

# MECHANISMS OF NON-COMPLIANCE

## The cause of non-compliance with EU Directives in different worlds of compliance

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**ABSTRACT** This study tests the driving mechanisms of the effect the worlds of compliance have on compliance. Focusing on social trust mechanisms, the mechanism of consensual policy style and administrative capacity, this research attempts to enrich the typology by providing defining more clearly which mechanisms cause non-compliance and how they account for differences among member states. The significant role of both social trust and administrative capacity in compliance was confirmed by a multivariate logistic regression on these mechanisms, the worlds of compliance and their effect on timely transposition with EU Directives.

**KEY WORDS** Compliance; Transposition; European Union; Directives; Social trust; Policy style; Administrative Capacity

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# INTRODUCTION

This study focuses on compliance and non-compliance of member states of the European Union with EU Directives. The European Union (EU) is a democratic international organization with 27 member states in Europe and the Mediterranean shores. Building a strong alliance between European countries, the European Union is meant to bring political stability, economic growth and development and serves as a multi-state polity to tackle cross-border problems with supranational policy (European Commission, 2010a).

Policy-making within the European Union is the result of the cooperation of member states with different preferences, policy styles and decision-making modes. Because of the variety within this multi-state organization, solutions and policy-making have to be flexible in order to be applicable to all its members. One way of getting policy of the member states in line with the EU is through Directives. Directives contain end goals that are to be achieved by every member within a certain timeframe. Member states have to adapt their laws and policy to meet the requirements of the Directives within the stated deadline. However, countries are free to decide how to adapt their laws and policies in order to meet the goals described in the Directives (European Commission, 2010b).

Directives are part of a flexible governance style that tries to accept member states' authority and coordinate it in order to create a community that profits from central competencies (Falkner et al, 2005). The concept of combining both '*community and autonomy*' (Scharpf, 1994) is meant to harmonize policy between member states through a policy style that is more coordinative than conflictual. With a more coordinating governance style the EU tries to put fewer constraints on the different problem solving capacities of its members (Falkner et al, 2005). Directives function as guidelines which have to be followed by the member states. It does not matter how member states approach the policy problems, as long as they fit the Directives' end goals.

Directives are created on the basis of a proposal of the European Commission and adopted by the Council of the European Union. The European Commission consists of one commissioner from every member state and the Council is represented by all the member states' national ministers. In this way, Directives are created and agreed upon by every member state (European Union, 2010). However, previous studies (Chayes & handler Chayes, 1993; Börzel, 2001; Tallberg, 2002; Sverdrup, 2003; Falkner, 2005; Thomson, 2007; Toshkov, 2007) have demonstrated there is still a problem of non-compliance in the European Union. Moreover, the problem of non-compliance seems to be worse in countries such as Greece and Portugal, than in countries such as Sweden and Denmark

(Sverdrup, 2003; Faker, 2005). Why is it then that not all member states succeed in implementing EU Directives in time and correctly? Why is there non-compliance regarding these Directives? The aim of this study is to solve this puzzle.

In order to study the causes of non-compliance, the term non-compliance must first be more clearly defined. Falkner et al (2005) distinguish between three forms of non-compliance, namely 'non-transposition', 'non-enforcement' and 'non-application'. Non-transposition means the implementation of the particular EU Directive is either delayed or incorrect. Transposition is the process of adopting legislative instruments and adapting national law to the EU Directive. Problems occur when adoptions are not made before the deadline, or when the national law is not adapted in such a way that the objections of the Directive are fulfilled (Berglund, 2009). Non-enforcement is the failure of monitoring or the absence of sanctions on a national level in the case that the adapted laws and policies are not executed. Non-application means a particular member state might have adapted their laws and policies in order to meet the Directive, but they are not executed on street-level; meaning: by employees of the state, like policemen and social workers (Lipsky, 1980). This could mean laws and policies might exist on paper, but are not executed by public service workers who have the task of ensuring the policy is carried out. Judges, lawyers, policemen, social workers and health workers are all actors who can be resistant of a certain law or policy and use their discretionary power to adapt and change public policy to meet with an individual case. On an aggregated level, this hampers the full implementation of that policy (Lipsky, 1980). For example, a judge can interpret a case of a legally exhausted asylum seeker who has to return to his home country according to European law in such a way that it rules otherwise. Thereby, the policy is not executed.

In this study non-compliance is defined in terms of non- transposition. In general, transposition is the implementation stage where the legal framework at a national level is put into place, which is to be applied and enforced in later stages (Berglund, 2009). Compliance occurs when member states transpose a Directive within the stated deadline. When Directives are not transposed within the deadline, infringement proceedings will be initiated against the member state by the European Commission (Börzel, 2001). There are three types of infringement proceedings the Commission can undertake against member states regarding EU Directives. The first one is when a member state has not taken action to incorporate Directives into national legislation. The second one is when Directives are incorporated into national law incorrect or incomplete. And the third option is when the legal implementation of a Directive is correct and complete, however member states have failed to practically apply and enforce it (Börzel, 2001).

