retrieved 15 May 2022, from <https://www.cdenv.be/standpunten/visie-wij-planeet-aarde/>

CDA. (2021). *Verkiezingsprogramma*. Retrieved 11 May 2022, from <https://www.cda.nl/verkiezingsprogramma>

Christenunie. (z.d.). *Natuur* - ChristenUnie.nl. Retrieved 11 May 2022, from <https://www.christenunie.nl/standpunt/natuur>

Cobbaert, P. (2022, 29 January). *Vlaams minister Zuhal Demir (N-VA) over vogels tellen, wolven spotten en de hete hangijzers van het voorjaar: “Groen wil van mij de zondebok maken”*. *De Zondag*. Retrieved 21 June 2022, from <https://www.dezondag.be/de-zondag/actua/zuhaldemir30012022/>

D66. (2021, 9 maart). *Alles wat je moet weten over stikstof*. Retrieved 11 May 2022, from <https://d66.nl/stikstof/>

Deutsch, K. W. (1957). *Political Community and the North American Area*. Princeton University Press.

Directive 2016/2284. *On the reduction of national emissions of certain atmospheric pollutants, amending Directive 2003/35/EC and repealing Directive 2001/81/EC*, European Parliament and Council. <http://data.europa.eu/eli/dir/2016/2284/oj>

Master thesis • Implementation, a modest process with grand implications.

Downs, G. W., Rocke, D. M., & Barsoom, P. N. (1996). Is the good news about compliance also good news about cooperation? *International Organization*, 50(3), 379–406.

Energie-Nederland. (2022, 6 April). *Branchevereniging voor energiebedrijven*. Retrieved 12 May 2022, from <https://www.energie-nederland.nl>

Eriksson, J. (2014). On the Policy Relevance of Grand Theory. *International Studies Perspectives*, 15(1), 94–108. <http://www.istor.org/stable/44631201>

Etzioni, A. (1965). *Political unification: A comparative study of leaders and forces*. Holt Rinehart and Winston.

EUR-Lex. (2016, 26 January). *Summaries of EU Legislation*. Retrieved 17 May 2022, from <https://eur-lex.europa.eu/EN/legal-content/summary/division-of-competences-within-the-european-union.html>

European Commission. (2019, 11 December). De Europese Green Deal moet van Europa tegen 2050 het eerste klimaatneutrale continent maken [Persbericht]. [https://ec.europa.eu/commission/presscorner/detail/nl/ip\\_19\\_6691](https://ec.europa.eu/commission/presscorner/detail/nl/ip_19_6691)

European Commission. (2020, 7 March). *Single Market Scoreboard – Transposition. Single Market Scoreboard*. Retrieved 31 May 2022, from [https://ec.europa.eu/internal\\_market/scoreboard/performance\\_by\\_governance\\_tool/transposition/index\\_en.htm#indicators](https://ec.europa.eu/internal_market/scoreboard/performance_by_governance_tool/transposition/index_en.htm#indicators)

European commission. (z.d.). *Infringement Decisions. European Commission at work*. Retrieved 31 May 2022, from [https://ec.europa.eu/atwork/applying-eu-law/infringements-proceedings/infringement\\_decisions/index.cfm?lang\\_code=EN&typeOfSearch=true&active\\_only=0&noncom=0&r\\_dossier=&decision\\_date\\_from=&decision\\_date\\_to=&title=&submit=Search](https://ec.europa.eu/atwork/applying-eu-law/infringements-proceedings/infringement_decisions/index.cfm?lang_code=EN&typeOfSearch=true&active_only=0&noncom=0&r_dossier=&decision_date_from=&decision_date_to=&title=&submit=Search)

European Environment Agency. (2018, October). *Air quality in Europe — 2018 report* (No. 12). <https://www.eea.europa.eu/publications/air-quality-in-europe-2018>

European Environment Agency. (2019, 27 June). *NECD policies and measures database*. Retrieved 2 June 2022, from <https://www.eea.europa.eu/data-and-maps/data/necd-policies-and-measures-database>

European Environment Agency. (2019). *Air quality in Europe: 2018 report*, Publications Office. <https://data.europa.eu/doi/10.2800/777411>

European Environment Agency. (2020, December). *Measures to reduce emissions of air pollutants and greenhouse gases: The potential for synergies*. European Environmental



Master thesis • Implementation, a modest process with grand implications.

agency. <https://www.eea.europa.eu/publications/measures-to-reduce-emissions-of/actions-to-reduce-air-pollutant/#footnotes>

European Environmental Bureau. (2017, February). *CLEARING THE AIR A CRITICAL GUIDE TO THE NEW NATIONAL EMISSION CEILINGS DIRECTIVE*. <https://cleanair.london/app/uploads/Clearing-the-Air-A-Critical-Guide-to-the-new-NEC-Directive.pdf>

European Union (2012). *Treaty on the Functioning of the European Union*, OJ C 326, 26.10.2012, p. 132–134: <http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:12012E/TXT&from=en>

European Union. (z.d.). *History of the EU*. Retrieved 16 February 2022, from [https://european-union.europa.eu/principles-countries-history/history-eu\\_en](https://european-union.europa.eu/principles-countries-history/history-eu_en)

European Union. (z.d.). *Types of legislation*. Retrieved 13 April 2022, from [https://european-union.europa.eu/institutions-law-budget/law/types-legislation\\_en](https://european-union.europa.eu/institutions-law-budget/law/types-legislation_en)

Fearon, J. D. (1998). Bargaining, Enforcement, and International Cooperation. *International Organization*, 52(2), 269–305. <http://www.jstor.org/stable/2601276>

Federale Overheid (2019). *Reduction NAPCP*. Retrieved 6 May 2022, from [https://ec.europa.eu/environment/air/pdf/reduction\\_napcp/BE%20final%20NAPCP%201Apr19%20annexed%20report.pdf](https://ec.europa.eu/environment/air/pdf/reduction_napcp/BE%20final%20NAPCP%201Apr19%20annexed%20report.pdf).

