Unable or Reluctant? Multilevel Determinants of the EU Members' (Non-)Compliance with the European Union Law

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Abstract. This study analyzes 25,516 cases of violation of the European Union law by 28 Member States from May 1993 to May 2018. I strive to determine the group and individual-level determinants of differentiation in the pool of member countries by the total number of the EU law violations as well as their types: (1) notification failures, (2) incomplete transpositions, (3) incorrect implementations and (4) improper applications. As a key method of analysis, logistic regression is used, where factors of the coalition role and voting strategies are taken as the group level attributes, while GDP per capita (PPP), polarization of the parliament, fragmentation of the party system, strategies of regional authorities and quality of governance are used as country attributes. The analysis demonstrates that all country attributes are significantly related to all four quartiles of the outcome, which rank member states depending on the number of violations during the period under review: from the smallest share of violated directives (Q1) to the largest share of violated directives (Q4). One of the group-level factors, voting strategies, also demonstrates its significant relation to all quartiles of the outcome. The results of the study show the empirical relevance of the theoretical perspectives of "worlds of compliance" (Falkner et al. 2007) and supranational compliance strategies (Börzel 2015) for the categorization of EU member states in their reactions to the compliance efforts of the European Union.

Keywords: EU law, non-compliance, EU members, multilevel analysis.

1. Introduction

One of the major goals of the European Union (EU) in the process of expanding and unifying its legal space and setting its authority and power is to force the EU Member States (MS) to transpose, implement and apply the parts of the *acquis communitaire*.[1] In the academic literature this enforcement and the reaction of the EU states to the enforcement actions of the EU are labeled under the term "compliance with the European Union law" (Thomson 2007; Schimmelfennig 2007; Börzel et al. 2010; Sedelmeier 2012; Börzel and Sedelmeier 2017). The desire of the EU to force all member countries to comply with the EU law is determined by two reasons. The first reason is that the unified normative space is directly related to the idea of creating a functioning supranational EU governance, which in the future can help the EU to transform itself into a full-fledged "European federation" (Banchoff and Smith 2005). The second reason is the EU's commitment to the ideological position "one size fits all", which implies not only normative, but also political, economic and cultural unification of the EU states (Börzel and Risse 2004). It is clear though that the different degree of compliance of the member countries with the EU law becomes an obstacle to the implementation of the "united Europe" (Swedberg 1994; Smith 2008) project.

A step towards achieving the goal of normative harmonization was made in 1992, when the Maastricht Treaty was signed. It created the basis for a single market and secured the broad regulatory powers of EU institutions. The signing of the Maastricht Treaty caused a wave of euphoria among the European and, in part, the American scientific community. The works, which date from the beginning of the 1990s, predicted a fast transition of the European Union to the rank of full-fledged state entities with unified bodies of political power, governance structure and

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[1] The accumulated legislation, legal acts, and court decisions that form the basis of the European Union law.

institutions of representation (Ungerer 1991; Attinà 1992; Weiler 1993; Smith 1996). However, by the mid-1990s, this positive agenda gave way to the diametrically opposite idea that the European Union is a highly unstable structure, since, in particular, the EU institutional system is unable to (1) ensure that Brussels directives[2] are implemented by all countries of the European Union and (2) legitimize itself in the eyes of the national political elites (Dahl 1994; Marsh and Norris 1997; Olsen 1997; Lampinen and Uusikyla 1998).

Hypothetical expectations related to the likelihood of multi-level governance problems within the European Union were confirmed empirically. Since the mid-1990s, researchers track the growing differentiation in the pool of the EU Member States in terms of their compliance with the European Union law. Over the past 25 years, countries such as Estonia, Lithuania and Slovenia have been incorporating parts of the EU legislation with minimal violations(Tallberg and Jönsson 2001; Goetz 2004; Verheijen 2007; Tanja 2010), while France, Italy and Portugal demonstrate failures in this process almost every year (Pollack 2006; Thomson 2007; Tanja 2010). This study targets state autonomy and state capacity as two potential explanations for such a differentiation in the level of compliance of the EU Member States.[3]

The paper is divided into five sections. The first section looks at two basic approaches that strive to reveal the reasons for non-compliance in the European Union – structural and consociational. The same section focuses on the factors of state autonomy and state capacity of the EU Member States, which underlie the strategies of voluntary and involuntary (non-) compliance. The second section describes the study design, variables' encoding and the stages of modelling. The third section presents the results of multilevel logistic regression. The fourth section is devoted to the interpretation of the results obtained. The fifth section gives the conclusions of the study.

2. State of the art

2.1. Structural and consociational approaches

The empirical puzzle associated with different progress of EU member countries in the implementation, transposition and application of the *acquis* is the subject of controversy in two theoretical approaches: (1) structural and (2) consociational.

The proponents of structural approach consider the relations between the EU Member States and the institutions of the European Union as hierarchical. In the

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[2] The research devoted to the phenomenon of (non-)compliance with the European Union law are divided into those where the focus is the process of compliance with the EU directives and those that consider compliance of the EU member countries with the EU regulations. EU regulations rarely become the object of research, because they are mandatory and are the instruments of the direct action (see Nielsen and Mathiesen 2003; Davison and Bertheau 2007). In other words, regulations do not provide member states with opportunities for different interpretations and adaptation to the norms of national legislation, and come into force immediately after their adoption and signing by the EU legislative institutions. EU directives, on the other hand, provide member countries with more lawmaking opportunities, since they are introduced into state law through national legislation. In practice, the system of incorporating directives at the national level increases the likelihood of violations when EU member states implement certain parts of the *acquis communitaire*. That is why in this study I focus on directives, not on other legislative acts of the European Union.
[3] In this research, state autonomy and state capacity are operationalized as sets of specific variables (factors), due to the complexity of each of the concepts.

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models they build, the advantage of the "regulatory dictate" is always on the side of one of the parties, while the other side is forced to follow the competitor's rules.

P. Haas (1998), J. Tallberg (2002), A. Slaughter *et al* (2000) stress that the EU acts as a "normative dictator" creating the uniform rules of the game for all Member States and monitoring their observance. It is the choice of the states whether to follow these rules, still the EU has an ultimate right and monopoly to punish the violators of the created "normative ideal" (Checkel 2001; Heidbreder 2011). An alternative approach to exploring the (non-)compliance patterns in the EU reverses the observed hierarchical model and highlights the EU Member States and their behavioral strategies. J. Fearon (1998) argues that the EU members are "bargaining" with the EU institutions (mainly, the European Commission) in order to correct the compliance agenda in their favor. The followers of the Fearon's "bargaining" theory stress the ability of national political actors to find an equilibrium point that would maximize the gains from adopting EU's rules of the game and use the available resources to approximate the result of "bargaining" to this point of equilibrium (Mendrinou 1996; Paraskevopoulos 1998). In both versions of the structural approach, the state's decision on the preferred compliance strategy and the final motivation of (non-)compliance is determined by its economic and administrative resources and the efficiency of their distribution and allocation at the national level (Borzel 2002; Knill and Lenschow 2005b; Börzel et al. 2010).

Thus, the structural-actor approach presents the logic of research that implies one-sided influence of the EU institutions onto the national policies of the EU Member States or vice versa. The researchers of the structural-actor block address two core theories of the decision-making within the EU: (1) the theory of enforcement and (2) the theory of management.

The theory of enforcement links different level of compliance of the EU Member States to their rational calculations. The adherents of this theory argue that member countries are guided, first of all, by their own sense of profitability in incorporating and implementing one or another part of the European Union legislation (Schimmelfennig, Engert, and Knobel 2003; Knill and Lenschow 2005a; Thomson 2007). In other words, national political actors analyze the profits and losses from each realized part of the *acquis* for the national political and economic system.