With this established definition of non-compliance, different patterns in how member states in the European Union comply with EU Directives can be investigated. While Denmark, Sweden, Finland, and to some extent the Netherlands, mostly meet the Directives 'objectives within time, there are countries like Greece, Portugal, Italy and France which have a pattern of non-compliance in the sense that they either implement EU policy incorrectly, outside the deadline or fail to reinforce it (Falkner et al, 2005).

The aim of this study is (1) *to explore the differences in the way member states implement EU Directives are* and (2) *to explain why some member states implement EU Directives better than others.*

In answering these research questions an overview will be created of different typologies of European member states in their policy style, institutional dynamics and compliance culture when it comes to cooperating with the European Union. By distinguishing different patterns in compliance within the member states the scientific relevance of this study will be to suggest mechanisms that can explain why non-compliance occurs in different countries.

Moreover, by explaining why some member states cooperate better, this would give insight into the way international organizations, like the EU, can be governed most effectively and solve coordination and cooperation problems. Hence the societal relevance is the possibility to create more effective governance in order to strengthen multi-state polity of supranational organizations and make cohesive policy. If the mechanisms that cause non-compliance are detected, these can be addressed in order to improve compliance with EU Directives in all the member states. The higher the compliance with the Directives, the better the European Union will function as a community. Good cooperation between member states in this community is essential to address policy problems that are supranational.

In the next chapter there an overview of theories will be given which to help explore and explain the differences of non-compliance and find the underlying mechanisms of different countries in their non-compliance. The following chapter contains a description of the methods used in this study. Then the results and findings will be discussed in the subsequent chapter, followed by the conclusion and discussion.

# THEORY

## **Research traditions**

There are two main theories that dominate the debate on compliance. They differ in the causes they point out for non-compliance and the solutions they promote to enhance compliance, namely the enforcement approach and the management approach (Tallberg, 2002).

The enforcement theory is rooted in political economics, with research in the tradition of rational choice theory and game theory (Olsen, 1965; Axelrod, 1984). Decision-making of member states within the European Union is seen as a social dilemma. In this social dilemma states are perceived as rational actors that make a decision to comply or not, on the basis of the costs and benefits of compliance which a certain EU Directive brings. Compliance is dependent on the incentive structure that is prevalent in the decision making process. If the costs of complying with an EU directive are too high, for example because states rather spend their resources on other measures, they will decide not to comply. This can only be changed if either the benefits of complying or the costs of non-compliance are raised. The incentive structure can be changed through strong enforcement of compliance and sanctioning of non-compliance. On the other hand transparency will be improved by monitoring, so free riders can be exposed and sanctioned (Tallberg, 2002).

The theory on management is focused on building political, administrative and economic capacity to make member states able to comply (Young, 1992, Chayes & Chayes, 1993). The main reason for non-compliance that this approach considers is the limitations of technical knowledge, bureaucratic capacity and economical resources (Tallberg, 2002). Hence, member states do not comply, because they are not able to, with the resources available to them. Unlike the enforcement approach, this theory suggests that states want to comply, but they are hampered in complying because they lack the political, administrative and financial capacity to fulfill international obligations. Besides this, unclear rules leave too much room for misinterpretation and transparency will help coordinate compliance (Tallberg, 2002).

Besides these two theories, there is a school of thought that focuses on institutional and policy traditions in different countries. Compliance or non-compliance is to be explained by the degree of fit or misfit with different institutional or policy traditions and those of the European Union. Either institutional misfit or the mismatch between EU measures and the member states' policy instruments, standards and problem-solving approaches are seen as the cause for non-compliance (Börzel, 2000; Héritier et al, 1996). These studies originated from the idea that national policy

traditions are deeply rooted in administrative routines and institutions and are therefore hard to alter (March & Olsen, 1989; Pierson, 2000). If the European policies fit these traditions and routines there will be a high degree of compliance, however when there is a misfit, this is a cause for non-compliance (Falkner, 2005).

### **The typology of the worlds of compliance**

Research on compliance not only tried to explain non-compliance in general, but also to focus on the differences in compliance between countries. One way of concentrating on the differences that exist between countries and their compliance is to create typologies. This demonstrates different categories of countries, based on their compliance, which can give insight into why these differences occur. It is a measure that makes it possible to compare countries with each other in order to find explanations for their differences in compliance.