Federale Overheid (2020). *ALGEMENE BELEIDSNOTA Klimaat, Leefmilieu, Duurzame ontwikkeling en Green Deal*. Retrieved 7 May 2022, from <https://www.dekamer.be/doc/flwb/pdf/55/1580/55k1580023.pdf#search=%22nec%20richtlijn%20%2055k,54k%20%3Cin%3E%20keywords%22>

Federale Overheid (2021). *Integraal verslag*. Retrieved 7 May 2022, from <https://www.dekamer.be/doc/ccri/pdf/55/ic426.pdf#search=%22nec%20richtlijn%20%2055k,54k%20%3Cin%3E%20keywords%22>

Flavelle, C. (2021, 4 november). Climate Change Could Cut World Economy by \$23 Trillion in 2050. *The New York Times*. Retrieved 23 February 2022, from <https://www.nytimes.com/2021/04/22/climate/climate-change-economy.html>

Gábor, J. (2020). Impact of Brexit on voting power in Council of the European Union. *Open Political Science*, 3(1), 192–197. <https://doi.org/10.1515/openps-2020-0016>

Genschel, P. (2020) *Postfunctionalism reversed: solidarity and rebordering during the Corona-crisis*, RSCAS, European Governance and Politics Programme, Online lecture - Retrieved from Cadmus, EUI Research Repository <https://hdl.handle.net/1814/71857>

Master thesis • Implementation, a modest process with grand implications.

Gerring, J. (2004). What Is a Case Study and What Is It Good for? *The American Political Science Review*, 98(2), 341–354. <http://www.jstor.org/stable/4145316>

Gerring, J. (2009). Case Selection for Case-Study Analysis: Qualitative and Quantitative Techniques. in J. M. Box-Steffensmeier, H. E. Brady, & D. Collier (eds), *The Oxford Handbook of Political Methodology*. (pp.645–684)  
<https://doi.org/10.1093/oxfordhb/9780199286546.003.0028>

Gibson, J. L., & Caldeira, G. A. (1996). The legal cultures of Europe. *Law & Society Review*, 30(1), 55-85. <https://doi.org/10.2307/3054034>

Haverland, M. (2000). National Adaptation to European Integration: The Importance of Institutional Veto Points. *Journal of Public Policy*, 20(1), 83–103.  
<https://doi.org/10.1017/s0143814x00000763>.

Het Nieuwsblad. (2016, 23 november). *470.000 mensen sterven te vroeg door luchtvervuiling in Europa*. Retrieved 20 June 2022, from  
[https://www.nieuwsblad.be/cnt/dmf20161123\\_02587145](https://www.nieuwsblad.be/cnt/dmf20161123_02587145)

Hill, M., & Hupe, P. (2002). *Implementing Public Policy*. Sage.

Hodson, D., & Puetter, U. (2019). The European Union in disequilibrium: new intergovernmentalism, postfunctionalism and integration theory in the post-Maastricht period. *Journal of European Public Policy*, 26(8), 1153–1171.  
<https://doi.org/10.1080/13501763.2019.1569712>

Hooghe, L. & Marks, G. (2019) Grand theories of European integration in the twenty-first century, *Journal of European Public Policy*, 26(8), 1113-1133,  
<https://doi.org/10.1080/13501763.2019.1569711>

Hooghe, L., & Marks, G. (2018). Re-Engaging Grand Theory: European Integration in the 21st Century. *SSRN Electronic Journal*, 43, 1–28. <https://doi.org/10.2139/ssrn.3293827>

Hooghe, L., & Marks, G. (2019). Is liberal intergovernmentalism regressive? A comment on Moravcsik (2018). *Journal of European Public Policy*, 27(4), 501–508.  
<https://doi.org/10.1080/13501763.2019.1582684>

Huitema, D., Jordan, A., Massey, E., Rayner, T., van Asselt, H., Haug, C., Hildingsson, R., Monni, S., & Stripple, J. (2011). The evaluation of climate policy: theory and emerging practice in Europe. *Policy Sciences*, 44(2), 179–198. <https://doi.org/10.1007/s11077-011-9125-7>

Kajaneek, T. (2022). The power of small EU member states after Brexit: how powerful is the visegrad group? *Journal of Liberty and International Affairs (JLIA)*, 8(1), 170-191.

Master thesis • Implementation, a modest process with grand implications.

Keohane, R. O. (2005). *After Hegemony* (Revised edition). Amsterdam University Press.