The theory of management suggests that non-compliance of the EU Member States is determined by the weakness or underdevelopment of their state bureaucratic infrastructure. A number of countries are guided by a non-compliance strategy because of the inability to follow the deadlines established by the EU institutions, inability to follow too broad definitions of the proposed norms for transposition, implementation and application, or lack of the capacity for implementing the *acquis* parts (Young 1992; Chayes and Chayes 2013).

The models regulating the behavior of the EU Member States, described by the above theories, are rarely found in reality in their pure form. As noted by T. Börzel (2010: 53) and J. Tallberg (2002: 613), EU Member States can be simultaneously guided by both logics of enforcement, and management. However, even such a combination of logics gives very little information about how and who makes decisions during the incorporation and implementation of the acquis at the national level. C. Knill and A. Lenchov highlight the main paradox of the two theories that were described above: both involve the interaction of specific supranational and national actors, but neither of them determine which particular actors or combinations of actors are decisive in the process of compliance with the European Union law (2005: 600).

The structural approach is often criticized for reductionism and hierarchization of relations between the EU Member States and supranational institutions. According to W. Carlsnaes (1992: 247), issues related to multi-level authority and accountability, as well as to EU law compliance are not limited to clarifying the relationship of the "primacy" of a particular level of decision-making in the structure of the European Union. M. Gabel (1998), B. Soetendorp and R. Andeweg (2001), M. Bogaards (2002), P. Kraus (2006) and many other authors demonstrate that the decision-making architecture in the EU is closest to the model of consociational democracy, which was theorized by A. Lijphart (1971). M. Burgess (2002) emphasizes that the decision-making process in the European Union is based on cooperation mechanisms involving both the intergovernmental and supranational level. At the same time, institutions such as the European Court of Justice (ECJ) and the European Commission (Commission) have a very strong institutional position in relation to the member countries of the Union, and the decisions of these institutions take precedence over national legislation.

The focus of research on compliance within the framework of the consociational approach, is the principle of subsidiarity. The principle of subsidiarity, first formalized in the Treaty on European Union (TEU), explicitly states that if a question can be resolved at a certain level of decision-making, it should not be transferred to a higher level of authority. The consociational approach takes into account the influence of national actors and institutions upon (non-)compliance of the EU member countries and describes the struggle of national and supranational actors for an acceptable legal status quo (Börzel 2002).

Overall, the structural and consociational approaches offer two broad explanations for the different levels of compliance with the EU law. For the structural approach, the reason for the compliance failures in some countries is that they are not able to follow the Brussels' guidelines due to a lack of necessary economic, administrative and bureaucratic resources. The consociational approach, in turn, considers the reasons for non-compliance with the EU law through the inability of national actors to reach a compromise on the compliance agenda. The next section describes two key concepts that underlie these two explanations – state capacity and state autonomy.

2.2. State capacity and state autonomy in the context of (non-)compliance

Students of (non-)compliance make a distinct division between the "lower"- and "upper"- level state capacity. The lower-level state capacity emphasizes the importance of the amount and diversity of resources available, as well as their allocation by the national institutions and actors for the issues related to compliance. For example, J. Tallberg (2002), T. Verheijen (2007), A. Dimitrova (2011) and C. Kaya (2019) allocate administrative capacity as the basis for successful compliance. Using a set of 27 EU countries, E. Thomann and A. Zhelyazkova (2017) show that in most cases countries with high administrative capacity and professional bureaucracy adopt the EU directives timely with no or almost no violations, since their bureaucratic systems allow reducing costs from adopting the new rules of the game. The upper-level state capacity, in turn, focuses on the state's ability to participate in the bargaining process at the level of supranational institutions and build coalitions to push for the preferable versions of the EU directives (Lewis 2003; Kaeding and Selck 2005). Turning to Börzel's (2015) terminology, pace-setters, that is, states, which actively push their interpretation of directives at the EU level and foot-draggers, that is, states that block or postpone costly directives can be treated as countries with high

upper-level state capacity. In turn, fence-sitters, which accept the compliance status quo, have low upper-level state capacity, as they do not have sufficient resource base and authority to significantly influence the formation of pan-EU rules of the game.

Thus, state capacity is an "umbrella" concept, which includes a range of administrative and institutional factors and received a wide vocation among the academic community in explaining the causes of failures and success of countries on their way to normative compliance. Nevertheless, the structural approach, which focuses on state capacity of the EU countries still does not give an answer to the question, why states with high administrative potential do not always champion the compliance process. The reason is that as noted in the previous section, the structural approach is hierarchically determined and, in a sense, reductionist and does not fully take into account the activities of actors and institutions at the national level.

The alternative concept is state autonomy which dominates the works of consociationalists. Most of the researchers that seek to identify the reasons for differentiation in the pool of the EU countries in terms of compliance understand state autonomy in T. Skocpol's (Skocpol, Evans, and Rueschemeyer 1999) terms, that is as the ability of actors in power to make decisions and form political agenda, abstracting from the potential influence of other actors and groups. Students of (non-)compliance measure state autonomy of the EU states in the number of veto-players, which participate in the process of transposition, implementation and application of the required directives (G. Falkner et al. 2004; Hille and Knill 2006; Noutcheva and Bechev 2008; Sedelmeier 2012). T. Börzel *et al* (Börzel, Hofmann, and Sprungk 2004), G. Falkner *et al* (Falkner, Hartlapp, and Treib 2007a) and U. Sedelmeier (2012), trace the argument, which originates in the article by G. Tsebelis (2016): the less veto-players take part in accepting the rules of the game set by the supranational regulators, the greater the chance that the country will avoid compliance failures. The core veto-actors responsible for the compliance agenda on the national level are political parties, regional elites and interest groups.

Political parties and national legislatures as a whole play an important role in the works of the state autonomy scholars. According to P. Taggart and A. Szczerbiak (2004), the parliament is the "guardian of national interests", which ratifies international agreements and makes changes in national legislation. D. Finke and T. Dannwolf (2015) stress that over the past 15 years, issues that relate to the European Union have become extremely politicized at the national level, and therefore the discussion of these issues often leads to a clash of values and interests of large parliamentary groups. In this regard, as P. Taggart and A. Szczerbiak (2004: 12) note, the success and speed of the adoption of the EU norms at the national level depends on how much the parliamentary majority is "pro- or anti-EU".

T. Börzel (2001: 141-142) raises the important topic of bargaining between national and subnational levels of governance during the application and enforcement of the EU directives. Using the examples of Spain and Germany, the author argues that the success of compliance directly depends on the ability of national elites to negotiate with the regions and provide them with compensation for the costs that the regions incur due to adaptation to the changed normative reality and the creation of the necessary infrastructure. Börzel's idea is developed by N. Dörrenbächer (2017) and J. Schmälter (2018), who note that the regional elite and the actors of the national administrative system ensure "street-level compliance", that is, the implementation and application of directives on the ground.

G. Schneider *et al* (Schneider, Finke, and Baltz 2007), H. Klüver (2009) and C. Kaya (2019) research the special role of interest groups and NGOs in the (non-) compliance process. The first role of interest groups and non-government organizations is to act as watch dogs for the European Commission: they monitor the actions of national authorities in the area of compliance and inform the normative regulator of any violations by a member state that were made at an early stages of compliance. The second role of these actors is information assistance to countries in the compliance process: interest groups and NGOs inform national elites about EU requirements in a more accessible form and, if necessary, interpret the required parts of the *acquis*.

Thus, theorists of state capacity and state autonomy propose two scenarios of non-compliance. The first scenario is caused by the *inability* of the Member States to follow the rules of the game established by Brussels, due to the lack of effective bureaucracy, financial and administrative resources, or consensus among the leading actors and groups on the compliance agenda. The second scenario indicates the *reluctance* of countries to comply with the EU law, which is fueled by their strong position within the EU institutions and large political and economic resources. In the academic literature these two scenarios are labelled under the names of involuntary and voluntary non-compliance, respectively (Börzel, Hofmann, and Sprungk 2004; G. Falkner et al. 2004; Maniokas 2009; Jano 2016; Thomann and Sager 2017).