An important descriptive measure of differences between member states in their compliance with the EU Directives is created by Falkner et al (2005). They have tried to capture distinct differences in the way countries comply with EU Directives by making a typology of three worlds of compliance, the world of law observance (Denmark, Finland and Sweden), the world of domestic politics (Germany, Austria, Netherlands, Belgium, UK, Spain) and the world of neglect (Greece, Portugal, Italy, France, Luxemburg, Ireland).

The way countries in each world comply with EU law is based on different factors. In the world of law observance it's their good compliance culture that explains the way these countries tend to implement and enforce EU Directives in time and correctly (Falkner, 2005). This is, however, a circular argument: a history of good compliance leads to future good compliance. Falkner et al (2005) are unclear about what causes good compliance in the first place. The main factor in the world of domestic politics that makes them comply is the fit with political preferences. Furthermore, the factor of administrative non-action, like bureaucratic inefficiency or the lack of administrative capacity, often causes countries in the world of neglect not to comply.

A recent change in Falkner's' et al (2005) typology is the findings of a possible fourth world of compliance, namely the world of dead letters (Falkner & Treib, 2008). This world would consist out of some of the new member states in central and east Europe, like the Czech Republic, Slovakia, Hungary, Slovenia and possibly Bulgaria and Romania. Italy and Ireland, who previously belonged to the world of neglect, are also considered to be part of this new world of dead letters. Overall, these countries show a procedural pattern of compliance in transposing EU Directive, but at the later stage of monitoring and enforcement countries show, in spite of their political good will a pattern of non-

compliance. A Directive may be adopted in national law, but this is simply not executed effectively. Factors of influence might be ineffective court systems and labor inspections and a lack of civil society to make institutions effective (Falkner & Treib, 2008).

### **Mechanisms of non-compliance**

In their theory about the worlds of compliance, Falkner et al (2005) describe the underlying mechanism that causes non-compliance in the world of domestic politics. Countries in the world of domestic politics differ from countries in the world of neglect; because their non-compliance is not the result of ineffective or inefficient administrations. According to Falkner et al (2005) their administrative system overall works properly and tends to abide by EU rules. Problems with non-compliance do occur in this world, however, because domestic politics block transposition of EU Directives when the requirements conflict with their preferences. It is the lack of abiding with rules in the political system that sets the world of domestic politics apart from the world of law observance, where both the administrative and the political system priorities obeying the rules. With countries in the world of domestic politics, belated transposition is often the result of the linkage between implementation process of EU Directive and political processes on the domestic level. Domestic politics mingle their own policy goals with the transposition by adding controversial issues and cause additional debates. When a Directive does not fit with the existing policies, the different political parties will use this political opportunity to each plead for their own solution for the policy problem. This can seriously hamper the transposition of the EU Directive, because of the political conflict that is caused by the linkage of these policy goals. The underlying mechanism that causes non-compliance in the world of domestic politics is consequently that conflicting domestic preferences prevail over abiding EU law. Moreover, the greater the misfit of the Directive with the existent policies and preferences of the domestic political parties, the more conflict will occur (Falkner et al, 2005).

What remains unclear about their typology and explanation, however, is *what it is* that causes either a good compliance culture or administrative non-action in the world of law observance and the world of neglect. It should be further investigated which mechanism cause the good compliance culture in Denmark, Finland and Sweden. Furthermore, it should be explored why countries like Greece, Portugal and Italy have trouble implementing EU Directives successfully.

According to Falkner et al (2005) a good compliance culture is a socio-political mechanism that reinforces itself. In case of a good compliance culture, society expects compliance and so elites feel pressured to comply. This will lead the government to impose compliant behavior on other organizing actors who are generally used to complying too. This means that there is not only

compliant behavior on the government level, but also the public and private actors that help implement and enforce policy will in turn comply. The public discourse now tends to stress long-term gain for all of respected rule of law. In the end this will raise societal expectations that next time good compliance will prevail again. In this way the good compliance culture is reinforced (Falkner et al, 2005).

### *Social trust*

Still, the question remains as to which mechanism causes good compliance in the first place. A good compliance culture is a system of social relationships based on rule-following (Toshkov, 2007). One explanation for why people follow rules is institutional trust. Trust in the institutions, like the parliament, the political parties, politicians, the police and the legal system, increases legitimacy of their rules and these rules will therefore be better abided by. For example, it is assumed that when someone trusts the police to a high extent, that person will abide traffic rules better than someone that has low trust in the police. This reasoning follows the logic that the person that trusts the police in their ability to make fair decisions will be safe when following their rules, while the person that does not trust the police will doubt if following to the rules will keep him/her safe from the decisions of the police. This rule following as a consequence from institutional trust leads to abiding rules in general, when there is a general trust in institutions.