Landbouwleven. (2022, 9 March). *Turnhouts Vennengebied: enkel verlenging van de aflopende vergunningen*. Retrieved 20 June 2022, from <https://www.landbouwleven.be/13240/article/2022-03-09/turnhouts-vennegebied-enkel-verlenging-van-de-aflopende-vergunningen>

Leuffen, D., Rittberger, B., & Schimmelfennig, F. (2022). *Integration and Differentiation in the European Union* (2nd edition). Springer Publishing. <https://doi.org/10.1007/978-3-030-76677-1>

Mastenbroek, E., & van Keulen, M. (2006). Beyond the goodness of fit: A preference-based account of Europeanization. In R. Holzhaecker & M. Haverland (Eds.), *European research reloaded: Cooperation and Europeanized states integration among Europeanized states* (pp. 19–42). Dordrecht: Springer

Ministerie van Infrastructuur en Waterstaat. (2020) *Samenvatting NEC programma – publieke consultatie* (Nr. 1). Retrieved 24 April, from <https://www.platformparticipatie.nl/nec/concept+nec-programma/relevante+documenten+nec/HandlerDownloadFiles.ashx?idnv=1849474>

Ministerie van Infrastructuur en Waterstaat. (2022.). *NEC-programma. Platform Participatie*. Retrieved 11 May 2022, from [https://www.platformparticipatie.nl/nec/nec\\_/default.aspx](https://www.platformparticipatie.nl/nec/nec_/default.aspx)

Moravcsik, A. (1993). Preferences and Power in the European Community: A Liberal Intergovernmentalist Approach. *Journal of Common Market Studies*, 31(4), 473-524.

Moravcsik, A. (1998). *The Choice for Europe: Social Purpose and State Power from Messina to Maastricht* Ithaca, Cornell University Press.

Moravcsik, A. (2018). Preferences, Power and Institutions in 21st-century Europe. *Journal of Common Market Studies*, 56(7), 1648–1674. <https://doi.org/10.1111/jcms.12804>

Moravcsik, A. (2020). Liberal Intergovernmentalism. *Oxford Research Encyclopedia of Politics*. Retrieved 21 February 2022, from <https://oxfordre.com/politics/view/10.1093/acrefore/9780190228637.001.0001/acrefore-9780190228637-e-1065>.

Moravcsik, A., & Schimmelfennig, F. (2009). Liberal intergovernmentalism. In T. Diez & A. Wiener (Eds.), *European Integration Theory* (pp. 67–87). Oxford University Press.

N-VA. (z.d.). *Standpunten Milieu en klimaat | Nieuw-Vlaamse Alliantie (N-VA)*. Retrieved 15 May 2022, from <https://www.n-va.be/standpunten/milieu-en-klimaat>

Master thesis • Implementation, a modest process with grand implications.

Open Syllabus. (2022). *Open Syllabus: Explorer*. Retrieved 16 February 2022, from <https://opensyllabus.org/results-list/authors?size=50&fields=Political%20Science>

Open Vld. (z.d.). *Klimaat & energie*. Open Vld - Open Vlaamse Liberalen En Democraten. Retrieved 15 May 2022, from [https://www.openvld.be/klimaat\\_energie](https://www.openvld.be/klimaat_energie)

Owen, G. T. (2014). Qualitative Methods in Higher Education Policy Analysis: Using Interviews and Document Analysis. *The Qualitative Report*, 19(26), 1-19. <https://doi.org/10.46743/2160-3715/2014.1211>

Pridham, G. (1996). Environmental policies and problems of European legislation in Southern Europe. *South European Society and Politics*, 1(1), 47–73. <https://doi.org/10.1080/13608749608454716>

Putnam, R. (1988) Diplomacy and Domestic politics: The Logic of Two-level Games. *International Organization*, 42(3), 427-460.

Pye, S., Skinner, I., Meyer-Ohlendorf, N., Leipprand, A., Lucas, K., & Salmons, R. (2008). *Addressing the social dimensions of environmental policy - A study on the linkages between environmental and social sustainability in Europe*.

Raad van state. (2011). *Methoden van omzetting van EU-recht in het Nederlandse recht*. Retrieved 4 May, from <https://www.raadvanstate.nl/publish/library/13/methoden-van-omzetting-van-eu-recht-in-het-nederlandse-recht.pdf>

Rauh, C. (2019). Between neo-functionalist optimism and post-functionalist pessimism: Integrating politicisation into integration theory. *WZB Berlin Social Science Center*. <https://www.researchgate.net/publication/332370421>

Ricardo Energy & Environment, (2021C, December). *SR10 Review of National Air Pollutant Projections* (Nr. 1) EC-DG Environment N° 070201/2020/841274/SFRA/ENV.C.3. [https://ec.europa.eu/environment/air/pdf/reduction\\_napcp/SR10%20Review%20of%20National%20Air%20Pollutant%20Projection%20final.pdf](https://ec.europa.eu/environment/air/pdf/reduction_napcp/SR10%20Review%20of%20National%20Air%20Pollutant%20Projection%20final.pdf)

Ricardo Energy & Environment. (2021A, November). *National Air Pollution Projection Review Report – The Netherlands* (Nr. 1). EC-DG Environment N° 070201/2020/841274/SFRA/ENV.C.3. [https://ec.europa.eu/environment/air/pdf/reduction\\_napcp/NECDProjectionsReviewReports2021/Netherlands\\_NECDProjectionsReviewReport2021\\_Issue1.pdf](https://ec.europa.eu/environment/air/pdf/reduction_napcp/NECDProjectionsReviewReports2021/Netherlands_NECDProjectionsReviewReport2021_Issue1.pdf)

Ricardo Energy & Environment. (2021B, November). *National Air Pollution Projection Review Report – Belgium* (Nr. 1). EC-DG Environment N° 070201/2020/841274/SFRA/ENV.C.3. [https://ec.europa.eu/environment/air/pdf/reduction\\_napcp/NECDProjectionsReviewReports2021/Belgium\\_NECDProjectionsReviewReport2021\\_Issue1.pdf](https://ec.europa.eu/environment/air/pdf/reduction_napcp/NECDProjectionsReviewReports2021/Belgium_NECDProjectionsReviewReport2021_Issue1.pdf)

Master thesis • Implementation, a modest process with grand implications.