2.3. Voluntary and involuntary non-compliance in the EU

Since the mid-1990s, researchers of (non-)compliance have sought to find the determinants of voluntary and involuntary non-compliance. There are three possible reasons for voluntary non-compliance with the EU law. The first one is institutionally determined and implies strong position of the state within the EU institutions, which allows to push through the most beneficial interpretations of the directives without a fear of potential sanctions from the European Commission and the European Court of Justice (Börzel 2015). The second reason is a well-developed economy that is able to neutralize the consequences of potential financial sanctions for non-compliance (Haas 1998). The final one is the ability to form coalitions with other countries and thereby push decisions that benefit a large coalition of states (Tallberg and Jönsson 2001; Borzel 2002). Thus, countries choose a strategy of voluntary non-compliance if they can avoid potential sanctions for non-compliance or if the cost of the sanctions imposed is insignificant for them.

States that voluntarily comply with the European Union law are the exact opposite of the countries described above. According to G. Falkner *et al*, "small countries with effective bureaucracy" (2004: 412) are the best compilers. In other words, good compliance in this group of states is provided either by a well-developed administrative apparatus, which allows countries to reduce costs from adopting new rules of the game, or by the small influence of these countries in the EU hierarchy, which does not allow them to fully defend their position on the adopted directives. Thus, these states are not ready to take on the costs of non-compliance, and thereby choose compliance as the most profitable alternative.

Involuntary non-compliance, in turn, is determined by the absence of a baseline characteristic, which is noted as a key condition for successful transposition, implementation, and application of parts of the *acquis*. This characteristic is an

effective bureaucratic system. According to C. Knill and J. Tosun (2009), D. Toshkov (2007) and K. Staroňová (2013), the weakness of the bureaucratic system lies at the heart of most compliance failures. B. Steunenberg and D. Toshkov (2009), conducting a statistical study of non- compliance of the EU-15 and EU-10 countries, highlight the ineffectiveness of bureaucracy as a significant variable for explaining involuntary non-compliance. Another reason for involuntary non-compliance may be low state autonomy, which does not allow national actors to come to a consensus on the issue of compliance (Tallberg 2000; Chandler 2010).

The preconditions for voluntary and involuntary (non-)compliance determine three strategies of response to the compliance requirements: (1) unconditional compliance, (2) bargaining for better conditions of compliance and (3) ignoring the requirements of the normative regulator for as long as possible (Knill and Lenschow 2005b; Tosun 2011; Haas 2011). These strategies are most fully explained by G. Falkner *et al* (Falkner, Hartlapp, and Treib 2007). The authors identify three "worlds of compliance": "world of law observance", "world of domestic politics" and "world of transposition neglect." In the "world of law observance", one can find states, for which "compliance goal overrides domestic concerns" (Falkner, Hartlapp, and Treib 2007: 405). Such countries rarely show non-compliance and quickly correct violations of the EU law. "World of domestic politics" includes countries for which home policy has an extremely important value and "obeying EU rules is at best one goal among many" (Falkner, Hartlapp, and Treib 2007b: 405). Such countries often face problems of non-compliance and risk to fail transposition, implementation, and application of the required part of the *acquis* if it directly contradicts national interests. Finally, countries from the "world of transposition neglect" show an absolute lack of interest in the issue of compliance. They begin to act only after the Commission and the ECJ begin the process of infringement and often only imitate the implementation and application of directives (Falkner, Hartlapp, and Treib 2007b: 405).

In the next section, I detail the analytical steps to identify the first- and second-order determinants of the strategies of voluntary and involuntary (non-)compliance of the EU Member States.

3. Modelling (non-)compliance in the European Union

3.1. Study design

In order to analyze the influence of factors of state autonomy and state capacity on (non-)compliance of the EU member countries with the EU law, I take the time period from 1993 to 2018. The choice of this period is due to historical reasons. In 1992 the Maastricht Treaty was signed and in 1993 it entered into force. This treaty endowed the EU institutions (European Commission, European Court of Justice and the Council of Ministers) with great powers in imposing sanctions and punishments against countries that do not comply with the EU law (Lampinen and Uusikyla 1998). In turn, 2018 is chosen as the end point, since the countries of the European Union continue to violate the EU law, and for some countries the number of violations increases from year to year (Börzel, Hofmann and Panke 2012) therefore it is important to trace the dynamics of these violations. At the same time, I strive not to reduce the sample, and therefore do not consider the period, when the UK's compliance with the EU law has not been monitored (2019-2020). The total number

of observations is 25,583 (total number of the EU law violations), but there is a differentiation at the level of individual states, which is due to the different period of their EU membership. As a key method of data analysis, I use multi-level logistic regression.

3.2. Outcomes

The outcome variable *share of violated directives of the European Union* is ordinal and contains the following categories:

1. Q1 (best compliers): 0.1%-2.0% of total number of the EU directives

2. Q2: 2.0%-5.0% of total number of the EU directives

3. Q3: 5.0%-8.0% of total number of the EU directives

4. Q4 (worst compliers): >8.0% of total number of the EU directives

To encode this variable, I use the data of the Annual Reports on Monitoring the Application of Community Law by each country for the period from 1993 to 2018, as well as the Berlin Infringement Database (Börzel and Knoll 2012). The percentage of violated directives was calculated for each member state individually from the date of the state's accession to the European Union. The thresholds for quartiles (Q1-Q4) are set in accordance with the thresholds used in the annual reports of the European Commission on monitoring of the application of EU law, which track the progress of member countries in the area of compliance.

3.3. Stage 1: Upper-level state capacity

Since the mid-1990s, the Council of Ministers of the European Union has been the focus of the research on patterns of coalition behavior. Unlike the European Commission and the European Parliament, the Council represents the interests of national states, which is why I primarily focus on this institution in the analysis of the upper-level state capacity. Some authors argue the powerhouses of the EU that have the biggest share of votes within the Council, i.e. Germany, France and the United Kingdom create the "hubs of power" within the Council of Ministers and attract smaller states to strengthen their bargaining position (Peterson 1995; Tallberg 2002). The second perspective highlights the ad hoc nature of coalition building (Borzel et al. 2007; Thomann and Sager 2017). According to this logic, the states, which may incur potentially big costs due to the need to bring national legislation in line with supranational norms, join a coalition to block the positive vote on this legislation. The list of hypotheses from this block is as follows:

H1.1a. "Hubs of power" tend to have bigger non-compliance rate than other states.

H1.1b. States with stable coalition partners tend to have smaller non-compliance rate.

The voting strategy factor, in turn, is based on the T. Börzel's (2015) division of the EU states into those that seek to promote certain initiatives at the level of supranational institutions (*pace-setters*), those that seek to block these initiatives by voting against them (*foot-draggers*) and those who abstain from voting and, accordingly, accept the prevailing status quo post factum (*fence-sitters*). This differentiation creates the basis for the next block of the hypotheses:

H1.2a. Foot-draggers are better compliers than fence-sitters and pace-setters.

H1.2b. Pace-setters are better compliers than fence-sitters.

In order to measure the upper-level state capacity, I turned to three indicators of group level power and authority at the supranational level: (1) coalition role, (2) stability of coalitions and (3) voting strategies of states on compliance issues.

The indicator of the coalition role is binary, "1" denotes leadership in a coalition, "0" – coalition partnership.