Nevertheless, general trust may be a better explanation for a good compliance culture. General trust is the trust a person has in people in general. General trust is high if someone trusts most people, while if a person thinks you cannot be too careful with trusting other people this means general trust is low. When the question of good compliance is represented as a social dilemma, and complying is a form of cooperation, and non-complying is a form of defection, compliance is more likely to occur if one trusts the others to comply as well. Countries with a low degree of cooperation, or compliance, can be represented by the prisoner's dilemma. The equilibrium of a prisoner's dilemma lies in the refusal of both parties to cooperate (Axelrod, 1984). The incentive in these kinds of social dilemma is to defect, because the outcome on an individual level is higher if you choose not to cooperate, regardless of the action of the other party. On the other hand, if you choose to cooperate you would be better off in general in the case the other party also chooses to cooperate. The risk however is that if you choose to cooperate while the other defects you will be taken advantage of and have the worst outcome possible. Hence, on an individual level, the safer option would be to defect in the first place (Axelrod, 1984). The outcomes of this prisoner's dilemma are represented in Table 1.

**Table 1**

*The prisoner's dilemma*

		Column Player	
		Cooperate	Defect
Row Player	Cooperate	R=3, R=3 Reward for mutual cooperation	S=0, T=5 Sucker's payoff, and temptation to defect
	Defect	T=5, S=0 Temptation to defect and sucker's payoff	P=1, P=1 Punishment for mutual defection

*Note.* T = temptation to defect, R = reward for mutual cooperation, P = punishment for mutual defection, S = sucker's payoff. From *The Evolution of Co-operation*, by R. Axelrod, 1984, London: Penguin.

In order to lower the risk of being taken advantage of, you need to be able to trust the other party to cooperate as well. The higher the trust, the more cooperation will occur. So you would expect that the more trust there is in society, the more cooperation there will be, hence the better the compliance will be (Axelrod, 1984). This could be the link between the good compliance culture (Falkner, 2005) in a country and the compliance of that country in international organizations, such as the European Union. If an individual has high general trust, this individual will choose to comply sooner compared with an individual that has low general trust. The general trust will help to overcome the prisoner's dilemma's equilibrium that lies in mutual refusal. The more people have a high level of general trust, the better the compliance will be, since the chance on mutual cooperation (or compliance) will be higher. According to Falkner et al (2005) the reinforcement of compliance will lead to more compliance, and this leads to a good compliance culture. This good compliance culture will in turn influence decision-making on a national level. If compliance is the norm, political actors on a national or even international level will comply easier too. In the case of EU Directives, member states with a good compliance culture - resulting from high levels of general trust of the people - will comply better with these Directives than member states lacking this compliance culture - due to low

general trust levels. General trust can thus be seen as a prerequisite of compliant behaviour, since with a high level of social trust the pay-off of compliance is higher.

If general trust is a mechanism that makes a good compliance culture, and a good compliance culture causes countries in the world of law observance to comply better with EU Directives, then it is expected that countries in the world of law observance also have a higher level of general trust than other countries. Toshkov (2007) shows that the countries in the world of law observance have the highest level of general trust, followed by the countries of the world of domestic politics, while the countries of the world of neglect have the lowest level of general trust. A pattern of general trust that distinguishes the three worlds can be detected. This leads to the following hypothesis:

*H1: The higher the general trust in a country, the more likely a country is to comply with EU Directives.*

Another way that social trust can be of influence is demonstrated by Börzel et al (2004) in an explorative study on possible explanations of country differences in compliance with EU policy. They describe the mechanism of institutional trust; as a cause for compliant behaviour on state-level. Institutional trust shows how much confidence people have in the capacity of national actors to protect their interests in the European Union. Börzel et al (2004) mention a causal link between the confidence level people have in their political institutions and the political problem solving performance. In this case, the compliance with EU Directives of national can be regarded as a better political performance than the non-compliance. This would mean that countries with higher levels of institutional trust and public confidence will perform better and thus comply better. This might be true for the world of law observance, which shows a high level of social trust; however the causal link between public confidence and political performance does remain unclear. It is understandable how political performance leads to public confidence, since past good experiences with political performance will make people more confident about future political performances. However, Börzel et al (2004) do not explain how public confidence; or social trust; will in turn lead to better political performances.

According to the institutional performance model (Putnam et al, 2000) one possibility might be that national actors will try to lower people's expectations if public confidence is low by lowering their performance, so at least people's expectations can be met. Putnam et al (2000) also describe how social trust can have an effect on governmental performance through social capital. This would be an indirect causal link, where social trust enhances social capital and social capital in turn strengthens political institutions which will force governments to improve their performance. The fact that this

theory links institutional trust to a better compliance performance through social capital does mean that it is an indirect link.