Rijksoverheid (2017A). *Aanvullingsbesluit bodem artikelen en toelichting*. Retrieved 27 April 2022, from <https://open-pilot.overheid.nl/repository/ronl-da7a0881-1748-4e5a-9e70-058133f3d3df/1/pdf/aanvullingsbesluit-bodem-artikelen-en-toelichting.pdf>

Rijksoverheid (2017B). *Evaluatie Meststoffenwet 2016: Syntheserapport*. Retrieved 26 April 2022, from <https://open-pilot.overheid.nl/repository/ronl-archief-a611688f-4f64-4fe6-9fcc-e2dc381f54d2/1/pdf/evaluatie-meststoffenwet-2016-syntheserapport.pdf>

Rijksoverheid (2017C). *Zesde Nederlandse actieprogramma betreffende de Nitraatrichtlijn (2018 - 2021)*. Retrieved 26 April 2022, from <https://open-pilot.overheid.nl/repository/ronl-25623cac-4277-46df-8513-113b8d55189d/1/pdf/zesde-nederlandse-actieprogramma-betreffende-de-nitraatrichtlijn-2018-2021.pdf>

Rijksoverheid (2018). *Evidence gathering questionnaire for the fitness check of the ambient air quality directives*. Retrieved 27 April 2022, from <https://open-pilot.overheid.nl/repository/ronl-c61805d0-7061-447e-9f41-6d5e65c9903e/1/pdf/bijlage-2-evidence-gathering-questionnaire-for-the-fitness-check-of-the-ambient-air-quality-directives.pdf>

Rijksoverheid (2019A). *Wetsvoorstel Invoeringswet Omgevingswet*. Retrieved 26 April 2022, from <https://open-pilot.overheid.nl/repository/ronl-7aaef6e0-81ca-4913-bfeb-2e7549bd12ee/1/pdf/wetsvoorstel-invoeringswet-omgevingswet.pdf>

Rijksoverheid (2019B). *Nota van toelichting invoeringsbesluit omgevingswet*. Retrieved 28 April 2022, from <https://open-pilot.overheid.nl/repository/ronl-9f9d5d49-8d21-4ccc-bd17-dd272411ff7c/1/pdf/nota-van-toelichting-invoeringsbesluit-omgevingswet.pdf>

Rijksoverheid (2019C). *Brief inzake concept NEC-programma*. Retrieved 27 April 2022, from <https://open-pilot.overheid.nl/repository/ronl-942b9b5d-c5b1-46b8-a9b7-c967befef373/1/pdf/brief-inzake-concept-nec-programma.pdf>

Rijksoverheid (2019D). *Kamerbrief over transparantiebeleid in de raad*. Retrieved 27 April 2022, from <https://open-pilot.overheid.nl/repository/ronl-1dc5edc5-f59d-4925-ad9c-245e07f5b5f8/1/pdf/kamerbrief-over-transparantiebeleid-in-de-raad.pdf>

Rijksoverheid (2019E). *Tweejaarlijkse evaluatie EC tenuitvoerlegging van milieubeleid (EIR)*. Retrieved 27 April 2022, from <https://open-pilot.overheid.nl/repository/ronl-3b9100a4-815f-4e47-9e0a-6b7feef0efc4/1/pdf/tweejaarlijkse-evaluatie-ec-tenuitvoerlegging-van-milieubeleid-eir.pdf>

Rijksoverheid (2019F). *Toezeggingen naar aanleiding van ao luchtvaart 11 september 2019*. Retrieved 28 April 2022, from <https://open-pilot.overheid.nl/repository/ronl->

Master thesis • Implementation, a modest process with grand implications.

[0b5a9a27-b794-4659-a9c8-599c48ef56ec/1/pdf/toezeggingen-naar-aanleiding-van-ao-luchtvaart-11-september-2019.pdf](https://open-pilot.overheid.nl/repository/ronl-0b5a9a27-b794-4659-a9c8-599c48ef56ec/1/pdf/toezeggingen-naar-aanleiding-van-ao-luchtvaart-11-september-2019.pdf)

Rijksoverheid (2019G). *Beantwoording vragen van de leden Kröger (GroenLinks), Laçin (SP) en Van Raan (PvdD)*. Retrieved 28 April 2022, from <https://open-pilot.overheid.nl/repository/ronl-5cd5c52c-6ec5-4017-81b4-f9d4c157ae82/1/pdf/beantwoording-vragen-van-de-leden-kroger-groenlinks-la-in-sp-en-van-raan-pvdd-over-emissieregistratie.pdf>