Coalition stability is an index ranging from 0 (no coalition) to 1 (very stable coalition). The index calculation is based on a series of computational experiments of roll call voting for the period from May 1993 to May 2018 (see the map of coalitions in the Appendix, Figure 3). Coalition building rates are estimated based on 893 rounds of roll-call voting in the Council of Ministers according to the formula:

$$\bar{Y}_i = \sum_{i=1}^{m} \left| \sum_{j=1}^{n} \frac{(Y_i - Y_j)^2 - Y_j^2}{(n_m * Y_j) + (Y_i - Y_j)^2} \right|,$$ where Y_j is number of cases of non-contested voting, Y_i is the number of cases of voting within a particular coalition, n_m is the number of roll-call voting rounds in the Council of Ministers per month. Thus, $\bar{Y}_i = 1$ means that the MS always votes within the framework of a particular coalition, while $\bar{Y}_i = 0$ means that the MS never uses this coalition to vote. The index was calculated for each country on a monthly basis in accordance with its participation/non-participation in the corresponding coalition in the period under review.

The indicator of voting strategies is based on the categorization proposed by T. Börzel (2015). I divide countries into pace-setters (value "1"), fence-sitters (value "2"), and foot-draggers (value "3").

The encoding of the listed upper-level state capacity factors is based on the information released by the Council Secretariat, which is available on the portal of the Council of Ministers.[4] To compile the encoding, I used the documents located in the "Monthly Summary of Council Acts" section. They include a description of voting procedures for all legislative and non-legislative acts, including the information on the voting choices of the Member States' representatives: "for", "against" or abstention.[5]

3.4. Stage 2: Individual country covariates

The pool of individual state covariates chosen for analysis is divided into two groups, correlated with the two concepts to be explored in this paper: lower-level state capacity and state autonomy.

Consider the factors of lower-level state capacity. The level of economic power is one of the most important factors determining the state's ability to provide a sufficient basis for a correct and rapid transposition and implementation of the *acquis* (Börzel 2010). Harmonization of the national legislation with the EU law often requires large expenditures of the national budget. It can be assumed that compliance

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[4] The Council of Ministers portal is available at this link: https://www.consilium.europa.eu/en/

[5] In this study, Python 3 algorithms (libraries *pandas* and *mechanize*) were used to gather the necessary roll call voting data.

process for richer member countries is less burdensome than for poorer ones, so they comply faster and with fewer violations. The factor of quality of governance is treated as the quality of public institutions. I assume that countries where bureaucratic institutions are better developed have less problems with the implementation of the parts of *acquis* and spend less time and resources on the compliance program. The two factors described above are the basis of the following hypotheses:

H1.3. The higher the country's GDP per capita (PPP), the more the country complies with the EU law.

H1.4. The higher the country's quality of governance, the more the country complies with the EU law.

The variable GDP per capita (PPP) is encoded using World Bank Open Data (2018). It is an index that includes three categories: high GDP per capita (value "1"), medium GDP per capita (value "2"), and low GDP per capita (value "3"). The covariate quality of governance is encoded using the Worldwide Governance Indicators (2018) data. It is the logarithmized index that includes three categories: high quality of governance (value "1"), medium quality of governance (value "2") and low quality of governance (value "3").

The second group of factors is devoted to state autonomy: (1) ideological polarization of the parliament, (2) fragmentation of the party system, (3) strategy of regional authorities.

P. Statham and H. Trenz (2015) argue that the boundaries of ideological polarization often coincide with the dividing lines in the national parliaments on (non-)compliance with the EU law. I assume that the conflicts associated with the implementation of the parts of European Union legislation are integral parts of the full-scale debate between the parties in the parliaments of EU Member States. The theory by G. Tsebelis (2016) allows to assume that a large number of veto-actors within the national parliament can lead to an increase in the probability of a stalemate in the matters of transposition and implementation of the parts of *acquis communitaire*. The factor of the strategy of regional authorities is devoted to the state-level decision-making based on the theories by T. Börzel (2002) and J. Hughes *et al* (Hughes, Sasse and Gordon 2004). Each member state appoints a specified number of delegates to the Committee of the Regions, which purpose is to represent the interests of regional and local communities at the supranational level and to provide recommendations to other EU institutions for decisions touching the regional level. The Committee does not have much normative weight in the EU architecture, however, it can serve as an arena for expressing dissatisfaction of regional authorities with the actions of the central/federal authorities and declaration of the existing conflict between the center and the regions. It can be assumed that a mismatch between the interests of regional stakeholders and the central government can lead to specific compliance violations due to the resistance of "state-level bureaucracy" to the compliance agenda, enforced by the central authorities (Dörrenbächer 2017; Schmälter 2018).

H2.1. The higher the ideological polarization of the parliament, the less the country complies with the EU law.

H2.2. The higher the fragmentation of the party system in the country, the less the country complies with the EU law.

H2.3. The conflict environment between the regional authorities and the center leads to the higher state's non-compliance rate.

The ideological polarization factor is encoded using data from the Manifesto Project (2018). This index has three categories: high polarization (value "1"), medium polarization (value "2") and low polarization (value "3"). The thresholds are determined based on the categorization provided by the Manifesto Project: 1, 0.5 and 0, respectively.

To encode the fragmentation of the party system parameter, I calculate the effective number of parties (ENP) for each country on a yearly basis, starting from the moment the country joined the European Union. The fragmentation factor has three categories: high fragmentation (value "1"), medium fragmentation (value "2") and low fragmentation (value "3"). The thresholds are defined as follows: value "1" – ENP of 5.5, value "2" – ENP of 3.5, value "3" – ENP of 2.5 and correspond to the thresholds, widely recognized in the literature on the party systems fragmentation (Laakso and Taagepera 1979; Golosov 2010).

The parameter of the strategies of regional authorities is based on data from transcripts of the Committee of the Regions plenary sessions and Monthly Summary of Council Acts, released by the Secretariat of the EU Council of Ministers. This is a binary variable with the following categories: "1" – presence of a conflict between the center and the regions on a specific compliance agenda (confrontation strategy), "0" – absence of a conflict between the center and the regions on a specific compliance agenda (cooperation strategy). A country received a value of "1" if at least once during the year under review, the vote of the majority of the deputies of its national delegation in the Committee of the Regions on a given directive differed from the vote of the representative (national minister) of this state in the Council of Ministers on the same directive.

3.5. Statistical analysis

The statistical analysis was performed using RStudio 1.3. For bivariate associations between individual states (lower-level state capacity and state autonomy) and upper-level state capacity variables and the frequency of violations of the EU law, I calculated the percentages of violations in the total pool of the EU directives for the period from May 1993 to May 2018 for each state under consideration and performed analyses using the chi-square test. The same was done for the types of EU law violations: (1) notification failures, (2) incomplete transpositions, (3) incorrect implementations and (4) improper applications. Analyses were performed for all samples, and were also stratified by geographical dimension West-East ("old" – "new" EU members).[6] I estimated the adjusted odds ratios (ORs) and 95% confidence intervals (CIs) for the total share of the EU law violations by multilevel, random intercept, logistic regression models. Lower-level state capacity and state autonomy factors were included as second-level variables in the multilevel models. All outcomes were grouped by quartile and included simultaneously in the model.

4. Results

The pool of EU Member States is differentiated by two dimensions of compliance: (1) the total number of violations of the EU law for the entire period

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[6] The countries of the EU-West group include the EU-15 states that joined the European Union before 2004. The countries of the EU-East group include states that joined the European Union after 2004.

under consideration (1993-2018) and (2) violations of the EU law by type. Figures 1 and 2 serve to better illustrate these differentiation dimensions. In this section, I strive to identify the group- and individual-level determinants of differentiation in the context of these two dimensions.