However, Toshkov (2007) also demonstrates that the role institutional trust seems to play a more direct role in compliance and rule abidingness. Institutional trust improves rule-following and this will lead to better compliance as a result. So, the hypothesis is therefore built on Börzels' theory on institutional trust and non-compliance and Toshkovs' (2007) research on this mechanism. The hypothesis is as follows:

*H2: The higher the institutional trust in a country, the more likely a country is to comply with EU Directives.*

#### *Policy styles*

Another mechanism that could explain the differences between countries in the way they tackle the duties of implementing EU Directives procedurally is their policy style. Richardson (1982) made a classification of countries' policy styles based on both the government approach to problem-solving (anticipatory or reactive) and the relationship between government and other actors (consensus or imposing). Sverdrup's (2003) research supports this finding, showing that the key to the divergence between Nordic and non-Nordic countries in their complying with EU law is exactly this tradition and style to resolve conflicts. He distinguishes two models of conflict resolution, namely the confrontational model and the consensus seeking model. The confrontational models about power struggles between camps with different preferences and principles and uses majority voting in order to produce winners and losers. The consensus seeking model emphasizes on gradual building of consensus. By avoiding conflict the process is about problem solving to generate trust and strengthen relationships, also phrased by Olsen (1972) as 'sounding out'.

#### *The consensual approach*

The Nordic countries, which are part of the world of law observance, are characterized as countries with a consensus seeking decision making process with a low level of conflict. The consensus seeking process is characterized by a slow and gradual building of consensus with the aim to come to a collective unanimous decision. All relevant stake-holders are included and together they try to come to a solution that fits all. To diminish, conflict a clear arena is avoided; and the decision making process takes place in smaller groups and ad hoc committees with a more informal setting (Olsen, 1972). By creating a broad support base, the implementation process should be quicker. Since the end-goal of this decision making process is coming to a collective decision and all stakeholders relevant to the particular policy have agreed on it, there is less resistance expected in the

enforcement stage (Berglund, 2005). On the other hand, it could be that the transposition stage is slightly more time-consuming, because consensus has to be reached first. Nevertheless, once consensus is reached, decisions can be made a lot quicker. Furthermore, generating trust and strengthening relationships is one of the goals of this consensual approach. This could add to the explanation that social trust leads to rule-following, which could explain the good compliance culture in the world of law observance. Directed from this, the hypothesis must be:

*H3: The more consensual the policy style in a country, the more likely a country is to comply with EU Directives.*

#### *The imposing approach*

Governments of Southern European countries, like Portugal, Greece and Italy, which are part of the world of neglect, are often described as reactive in their problem-solving approach (Richardson, 1982) and imposing in their relationship with other actors (Berglund, 2005). This means that transposition can be quick, however the implementation and enforcement is relatively slow, because of inefficient, ineffective administration. This could explain why countries in the world of neglect have the problem of administrative-non action. Because of this non-consensual policy style, broad support for the particular policies is not guaranteed. Decisions are agreed upon by politicians on EU level, but actors on a national level, like the politicians or the public and private actors who are supposed to implement and enforce policy are not part of that decision making process. This could mean that there will be resistance the implementation or enforcement stage and those policies will not executed on a street –level. This means that non-compliance in terms of implementation and enforcement would very high with countries with an imposing policy style. However, in terms of transposition it is not so clear. It could even mean that an imposing style will lead to a fast transposition of Directives, since the decisions can be made quickly. However, even in the transposition stage different actors have to work together in order to get policy transposed, such as different politicians, both on an international as an national level, political parties and policy officials. Moreover, the lack of administrative capacity in general, hampers implementation of the EU Directives in these countries. Hence:

*H4: The more imposing the policy style in a country, the less likely a country is to comply with EU Directives; and*

*H5: The lower the administrative capacity in a country the less likely a country is to comply with EU Directives.*

To summarize the following hypotheses are to be tested in this study:

*H1: The higher the general trust in a country, the more likely a country is to comply with EU Directives*

*H2: The higher the institutional trust in a country, the more likely a country is to comply with EU Directives.*

*H3: The more consensual the policy style in a country, the more likely a country is to comply with EU Directives.*

*H4: The more imposing the policy style in a country, the less likely a country is to comply with EU Directives.*

*H5: The lower the administrative capacity in a country the less likely a country is to comply with EU Directives.*

Directed from these hypotheses, it is hypothesized that these mechanisms, namely; general trust, institutional trust, policy style and administrative capacity can explain the differences in compliance that occur between the different worlds of compliance. Hence:

*H1b: General trust can explain the differences in compliance that occur between the world of law observance, the world of domestic politics, the world of neglect and the world of dead letter.*

*H2b: Institutional trust can explain the differences in compliance that occur between the world of law observance, the world of domestic politics, the world of neglect and the world of dead letter.*

*H3-4b: Policy style can explain the differences in compliance that occur between the world of law observance, the world of domestic politics, the world of neglect and the world of dead letter.*

*H5b: Administrative capacity can explain the differences in compliance that occur between the world of law observance, the world of domestic politics, the world of neglect and the world of dead letter.*

# METHODS

## **Dataset**

The dataset used in this study was collected by Asya Zhelyazkova and Nikoleta Yordanova and covers all Directives with transposition deadlines between May 2004 and May 2010 and data on all 27 EU member states. The dataset contains 2610 cases and 97 Directives that cover different policy areas. These areas are 'Environment, Public Health and Food Safety', 'Internal Market and Consumer Protection Legal Affairs', 'Transport and Tourism Civil Liberties', 'Justice and Home Affairs', 'Economic and Monetary Affairs', 'Culture and Education', 'Women's Rights and Gender Equality', 'Industry, External Trade, Research, Energy', 'Industry, Research and Energy', 'Environment, Public Health, Consumer Policy', 'Agriculture and Rural Development', 'Fisheries', 'Citizens' Freedoms and Rights' and 'Justice and Home Affairs'.

This dataset was complemented with data on the independent variables from other datasets. The European Social Survey provides data on social trust, the Institutional Profiles Database provides data on policy styles and the Worldwide Governance Indicators provide data on administrative capacity.

The European Social Survey was conducted by the Norwegian Social Science Data Service. It is a cross-national survey that monitors public attitudes and values within Europe and their interaction with institutions. The study uses a cross-sectional time method and data is collected in different European countries with the use of hour-long face-to-face interviews with individuals about their attitudes and values (European Social Survey, 2008). The unit of analysis of the ESS is on an individual level, while the unit of analysis of this study was on a country level. So for a correct analysis the averages of the individual trust-variables were calculated per country and transformed into a variable on a country-level. Data was used from surveys done in 2004, 2006 and 2008. It contained data on all EU member states, except for Italy, Lithuania and Malta.

Data on indicators of policy style have been collected from the Institutional Profiles Database, which is a quantitative evaluation from the institutional characteristics of countries around the world (Institutional Profiles Database, 2009). Data was used from the surveys done in 2009. The scope of this study did not cover Lithuania and Luxembourg.

The Worldwide Governance Indicators measures different dimensions of governance since 1996 until 2009. It contains aggregated indicators based on individual cases and covers all 27 EU member states (World Bank, 2010).

**Measurement of the dependent variable compliance**

Compliance was measured by using data on transposition data of the member states. Member states have a good compliance when they notify the Commission on their transposition measure and official adoption of the EU Directive within the stated deadline. The dataset contained a dichotomous variable of either compliance or non-compliance within this deadline for each EU Directive and each member state. It was coded as 1, if a member state transposed the Directive before the specified deadline and coded as 0, if a member state delayed the transposition process of a particular Directive. It measured if a member state has adopted a Directive within the deadline.

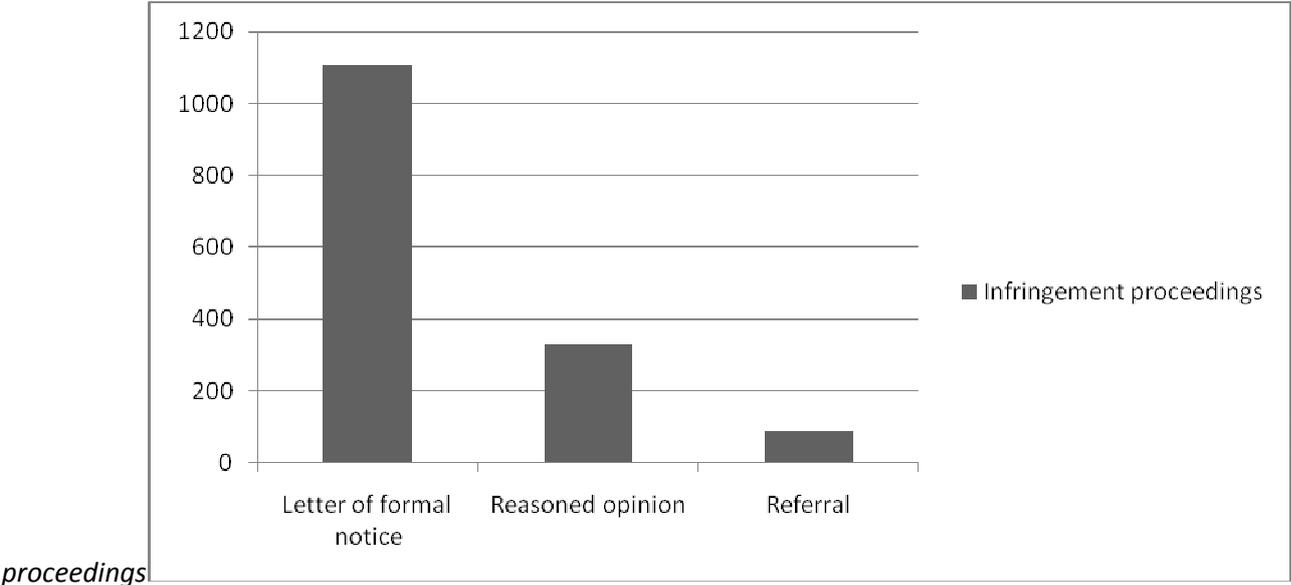
**Table 2**  
*Frequencies transposition within deadline*