Rijksoverheid (2019H). *Concept NEC-Programma*. Retrieved 28 April 2022, from <https://open-pilot.overheid.nl/repository/ronl-a7dfb6dd-9596-4cf6-8155-2ef4330a0f2f/1/pdf/concept-nec-programma.pdf>

Rijksoverheid (2019I). *Publieke consultatie NEC-programma*. Retrieved 28 April 2022, from <https://open-pilot.overheid.nl/repository/ronl-a7dfb6dd-9596-4cf6-8155-2ef4330a0f2f/1/pdf/concept-nec-programma.pdf>

Rijksoverheid (2019J). *Eindrapport beleidsdoorlichting nsl*. Retrieved 30 April 2022, from <https://open-pilot.overheid.nl/repository/ronl-26d8d615-d8af-4264-9a74-f3928f1fae25/1/pdf/eindrapport-beleidsdoorlichting-nsl.pdf>

Rijksoverheid (2020A). *Ontwerpbesluit wijziging bal bbt afvalverbranding en bkl wijziging richtlijn omgevingslawaa*i. Retrieved 1 May 2022, from <https://open-pilot.overheid.nl/repository/ronl-f8ca9adc-8ede-4091-94f3-246d9e6289d3/1/pdf/ontwerpbesluit-wijziging-bal-bbt-afvalverbranding-en-bkl-wijziging-richtlijn-omgevingslawaa.pdf>

Rijksoverheid (2020B). *Beantwoording Kamervragen van lid Van Raan (PvdD) over vervroegde luchtvaartadvies van de commissie- Remkes en de gebrekkige rapportage van stikstofuitstoot op grote hoogte*. Retrieved 30 April 2022, from <https://open-pilot.overheid.nl/repository/ronl-a560a1aa-29fd-47f9-9bf2-1487cc4168c5/1/pdf/beantwoording-kamervragen-over-vervroegde-luchtvaartadvies-van-de-commissie-remkes-en-de-gebrekkige-rapportage-van-stikstofuitstoot-op-grote-hoogte.pdf>

Rijksoverheid (2021A). *Bijlage bij besluit op Wob-verzoek over totstandkoming maatregelenpakket stikstofproblematiek woningbouw en infrastructuurfonds en PFAS-problematiek*. Retrieved 27 April 2022, from <https://open-pilot.overheid.nl/repository/ronl-4bd1be1c-1a75-4e5e-bd59-db605ccfc8e8/1/pdf/Bijlage%20bij%20besluit%20op%20Wob-verzoek%20over%20totstandkoming%20maatregelenpakket%20stikstofproblematiek%20woningbouw%20en%20infrastructuurfonds%20en%20PFAS-problematiek.pdf>

Master thesis • Implementation, a modest process with grand implications.

- Rijksoverheid (2021B). *Bijlage bij besluit op Wob-verzoek over totstandkoming maatregelenpakket stikstofproblematiek woningbouw en infrastructuur infrastructuurfonds en PFAS-problematiek*. Retrieved 27 April, from <https://open-pilot.overheid.nl/repository/ronl-ec629ccb-8cbd-442d-a5e2-b49fc04b747b/1/pdf/Bijlage%203%20bij%20besluit%20op%20Wob-verzoek%20over%20totstandkoming%20maatregelenpakket%20stikstofproblematiek%20woningbouw%20en%20infrastructuurfonds%20en%20PFAS-problematiek.pdf>
- Rijksoverheid (2021C). *Uitvoering NEC-Richtlijn*. Retrieved 30 April 2022, from <https://open-pilot.overheid.nl/repository/ronl-5ef49555-b05c-43fb-b2d8-659e7b9d244a/1/pdf/uitvoering-nec-richtlijn.pdf>
- Rijksoverheid (2021D). *Vaststelling van de begrotingsstaten van het Ministerie van Infrastructuur en Waterstaat (XII) voor het jaar 2022*. Retrieved 1 May 2022, from <https://open-pilot.overheid.nl/repository/oep-be128102-1b73-4761-ba9e-5e39ec34fafa/1/pdf/kst-35925-XII-2.pdf>
- Rijksoverheid (2021E). *Luchtvaartbeleid, BRIEF VAN DE MINISTER VAN INFRASTRUCTUUR EN WATERSTAAT*. Retrieved 1 May 2022, from <https://open-pilot.overheid.nl/repository/oep-3192aec0-990e-4b68-a2ce-8d8aa63dd8fa/1/pdf/kst-31936-893.pdf>
- Rijksoverheid (2021G). *Wob-document 14*. Retrieved 27 April 2022, from <https://open-pilot.overheid.nl/repository/ronl-7412691a-6bee-4145-8972-1a8b9114ef32/1/pdf/Wob-doc-14-deel%203.pdf>
- Rijksoverheid (2021H). *Publicatie*. Retrieved 28 April 2022, from <https://open-pilot.overheid.nl/repository/ronl-aa8919ab-82d1-4744-9097-6431c52a8974/1/pdf/doc-21-tm-23.pdf>
- Rijksoverheid (2021I). *Fiche 1: Mededeling EU Actieplan 'Verontreiniging van lucht, water en bodem naar nul'*. Retrieved 1 May 2022, from <https://open-pilot.overheid.nl/repository/ronl-3fe81d1b-b3fd-48d0-adff-4b4c634718ac/1/pdf/fiche-1-mededeling-eu-actieplan-verontreiniging-van-lucht-water-en-bodem-naar-nul.pdf>
- Rijksoverheid (2021J). *Publicatie*. Retrieved 1 May 2022, from [https://open-pilot.overheid.nl/zoek/uitgebreidresultaat?datumBeschikbaarVanaf=14-12-2016&datumBeschikbaarTot=01-04-2022&text=NEC%20richtlijn&sort=date-asc&informatiesoort=c\\_3300f29a&page=7](https://open-pilot.overheid.nl/zoek/uitgebreidresultaat?datumBeschikbaarVanaf=14-12-2016&datumBeschikbaarTot=01-04-2022&text=NEC%20richtlijn&sort=date-asc&informatiesoort=c_3300f29a&page=7)
- Rijksoverheid (2021K). *QUICKSCAN VAN TWEE BELEIDSPAKKETTEN VOOR HET VERVOLG VAN DE STRUCTURELE AANPAK STIKSTOF*. Retrieved 2 May 2022, from <https://open-pilot.overheid.nl/repository/ronl-8c29d000-4c8d-4d8a-b0e1-4c8d00000000/1/pdf/quickscan-van-twee-beleidspakketten-voor-het-vervolg-van-de-structurele-aanpak-stikstof.pdf>