Figure 1. Overall number of violations of the EU law by the EU Member States, 1993-2018[7]

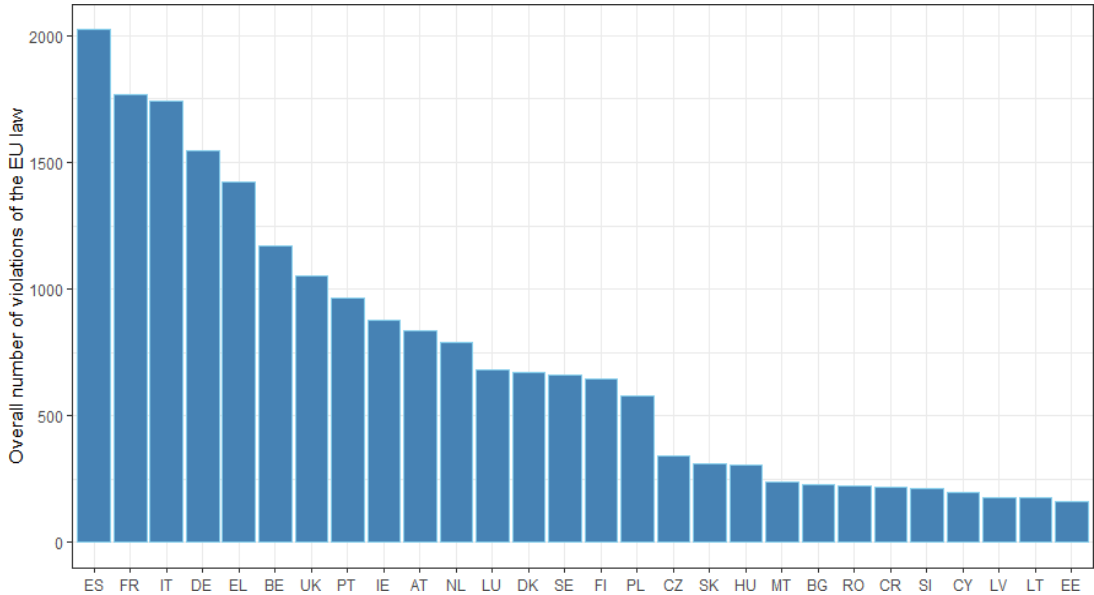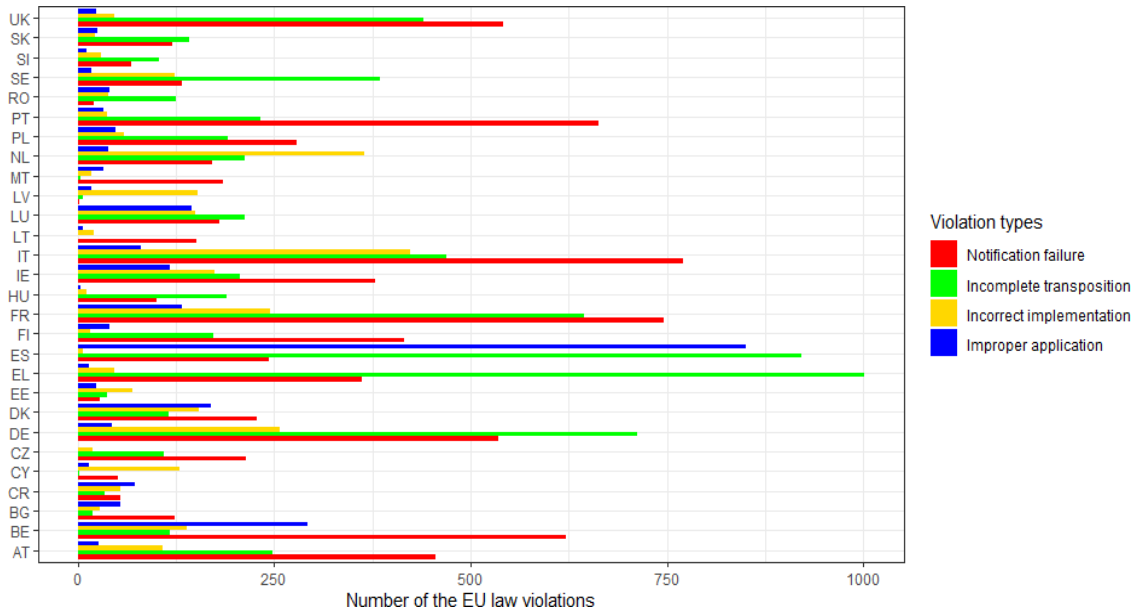**Figure 2**. Types of the EU law of violations by the EU Member States, 1993-2018[8]

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[7] The figure uses the data of Berlin Infringement Database (Börzel and Knoll 2012) and Annual Reports on Monitoring the Application of Community Law.
[8] The figure uses the data of Berlin Infringement Database (Börzel and Knoll 2012) and Annual Reports on Monitoring the Application of Community Law.

Consider the characteristics of state capacity and state autonomy of the EU countries under consideration. They are presented in Table 1a. In total, Western EU countries violated 6.9% of EU directives from May 1993 to May 2018. For the countries of Eastern Europe for the period from May 2004 to May 2018 this figure is 4.5%. Both indicators are weighted. Bivariate analysis shows that all covariates of the individual country level, which include the factors of lower-level state capacity and factors of state autonomy, that is, GDP per capita (PPP), polarization of the parliament, fragmentation of the party system, regional strategies and the quality of governance, affect the share of violated EU directives. However, it should be noted that the factor of fragmentation of the party system for the countries of the EU-East group does not demonstrate significant relation to the outcome. The factors of the upper level state capacity, "coalition role" and "stability of coalitions" are moderately related to the share of violated EU directives.

Table 1a. Characteristic of the EU states. Total share of violations of the EU law

Variables	All (EU-28)		EU-West		EU-East	
	n	**% of violated EU directives**	**n**	**% of violated EU directives**	**n**	**% of violated EU directives**
Geography						
EU-West	18,516	6.9				
EU-East	7337	4.5				
	$p < 0.05$[a]					
Coalition role						
Leadership	575	6.8	407	3.6	168	3.2
Partnership	1281	2.6	196	1.7	1085	0.9
	$p < 0.05$[a]		$p < 0.05$[a]		$p < 0.05$[a]	
Voting strategies						
Pace-setters	165	5.1	147	3.4	18	1.7
Fence-sitters	716	1.1	218	0.4	498	0.7
Foot-draggers	289	4.3	201	3.9	88	0.4
	$p < 0.001$[a]		$p < 0.001$[a]		$p < 0.001$[a]	
GDP per capita (PPP)						
Low	18	5.5	0	0.0	18	5.5
Medium	129	3.9	23	0.2	126	3.7
High	153	4.1	131	4.0	22	0.1
	$p < 0.001$[a]		$p < 0.001$[a]		$p < 0.001$[a]	
Polarization of the parliament						
Low	119	0.5	77	0.1	42	0.4
Medium	103	2.3	81	1.4	22	0.9
High	78	5.0	13	2.2	65	2.8
	$p < 0.001$[a]		$p < 0.05$[a]		$p < 0.001$[a]	

Fragmentation of the party system

Low	95	1.1	71	0.7	24	0.4
Medium	122	1.3	56	0.4	66	0.9
High	27	2.4	11	2.0	16	0.4
	$p < 0.05^{a}$		$p < 0.05^{a}$		n.s.^{a}	

Strategies of regional authorities

Cooperation	218	2.7	134	0.3	84	2.4
Conflict	51	8.4	28	4.5	23	3.9
	$p < 0.05^{a}$		$p < 0.05^{a}$		$p < 0.05^{a}$	

Quality of governance

Low	48	3.4	0	0.0	48	3.4
Medium	119	2.0	15	0.2	104	1.8
High	133	2.6	111	1.9	22	0.7
	$p < 0.05^{a}$		$p < 0.05^{a}$		$p < 0.05^{a}$	