	<b>Frequency</b>	<b>Percent</b>
Transposed within deadline	1569	59.9
Delayed transposition	954	36.4
Total	2619	100
Missing	96	3.7

Another way of measuring compliance, which was also a possibility with this dataset, is looking at the infringement proceedings that are undertaken by the Commission against a member state with a particular Directive. There are three types of stages of infringement proceedings the Commission can undertake against members states regarding EU Directives. The first stage is when the Commission sends a letter of formal notice to a member state, beginning the infringement proceeding and giving the member state the opportunity to give their views on the matter. The next step in the infringement procedure is the addressing of a reasoned opinion of the Commission to the member state. If the member state does not take necessary measures in order to comply with the Directive within two months, the final step of the infringement proceeding is to refer the case to the European Court of Justice (European Union, 2010). The dataset contained information on whether or not any of these infringement proceedings have taken place and if so, on which date. It was coded as 1 if, a member state did have an infringement proceeding (either letter of formal notice, reasoned opinion or referral) and coded as 0, if it did not have one.

**Figure 1**

*Frequencies of different stages infringement*



**Independent variables**

The independent variables used in this study were ‘Generalized trust’, ‘Institutional trust’, ‘Policy style’, and ‘government effectiveness’. ‘General trust’ and ‘Institutional trust’ were indicators of social trust, and then there is the variable ‘Policy style’ which indicated the level of consensus in policymaking, while ‘Government effectiveness’, manifested administrative capacity.

However, because these variables were collected from different sources, in some cases member states were missing because they were not represented in the study of the particular variable.

The variables’ Generalized trust’ and ‘Institutional trust’ had missing values on the countries Italy, Lithuania and Malta. This resulted in missing values on one of the countries in the World of dead letters. Missing values of the variable ‘Consensual policy style’ were on the countries Lithuania and Luxembourg, resulting in missing values on one of the countries represented in the World of neglect.

The variable ‘Government effectiveness’ had no missing values on particular countries.

**Table 3***Descriptive statistics on independent variables*

	<b>N</b>	<b>Minimum</b>	<b>Maximum</b>	<b>Mean</b>
General trust	2328	3.38	6.90	4.7952
Institutional trust	2328	2.26	6.55	4.3685
Policy style	2425	1.16	4.00	2.8716
Government effectiveness	2619	-0.08	2.17	1.1804

**Measurement of social trust**

Social trust can be defined as the expectations people have on future behavior of others, based on fragmentary information and passed experiences (Rothstein 2000). Trust can be divided into two categories, namely interpersonal trust - most people can be trusted – and institutional trust, or confidence, in formal organizations like the government (Rothstein, 2000). The European Social Survey measures both interpersonal trust as institutional trust of people in the member states. The Interpersonal trust was measured by the question *whether most people can be trusted or you can't be too careful*. Answers were given on a scale of 0 to 10, where 0 meant you can't be too careful and 10 meant most people can be trusted.

Institutional trust was measured by asking people about their level of trust in several governmental institutions. The ESS measured trust levels on the country's parliament, legal system, police, politicians, political parties and the European Parliament. People could indicate their level of trust on a scale of 0 to 10, where 0 meant they have no trust at all and 10 means they have complete trust in the particular institution. All variables were highly correlated (Cronbach's alpha of 0,968), except for the variable on trust in the European Parliament. That's why in this study all institutional variables, except for trust in the EU) were taken together into one variable which measured general institutional trust.

**Measurement of policy styles**

Based on the typology of Olson (1972) on policy styles, this study distinguished consensus-seeking and coordination as important indicators of a country's policy style.