Master thesis • Implementation, a modest process with grand implications.

[pilot.overheid.nl/repository/ronl-0ab8d659-e450-4e3e-8fa7-cc9dd45eb3db/1/pdf/21272270.Bijlage%203.pdf](https://open-pilot.overheid.nl/repository/ronl-0ab8d659-e450-4e3e-8fa7-cc9dd45eb3db/1/pdf/21272270.Bijlage%203.pdf)

Rijksoverheid (2022A). *Introductiedossier 2021 – inhoudelijke overdracht*. Retrieved 2 May 2022, from <https://open-pilot.overheid.nl/repository/ronl-f03162a1-b5f5-4c14-82306d6c947de-fc0/1/pdf/Introductiedossier%20deel%202%20-%20Inhoudelijke%20overdracht.pdf>

Rijksoverheid (2022B). *Bijlage bij besluit op Wob-verzoek over de verkenning Stikstofruimte voor de toekomst*. Retrieved 27 April 2022, from <https://open-pilot.overheid.nl/repository/ronl-1d3ae93b-1543-4328-a450-577283be9b02/1/pdf/Bijlagen%20V%20bij%20Wob-verzoek%20over%20de%20verkenning%20Stikstofruimte%20voor%20de%20toekomst.pdf>

Rijksoverheid (2022C). *Bijlage bij besluit op Wob-verzoek over de verkenning Stikstofruimte voor de toekomst*. Retrieved 27 April 2022, from <https://open-pilot.overheid.nl/repository/ronl-786a9a4f-d13b-4a4b-9570-2cc4f7dd1ec7/1/pdf/Bijlagen%20II%20bij%20Wob-verzoek%20over%20de%20verkenning%20Stikstofruimte%20voor%20de%20toekomst.pdf>

Rijksoverheid (2022D). *Bijlage bij besluit op Wob-verzoek over de verkenning Stikstofruimte voor de toekomst*. Retrieved 27 April 2022, from <https://open-pilot.overheid.nl/repository/ronl-eeb6fd79-e10d-474d-b33b-2b98734b38b5/1/pdf/Bijlagen%20I%20bij%20Wob-verzoek%20over%20de%20verkenning%20Stikstofruimte%20voor%20de%20toekomst.pdf>

Rijksoverheid (2022E). *Strategisch Milieueffect- rapport GLB-NSP*. Retrieved 3 May 2022, from <https://open-pilot.overheid.nl/repository/oep-70cd90d3-20e7-4338-82ff-03a1914df6aa/1/pdf/blg-1013090.pdf>

Rijksoverheid (2022F). *Verslag strategisch gbl plan 2022*. Retrieved 3 May, from <https://open-pilot.overheid.nl/repository/ronl-0051cfcbac76727498c21047f03954596ec0e88a/1/pdf/verslag-strategisch-gbl-plan-202.pdf>

Rijksoverheid (2022G). *Non-paper by the Netherlands in the context of the targeted stakeholder survey of the European Commission on the “Ambient Air Quality Directives”*. Retrieved 2 May 2022, from <https://open-pilot.overheid.nl/repository/ronl-0a2c402bc25f2d283f20a9b6d0c500d22b191e58/1/pdf/bijlage-non-paper.pdf>



Master thesis • Implementation, a modest process with grand implications.

RIVM. (2018). *Informative Inventory Report 2018; Emissions of transboundary air pollutants in the Netherlands 1990-2016*. <https://www.platformparticipatie.nl/nec/concept+nec-programma/relevante+documenten+nec/HandlerDownloadFiles.ashx?idnv=1849478>

Schimmelfennig, F., & Winzen, T. (2019). Grand theories, differentiated integration. *Journal of European Public Policy*, 26(8), 1172–1192. <https://doi.org/10.1080/13501763.2019.1576761>

Schmidt, V. A. (2019). Politicisation in the EU: between national politics and EU political dynamics. *Journal of European Public Policy*, 26(7), 1018–1036. <https://doi.org/10.1080/13501763.2019.1619189>

Schmitter, P.C. (2009) On the way to a post functionalist theory of European integration, *British Journal of Political Science*, 39(1): 211-15. <https://doi.org/10.1017/S0007123408000483>

SedelMeier, U. (2008). After conditionality: post-accession compliance with EU law in East Central Europe. *Journal of European Public Policy*, 15(6), 806–825. <https://doi.org/10.1080/13501760802196549>.