^{a}p-value for chi-square test

Tables 1b, 1c, 1d and 1f (see Appendix section) summarize the characteristics of state capacity and state autonomy of the EU countries and their relation to certain types of violations of the European Union law.[9] The most common type of violations is notification failure. The share of violations of this type for the EU-West group is 51.7%, for the EU-East group – 55.4%. Bivariate analysis demonstrates high significance of all covariates of the individual country level, however, the factors of the upper-level state capacity are not significantly related to the outcome. The second most common type of violations is incomplete transposition. The share of violations of this type in the EU-West group is 30%, in the EU-East group – 19.5%. Bivariate analysis demonstrates the significance of individual covariates at the 0.05 to 0.001 level. The "voting strategy" factor also demonstrates moderate significance among the EU-East group. The third frequent type of violations is incorrect implementation. The share of violations of this type for EU-West is 17.8%, for EU-East – 22.3%. All individual covariates, except for the factor of fragmentation of the party system, demonstrate significance. The factors of the upper-level state capacity do not significant relation to the outcome. The rarest type of EU law violation is improper application. In the EU-West group, this type occurs only in 0.5% of cases, in the EU-East group – in 2.8% of cases. The analysis of cases of improper application confirms the trends shown in the analysis of other types of violations: all individual country covariates are significant, while the two factors of upper-level state capacity do not show significant relationship with the outcome in the bivariate analysis.

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[9] The outcomes in the four sub-groups, which correspond to the specific types of violations contain the following categories:
1. Q1 (best compliers): 1%-10% of the EU directives (any category)
2. Q2: 10%-20% of the EU directives (any category)
3. Q3: 20%-30% of the EU directives (any category)
4. Q4 (worst compliers): >30% of the EU directives (any category)

The results of the multilevel logistic regression with the outcome *share of violated directives of the European Union* are presented in Table 2. All individual country attributes are related to the outcome. If one considers the results in terms of the outcome's quartiles, the least number of violations was likely to be committed by countries with medium GDP per capita (PPP), low legislature's polarization and fragmentation of the party system, low share of conflicts between the center and regions, and high quality of governance. The individual attributes for the second quartile are largely similar to the first one: medium GDP per capita (PPP), medium parliament's polarization and low fragmentation of the party system, cooperation strategy of the regions, and high quality of governance. The third quartile is related to the following individual country attributes: high GDP per capita, high polarization of the parliament and fragmentation of the party system, priority of cooperation in the relationships between the regions and the center, and high quality of governance. Finally, the fourth quartile, which denotes the worst compliers, is related to low GDP per capita, medium polarization of the national legislature, high fragmentation of the party system, conflict strategy of the regions, and average quality of governance. After adjustment for the covariates and accounting for the clustering of data, voting strategies is positively and significantly associated with the share of violated EU directives. The OR of the foot-dragging voting strategy is 1.89 (1.33–2.69) for Q1 compared with Q4. In the stratified analysis, this significant association remains for fence-sitting strategy (1.25 for Q1 comparing to 0.32 for Q4), and pace-sitting strategy (0.77 for Q1 comparing to 1.42 for Q4). Although coalition role is not significantly associated with the share of violated EU directives, the association is marginally significant for the quartile of best compliers, with ORs for the partnership role of 2.54 (1.47–4.38) and for the quartile of the worst compliers, with ORS for leadership of 4.01 (1.72-9.34).

Table 2. Results of Multilevel Logistic Regression Analysis: Adjusted Odds Ratios and 95% Confidence Intervals for Share of Violated Directives of the European Union.

Variables	Q1 (best compliers)		Q2		Q3		Q4 (worst compliers)	
	OR	**95% CI**	**OR**	**95% CI**	**OR**	**95% CI**	**OR**	**95% CI**
Coalition role								
Leadership	1.00		1.00		1.00		4.01*	(1.72–9.34)
Partnership	2.54*	(1.47–4.38)	1.58	(0.72–3.48)	1.01	(0.72–1.34)	0.82	(0.40–1.70)
Voting strategies								
Pace-setters	0.77+	(0.62–0.96)	1.04*	(0.77–1.39)	1.19*	(0.91–1.87)	1.42**	(0.98–2.21)
Fence-sitters	1.25***	(0.83–1.87)	1.79**	(0.93–3.44)	0.91*	(0.52–1.59)	0.32+	(0.21–0.48)
Foot-draggers	1.89**	(1.33–2.69)	1.37***	(0.44–2.88)	1.35**	(0.88–1.75)	0.65*	(0.47–0.89)
GDP per capita (PPP)								
Low	1.00		1.00		1.00		1.07+	(0.59–1.93)
Medium	1.11***	(0.83–1.48)	1.35**	(0.87–2.10)	0.91	(0.60–1.36)	1.31	(0.97–1.77)
High	1.17	(0.87–1.56)	1.34	(0.87–2.09)	1.01*	(0.67–1.52)	1.53	(1.14–2.05)
Polarization of the parliament								
Low	0.65**	(0.47–0.89)	1.00		1.00		1.00	
Medium	1.30	(0.97–1.74)	1.56*	(1.02–2.40)	1.14	(0.74–1.76)	0.76*	(0.61–0.90)
High	1.22	(0.91–1.65)	1.06	(0.67–1.68)	1.35**	(0.90–2.03)	0.51	(0.40–0.64)
Fragmentation of the party system								
Low	1.48**	(0.94–2.35)	1.64**	(1.35–3.16)	1.00		1.00	
Medium	1.07	(0.80–1.44)	1.00	(0.65–1.56)	1.19	(0.79–1.81)	1.24	(0.92–1.66)
High	0.98	(0.73–1.31)	0.93	(0.60–1.45)	1.05*	(0.69–1.58)	1.03**	(0.67–1.58)

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Strategies of regional authorities							
Cooperation	1.34**	(0.98–2.69)	1.06*	(0.70–1.61)	1.14**	(0.80–1.91)	1.00	
Conflict	1.07	(0.80–1.43)	1.14	(0.74–1.76)	1.06	(0.71–1.60)	1.51+	(0.99–2.32)
Quality of governance								
Low	1.00		1.00		1.00		1.00	
Medium	1.02	(0.70–1.34)	1.23	(0.78–1.93)	0.95	(0.63–1.41)	1.03**	(0.76–1.39)
High	1.54**	(1.14–2.08)	2.07**	(1.30–3.27)	1.19*	(0.77–1.83)	0.51	(0.40–0.64)
ln (variance of random intercept)	−2.90		−1.58		−2.66		−2.98	
p value for variance of random intercept	0.28		0.15		0.36		0.44	
Number of observations	4396		3535		14,838		2815	

*** $p < 0.001$, ** $p < 0.01$, * $p < 0.05$, + $p < 0.1$.

5. Discussion

The analysis examined various compliance strategies of member countries through the prism of the G. Falkner's *et al* (Falkner, Hartlapp and Treib 2007) and T. Börzel's (2015) theories. The theoretical perspectives of "worlds of compliance" and supranational compliance strategies (pace-setting, fence-sitting and foot-dragging) construct four quartiles of compliance, each of which reflects the reasons for voluntary and involuntary non-compliance among the EU Member States.

The first quartile unites the "best compilers": Cyprus, Estonia, Latvia, Lithuania, and Slovenia. The reasons for their high compliance rate lie in the high lower-level state capacity, that is, the well-functioning bureaucracy and developed administrative apparatus and high state autonomy, which, first of all, is expressed in the Euro-optimistic position of the major veto players and cooperation strategy of the regional elites. These two conditions ensure the minimum number of violations of the EU law by these five states for the entire time of observation. One more important factor is low upper-level state capacity of all the states under consideration. The countries of the first quartile do not have sufficient institutional and political weight at the level of the EU institutions and, therefore, are forced to accept the established status quo in the field of compliance, since they cannot pursue an independent supranational policy promoting or blocking the EU directives. The countries of this bloc think strategically and consider sanctions for non-compliance with the EU law as costlier than adopting the required rules of the game.