Senaat. (2018, July). *De verbetering van de luchtkwaliteit*. Secretariaat van de Commissie voor de Transversale Aangelegenheden. [https://www.senate.be/informatieverslagen/6-391/Senaat\\_verslag\\_luchtkwaliteit-2018.pdf](https://www.senate.be/informatieverslagen/6-391/Senaat_verslag_luchtkwaliteit-2018.pdf)

Sending, O.J., Øverland, I., & Hornburg, T.B (2020). Climate Change and International Relations: A Five-Pronged Research Agenda. *Journal of international affairs*, 73(1), 183-193. <https://www.jstor.org/stable/26872788>

Skjærseth, J. B. (2018). Implementing EU climate and energy policies in Poland: policy feedback and reform. *Environmental Politics*, 27(3), 498–518. <https://doi.org/10.1080/09644016.2018.1429046>

Spendzharova, A., & Versluis, E. (2013). Issue salience in the European policy process: what impact on transposition? *Journal of European Public Policy*, 20(10), 1499–1516. <https://doi.org/10.1080/13501763.2013.781802>.

Stake, R. E. (1995). *The art of case study research*. Sage.

Statista. (2022, 7 April). *GDP of European countries in 2021*. Retrieved 12 May 2022, van <https://www.statista.com/statistics/685925/gdp-of-european-countries/>

Master thesis • Implementation, a modest process with grand implications.

Steunenberg, B. (2006). Turning swift policy-making into deadlock and delay: national policy coordination and the transposition of EU directives. *European Union Politics*, 7(3), 293-319. <https://doi.org/10.1177/1465116506066258>

Steunenberg, B., & Rhinard, M. (2010). The transposition of European law in EU member states: between process and politics. *European Political Science Review*, 2(3), 495-520. <https://doi.org/10.1017/s1755773910000196>

Szulecki, K., Fischer, S., Gullberg, A. T., & Sartor, O. (2016). Shaping the 'Energy Union': between national positions and governance innovation in EU energy and climate policy. *Climate Policy*, 16(5), 548-567. <https://doi.org/10.1080/14693062.2015.1135100>

Tallberg, J. (2002). Paths to Compliance: Enforcement, Management, and the European Union. *International Organization*, 56(3), 609-643. <https://doi.org/10.1162/002081802760199908>

Treib, O. (2003). EU Governance, Misfit, and the Partisan Logic of Domestic Adaptation: An Actor-Centered Perspective on the Transposition of EU Directives. *Paper presented at the EUSA 8th International Biennial Conference*. <https://www.ihs.ac.at/publications/pol/TreibPartisanLogic2003.pdf>

Treib, O. (2014). Implementing and complying with EU governance outputs. *Living Reviews in European Governance*, 9(1). <https://doi.org/10.12942/lreg-2014-1>

Tsebelis, G. (2002). *Veto players: How political institutions work*. Princeton University Press.

Verdun, A. (2020). Intergovernmentalism: Old, Liberal, and New. *Oxford Research Encyclopedia of Politics*. <https://doi.org/10.1093/acrefore/9780190228637.013.1489>

Versluis, E. (2007) Even rules, uneven practices: Opening the 'black box' of EU law in action. *West European Politics*, 30(1), 50-67. <https://doi.org/10.1080/01402380601019647>

Vlaamse Milieumaatchappij. (2019, October). Vlaams Luchtbeleidsplan 2030. Retrieved 14 May 2022, from <https://www.vmm.be/lucht/evolutie-luchtkwaliteit/beleidsplannen/luchtbeleidsplan-2030>

Vlaamse Overheid (2017A). *Wijziging VLAREM ingevolge de MCP-richtlijn en de NEC-richtlijn. Gezamenlijk briefadvies Minaraad en SALV*. Retrieved 6 May 2022, from <https://www.vlaanderen.be/publicaties/wijziging-vlareem-ingevoelge-de-mcp-richtlijn-en-de-nec-richtlijn-gezamenlijk-briefadvies-minaraad-en-salv>

Vlaamse Overheid (2017B). *Beleidsbrief*. Retrieved 10 May 2022, from <https://docs.vlaamsparlement.be/pfile?id=1340257>

Master thesis • Implementation, a modest process with grand implications.