The second quartile unites Bulgaria, Croatia, Czech Republic, Poland, Romania and Slovakia, i.e. states that, like the countries of the first quartile, prefer a fence-setting strategy due to the relatively low weight at the level of supranational institutions, but which, however, differ from the first quartile in terms of state autonomy and lower-level state capacity. The key determinants of violations of the EU law in these countries are weak bureaucracy and relatively low level of economic power (Bulgaria and Romania), high polarization and fragmentation of national legislatures along the ideological and compliance lines (Czech Republic, Croatia and Slovakia), as well as conflicts between

the center and regions on the distribution of say and pay rights in the context of compliance (Poland).

The third quartile compliance is the largest one: it unites Austria, Denmark, Finland, Greece, Hungary, Ireland, Luxembourg, Malta, the Netherlands, Portugal and Sweden. These are countries that prefer to block compliance initiatives at the supranational level that potentially harm their national interests. However, due to the fact that all of the listed countries have relatively small weight at the level of the EU institutions, they join the coalitions with larger foot-draggers as junior coalition partners. All countries of the Third world are distinguished by a fairly well-developed bureaucratic and administrative systems and, in most cases, non-compliance at the national level is explained by low state autonomy: Euro-skeptic position of the major parties, intra-party conflicts on the compliance agenda and conflicts between the center and the regions.

The fourth quartile includes the main violators of the EU law: Belgium, Germany, France, Italy, Spain and the UK. These are the largest EU countries politically and economically, which rarely unite in a single coalition at the level of supranational institutions and most often compete for promoting their own agenda and expanding their coalition potential. Despite the fact that all countries considered in this block are pace-setters, that is, they prefer to establish the rules of the game of compliance, these states often violate these very rules. The reason is that, by analogy with the countries of the first quartile, the countries of the fourth quartile assess the gains and losses from compliance and non-compliance with the EU law in each particular case, and often consider the potential sanctions for violating the EU law as less costly than adopting the acquis. In other words, the high lower-level state capacity in the form of a functional bureaucracy and a large economy allows these states to relatively smoothly mitigate the consequences of the infringement procedures. For Belgium, which does not have as much resources as other states of the fourth quartile, the main strategy in the supranational political arena is to follow in the wake of one of the "hubs of power" (Peterson 1995; Tallberg 2002), a coalition with which meets the national interests of Belgium at a given point in time. The national determinants of non-compliance in the group of the fourth quartile are also noteworthy. These include the conflict nature of relations between the regions and the center (Spain, Germany and Belgium) and the general lack of political will, reinforced by party cleavages on the compliance agenda (France, Italy and the UK).

From this it follows that four quartiles of the EU states can be divided into three groups: a group of voluntary compliance (first quartile), a group of voluntary non-compliance (part of the second and third quartiles, fourth quartile) and a group of involuntary non-compliance (part of the second and third quartiles).

6. Conclusion

In this research, I used the combination of structural and consociational approaches to study the phenomenon of (non-)compliance. The major reason for this symbiosis is that I explored different contexts of (non-)compliance: both purely hierarchical relations and consociational models of communication. These two were observed in three planes: supranational, national and subnational. At the same time, I considered cases of non-compliance, which can be attributed to both voluntary and non-voluntary. The symbiotic

strategy has been shown to be effective. The analysis revealed that individual attributes of EU countries, such as basic economic power measured by GDP per capita (PPP), polarization of the national legislature, fragmentation of the party system, strategies of regional elites, and quality of government are significantly related to the differentiation of EU countries in terms of violations of the European Union law. Thus, all the hypotheses related to state autonomy and lower-level state capacity have been confirmed. Bargaining between the member countries at the level of supranational institutions also turned out to be an important explanatory factor in the context of MS' compliance behavior: pace-setters turned out to be worse compilers compared to foot-draggers and fence-sitters. This can be explained by rationalistic reasons: pace-setters are the largest economies of the European Union and often assess the risks from the infringement procedure as lower compared to the costs of harmonizing national legislation with the new EU directives. It seems that the generalizability and comparability of the results of this research can be enhanced by performing a study with a wide range of factors of national and supranational nature and expanding the pool of cases to the EU candidate countries.

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Appendix

Figure 3 Coalitions in the Council of Ministers of the European Union, May 1993 – May 2018.[10]
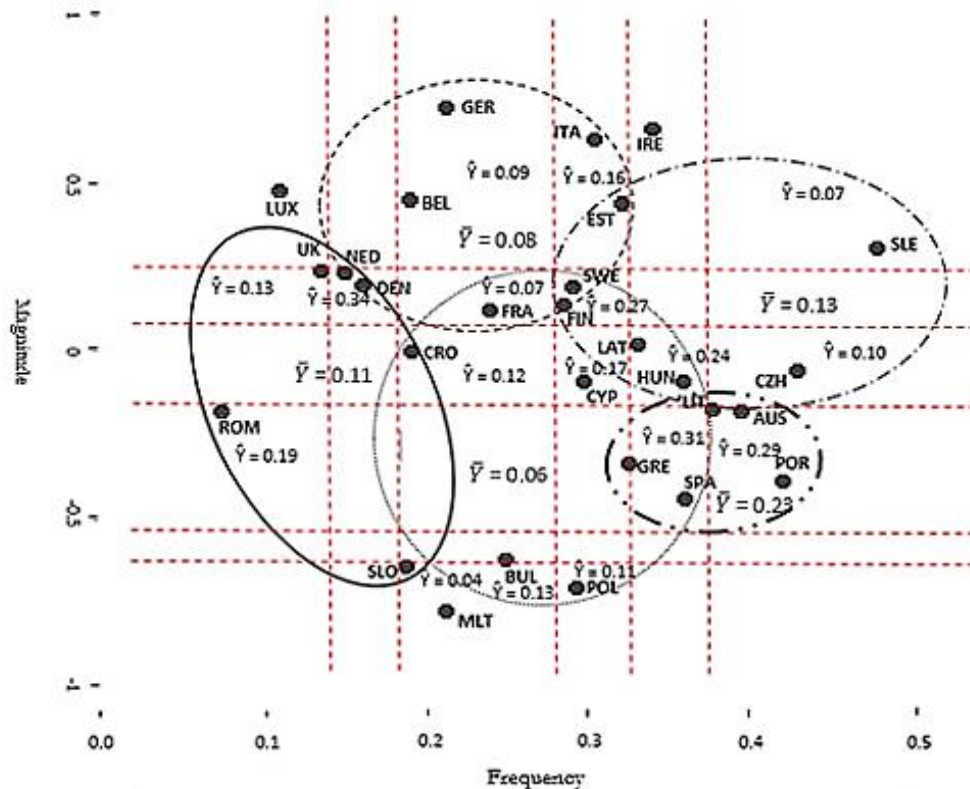
Table 1b. Characteristic of the EU states. Share of notification failures

Variables	All (EU-28)		EU-West		EU-East	
	n	**% of notification failures**	*n*	**% of notification failures**	*n*	**% of notification failures**
Geography						
EU-West	9573	51.7				
EU-East	4065	55.4				
	$p < 0.05^{a}$					
Coalition creation						
Leadership	518	42.3	395	33.4	123	8.9
Partnership	1201	29.2	297	11.0	904	18.2
	n.s.[a]		n.s.[a]		n.s.[a]	
Voting strategies						
Pace-setters	113	45.4	99	31.1	14	14.3
Fence-sitters	709	11.1	379	9.0	330	2.1

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[10] Note that stability of coalitions is calculated at p<0.05.

	n	%	n	%	n	%
Foot-draggers	214	12.3	154	10.9	60	1.4
	n.s.[a]		n.s.[a]		n.s.[a]	
GDP per capita (PPP)						
Low	10	50.7	0	0.0	10	50.7
Medium	156	26.9	7	3.3	149	23.6
High	144	34.5	129	30.0	15	4.5
	$p < 0.001$[a]		$p < 0.001$[a]		$p < 0.001$[a]	
Polarization of the parliament						
Low	87	1.5	79	0.9	8	0.6
Medium	90	14.4	51	8.0	39	6.4
High	55	65.0	23	39.7	22	25.3
	$p < 0.001$[a]		$p < 0.001$[a]		$p < 0.001$[a]	
Fragmentation of the party system						
Low	90	10.8	54	5.4	36	5.4
Medium	120	29.3	61	20.5	59	8.8
High	21	36.6	5	13.9	16	22.7
	$p < 0.001$[a]		$p < 0.001$[a]		$p < 0.001$[a]	
Strategies of regional authorities						
Cooperation	207	3.1	176	1.1	31	2.0
Conflict	46	10.7	40	9.5	6	1.2
	$p < 0.05$[a]		$p < 0.05$[a]		$p < 0.05$[a]	
Quality of governance						
Low	15	14.3	0	0.0	15	14.3
Medium	79	7.0	9	3.4	70	3.6
High	4	0.2	4	0.2	0	0.0
	$p < 0.05$[a]		$p < 0.05$[a]		$p < 0.05$[a]	

[a]p-value for chi-square test

Table 1c. Characteristic of the EU states. Share of incomplete transpositions

	All (EU-28)		EU-West		EU-East	
Variables	**n**	**% of incomplete transpositions**	**n**	**% of incomplete transpositions**	**n**	**% of incomplete transpositions**
Geography						
EU-West	5555	30.0				
EU-East	1431	19.5				
	$p < 0.05$[a]					
Coalition creation						
Leadership	386	24.3	300	20.4	86	3.9
Partnership	147	32.0	46	13.5	101	18.5

	n.s.[a]		n.s.[a]		n.s.[a]	
Voting strategies						
Pace-setters	5	9.9	5	9.9	0	0.0
Fence-sitters	402	25.1	198	10.4	204	14.7
Foot-draggers	89	2.7	80	2.1	9	0.6
	$p < 0.05^a$		$p < 0.05^a$		n.s.[a]	
GDP per capita (PPP)						
Low	6	27.3	0	0.0	6	27.3
Medium	112	14.2	8	2.6	104	11.6
High	67	7.5	67	7.5	0	0.0
	$p < 0.001^a$		$p < 0.001^a$		$p < 0.001^a$	
Polarization of the parliament						
Low	35	4.4	21	2.4	14	2.0
Medium	45	32.0	32	17.8	33	14.2
High	67	35.4	28	22.7	39	12.7
	$p < 0.001^a$		$p < 0.001^a$		$p < 0.001^a$	
Fragmentation of the party system						
Low	0	0.0	0	0.0	0	0.0
Medium	0	0.0	0	0.0	0	0.0
High	32	18.6	24	10.5	8	8.1
	$p < 0.05^a$		$p < 0.05^a$		$p < 0.05^a$	
Strategies of regional authorities						
Cooperation	82	0.2	43	0.1	39	0.1
Conflict	2	5.0	2	5.0	0	0.0
	$p < 0.05^a$		$p < 0.05^a$		$p < 0.05^a$	
Quality of governance						
Low	1	25.6	0	0.0	1	25.6
Medium	27	13.1	5	0.9	22	12.2
High	8	1.1	2	0.5	6	0.6
	$p < 0.05^a$		$p < 0.05^a$		$p < 0.05^a$	

[a]p-value for chi-square test

Table 1d. Characteristic of the EU states. Share of incorrect implementations

Variables	All (EU-28)		EU-West		EU-East	
	n	**% of incorrect implementations**	*n*	**% of incorrect implementations**	*n*	**% of incorrect implementations**
Geography						
EU-West	3296	17.8				
EU-East	1688	22.3				

	All (EU-28)		EU-West		EU-East	
Coalition creation						
Leadership	126	5.8	87	4.4	39	1.4
Partnership	134	8.0	31	5.1	103	2.9
	n.s.[a]		n.s.[a]		n.s.[a]	
Voting strategies						
Pace-setters	41	13.4	36	11.1	5	2.3
Fence-sitters	398	9.3	39	2.5	359	6.8
Foot-draggers	91	22.2	81	14.5	10	7.7
	n.s[a]		n.s.[a]		n.s.[a]	
GDP per capita (PPP)						
Low	19	20.0	0	0.0	19	20.0
Medium	103	11.9	38	4.6	65	7.3
High	54	3.5	41	3.3	13	0.2
	p < 0.001[a]		*p* < 0.001[a]		*p* < 0.001[a]	
Polarization of the parliament						
Low	17	1.2	11	0.7	6	0.5
Medium	52	20.1	30	13.4	22	6.7
High	79	22.4	40	12.0	39	10.4
	p < 0.001[a]		*p* < 0.001[a]		*p* < 0.001[a]	
Fragmentation of the party system						
Low	39	19.9	19	9.8	20	10.1
Medium	75	18.7	44	11.3	31	7.4
High	165	35.2	79	12.5	86	22.7
	n.s.[a]		n.s.[a]		n.s.[a]	
Strategies of regional authorities						
Cooperation	118	3.5	67	0.5	51	3.0
Conflict	115	41.0	81	34.4	34	6.6
	p < 0.001[a]		*p* < 0.001[a]		*p* < 0.001[a]	
Quality of governance						
Low	0	0.0	0	0.0	0	0.0
Medium	75	9.9	11	1.8	64	8.1
High	14	2.0	7	0.4	7	1.6
	p < 0.05[a]		*p* < 0.05[a]		*p* < 0.05[a]	

[a]p-value for chi-square test

Table 1f. Characteristic of the EU states. Share of improper applications

	All (EU-28)	EU-West	EU-East

Variables	*n*	% of improper applications	*n*	% of improper applications	*n*	% of improper applications
Geography						
EU-West	926	0.5				
EU-East	206	2.8				
		$p < 0.05^a$				
Coalition creation						
Leadership	92	4.1	92	4.1	0	0.0
Partnership	44	2.1	0	0.0	44	2.1
		n.s.^{a}		n.s.^{a}		n.s.^{a}
Voting strategies						
Pace-setters	0	0.0	0	0.0	0	0.0
Fence-sitters	123	6.6	43	4.4	80	2.2
Foot-draggers	76	10.7	53	6.7	23	4.0
		n.s.^{a}		n.s.^{a}		n.s.^{a}
GDP per capita (PPP)						
Low	87	15.5	0	0.0	87	15.5
Medium	201	12.1	147	5.4	54	6.7
High	13	0.2	13	0.2	0	0.0
		$p < 0.001^a$		$p < 0.001^a$		$p < 0.001^a$
Polarization of the parliament						
Low	21	0.4	2	0.1	19	0.3
Medium	167	11.0	88	7.7	79	3.3
High	278	17.1	182	9.7	96	7.4
		$p < 0.001^a$		$p < 0.001^a$	$p < 0.001^a$	
Fragmentation of the party system						
Low	0	0.0	0	0.0	0	0.0
Medium	0	0.0	0	0.0	0	0.0
High	98	4.6	83	4.0	15	0.6
		$p < 0.05^a$		$p < 0.05^a$	$p < 0.05^a$	
Strategies of regional authorities						
Cooperation	101	0.1	79	0.1	22	0.0
Conflict	35	7.5	0	0.0	35	7.5
		$p < 0.05^a$		$p < 0.05^a$	$p < 0.05^a$	
Quality of governance						
Low	59	23.1	0	0.0	59	23.1
Medium	134	5.7	99	4.9	35	0.8
High	10	0.4	10	0.5	0	0.0
		$p < 0.05^a$		$p < 0.05^a$	$p < 0.05^a$	

^{a}p-value for chi-square test