Vlaamse Overheid (2017C). *Verslag van Vergadering*. Retrieved 10 May 2022, from <https://www.vlaamsparlement.be/nl/parlementair-werk/commissies/commissievergaderingen/1102753/verslag/1104142>

Vlaamse Overheid (2018). *Schriftelijke vraag*. Retrieved 10 May 2022, from <https://docs.vlaamsparlement.be/pfile?id=1439035>

Vlaamse Overheid (2019A). *Ontwerp van 'Luchtbeleidsplan 2030' in uitvoering van artikel 23 van de Europese Richtlijn 2008/50/EG en artikel 6 van de Europese Richtlijn 2016/2284*. Retrieved 6 May 2022, from <https://emis.vito.be/sites/emis.vito.be/files/legislation/6120/2018/sb310818-7.pdf>

Vlaamse Overheid (2019B). *Luchtbeleidsplan*. Retrieved 6 May 2022, from <https://omgeving.vlaanderen.be/sites/default/files/atoms/files/1%20VR%202019%202510%20MED.0359-2%20Luchtbeleidsplan.pdf>

Vlaamse Overheid (2019C). *Ontwerp van decreet betreffende basisbereikbaarheid*. Retrieved 9 May 2022, from <https://docs.vlaamsparlement.be/pfile?id=1454816>

Vlaamse Overheid (2019D). *Verslag van Hoorzitting*. Retrieved 9 May 2022, from <https://docs.vlaamsparlement.be/pfile?id=1469292>

Vlaamse Overheid (2019E). *Vorstel van decreet houdende een kader voor het ontwikkelen van beleid, gericht op het onomkeerbaar en stapsgewijs terugdringen van de Vlaamse emissies van broeikasgassen om de wereldwijde opwarming van de aarde en de verandering van het klimaat te beperken*. Retrieved 10 May 2022, from <https://docs.vlaamsparlement.be/pfile?id=1460341>

Vlaamse Overheid (2020A). *Ontwerp van decreet*. Retrieved 8 May 2022, from <https://docs.vlaamsparlement.be/pfile?id=1615472>

Vlaamse Overheid (2020B). *Ontwerp van decreet*. Retrieved 8 May 2022, from <https://docs.vlaamsparlement.be/pfile?id=1605149>

Vlaamse Overheid (2020C). *Verslag*. Retrieved 8 May 2022, from <https://docs.vlaamsparlement.be/pfile?id=1614950>

Vlaamse Overheid (2021A). *Omgeving Vlaamse Brede Heroverweging*. Retrieved 7 May 2022, from <https://docs.vlaamsparlement.be/pfile?id=1770375>

Vlaamse Overheid (2021B). *Beleids- en begrotingstoelichting Omgeving en Natuur Begroting 2022*. Retrieved 7 May 2022, from <https://docs.vlaamsparlement.be/pfile?id=1764325>

Master thesis • Implementation, a modest process with grand implications.

Vlaamse Overheid (2021C). *Verslag van de hoorzitting namens de Commissie voor Leefmilieu, Natuur, Ruimtelijke Ordening en Energie, over de Programmatische Aanpak Stikstof (PAS)*. Retrieved 8 May 2022, from <https://docs.vlaamsparlement.be/pfile?id=1686078>

Voermans, W. J. M. (2015). Implementation: the Achilles heel of European integration. The Theory and Practice of Legislation. *SSRN Electronic Journal*, 2(3), 343–359. <https://doi.org/10.2139/ssrn.2510310>

VVD. (2022). *Stikstof*. Retrieved 11 May 2022, van <https://www.vvd.nl/standpunten/stikstof/>

Wiener, A., & Diez, T. (2009). *European Integration Theory*. Oxford University Press.

Wiener, A., Börzel, T. A., & Risse, T. (2019). *European Integration Theory* (3rd ed.). Oxford University Press.

Winter, S.C. (2006). Implementation. In Peters, B.G., & Pierre, J. (eds.) *Handbook of Public Policy* (1<sup>st</sup> ed.), (pp. 151-166). London SAGE Publications.

Yin, R. (2009). *Case study research: Design and methods* (4th ed.). Sage.

Zeitlin, J., Nicoli, F., & Laffan, B. (2019). Introduction: the European Union beyond the polycrisis? Integration and politicisation in an age of shifting cleavages. *Journal of European Public Policy*, 26(7), 963–976. <https://doi.org/10.1080/13501763.2019.1619803>

Zhelyazkova, A., Kaya, C., & Schrama, R. (2016). Decoupling practical and legal compliance: Analysis of member states' implementation of EU policy. *European Journal of Political Research*, 55(4), 827–846. <https://doi.org/10.1111/1475-6765.12154>

## Appendix A – Interview questions

For each interviewee some version of the following questions was asked. One general question for each main factor followed by sub questions based on the responses from the interviewee. These questions were preceded by general introductory questions about the persons profession and the questions regarding permission for recording.

- How big is the role of a cost-benefit analysis in the implementation process?
  - Do MS look at other MS compliance behaviour?
  - Do MS weigh the costs of noncompliance?
  - Are different policy options considered?
- How big is the role of (limited) government capacity in the implementation process?
  - Do insufficient staff or funds result in worse implementation?
- How big is the role of misfit in the implementation process?
  - Is there incompatibility between EU and national law?
  - Do incoherent concepts or goals make implementation difficult?
- How big is the role of party-political preferences in the implementation process?
  - Is it only government, or also opposition parties that have influence?
- How big is the role of public support for the EU in the implementation process?
  - Do public pressures influence the process or is it just through formal consultation mechanisms?
- How big is the role for domestic actors (outside the government) in the implementation process?
  - Think of lobby groups, environmental organisations, or even individuals
- Does a culture of law abidingness influence the implementation process?
  - Does a negative stance towards the rule of law hamper implementation effort?
- Does the relative power of a country have influence in the implementation process?
  - Is it just in the formative stages?
  - Or even that powerful countries that can bear the costs of noncompliance tend not to comply?

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## **Appendix B – Interview transcripts**

See other sent documents