A variable that indicated a certain policy style was the capacity of the state to coordinate stakeholders. This was measured on a scale from 1 to 4, where 1 was the lowest and 4 was the highest level of capacity. This variable was divided into two other variables, namely dialogue (level of their dialogue structures between

stakeholders) and coordination (level of coordination and cooperation between ministries and within administrations). These variables were also measured on a scale from 1 to 4, where 1 represented the lowest and 4 represented the highest level. The higher the level of dialogue and the level of coordination, the more consensus seeking the policy style is. In this study both variables were taken together into one policy style variable, namely the mean of the values on the variables dialogue and coordination. This was because both variables were highly correlated, with a Cronbach's alpha of 0.866.

#### **Measurement of administrative capacity**

The World Governance Indicators provided data on administrative capacity. The World Bank Indicators measure government effectiveness, capturing the quality of public- and civil service, the degree of its independence from politics and the quality of policy formulation and implementation (World Bank, 2010). This was measured on a scale running from -2,5 to 2,5, meaning the higher the value, the better the government effectiveness.

#### **Measurement of worlds of compliance**

The European member states were categorized according to Falkner's et al typology (see Table 4) into the four worlds of compliance. In the analysis the worlds of compliance were measured by dummy variables, where each world was made into one dummy-variable with dichotomous values of 0 (not belonging to a certain world) or 1 (belonging to a certain world).

#### **Measurement of control variables**

Four control variables were used in order to conduct the research, namely two control variables concerning country characteristics and two control variables concerning the Directives. The two control variables on country characteristics were 'Intra EU dependency' and 'Government pro/anti EU'. 'Intra EU dependency' measures the trade relations of the particular member state with other member states between 2004 and 2009. 'Government pro/anti EU' measured if country governments have an attitude towards the European Union that is positive, negative or neutral.

**Table 4***Worlds of compliance*

<b>World of law observance</b>	<b>World of domestic politics</b>	<b>World of neglect</b>	<b>World of dead letters</b>
Denmark	Austria	France	Czech Republic
Finland	Belgium	Greece	Hungary
Sweden	Germany	Luxembourg	Ireland
	Spain	Portugal	Italy
	The Netherlands		Slovenia
	United Kingdom		Slovakia

*Note.* From *Three Worlds of Compliance or Four? The EU-15 Compared to New Member States*, By G.Falkner and O. Treib, 2008, *Journal of Common Market Studies*. Vol. 46, No. 2, pp. 293 -313

The control variables concerning the Directive were ‘Number of subjects’ and ‘Amending’. ‘Number of subjects’ was a variable that measures the number of subjects in a Directive; the more subjects, the more complex the Directive is. The control variable ‘Amending’ measured whether the Directive concerns amending old laws or new laws on country level.

All four control variables were part of the original dataset collected by Asya Zhelyazkova and Nikoleta Yordanova on EU Directives and transposition time. These control variables are relevant to the study of transposition deadlines of EU Directives; however they showed no significant correlation with the independent variables and are also not linked with these variables in theory. Hence, they were used as control variables.

### **Analysis**

The objective of this study was to test the explanatory power of the different independent variables on the transposition time of EU Directives by different member states and worlds of compliance. In order to do so a multivariate logistic regression was used, because the dependent variable is a dichotomous variable. There was also an analysis done on the level of correlation between the independent variables with Cronbach’s alpha. Because of the high correlation of the independent variables, every mechanism was tested individually in a multivariate logistic regression with control variables. The analysis contained five

different models of logistic regression. The first model tested the explanatory power of the worlds of compliance by a logistic regression analysis with control variables and without the independent variables representing the different mechanisms. The other models also contained the worlds of compliance and the control variables, however, they enclosed a different mechanism per model; Model 2 regarding general trust; Model 3 regarding institutional trust; Model 4 regarding policy style; and Model 5 regarding government effectiveness.

# RESULTS

Before testing what mechanisms drive the effect of the worlds of compliance on timely transposition of EU Directives; Table 4 shows the correlations between the variables measuring these mechanisms. All variables are highly correlated<sup>1</sup>. Because of this, this study used different models to test the mechanisms separately. If all the variables were to be put into one model for analysis the results would not be clear, since there is a problem of collinearity and the variables influence each other and their effects on the differences in compliance between the worlds of compliance.

**Table 4**

*Correlation matrix on variables measuring mechanisms of compliance*

	General trust	Institutional trust	Consensual policy style	Government effectiveness
General trust	-	-	-	-
Institutional trust	0.863***	-	-	-
Consensual policy style	0.786***	0.733***	-	-
Government effectiveness	-0.866***	0.870***	0.892***	-

\*\*\* Significant on level of 0.01

\*\* Significant on level of 0.05

\* Significant on level of 0.1

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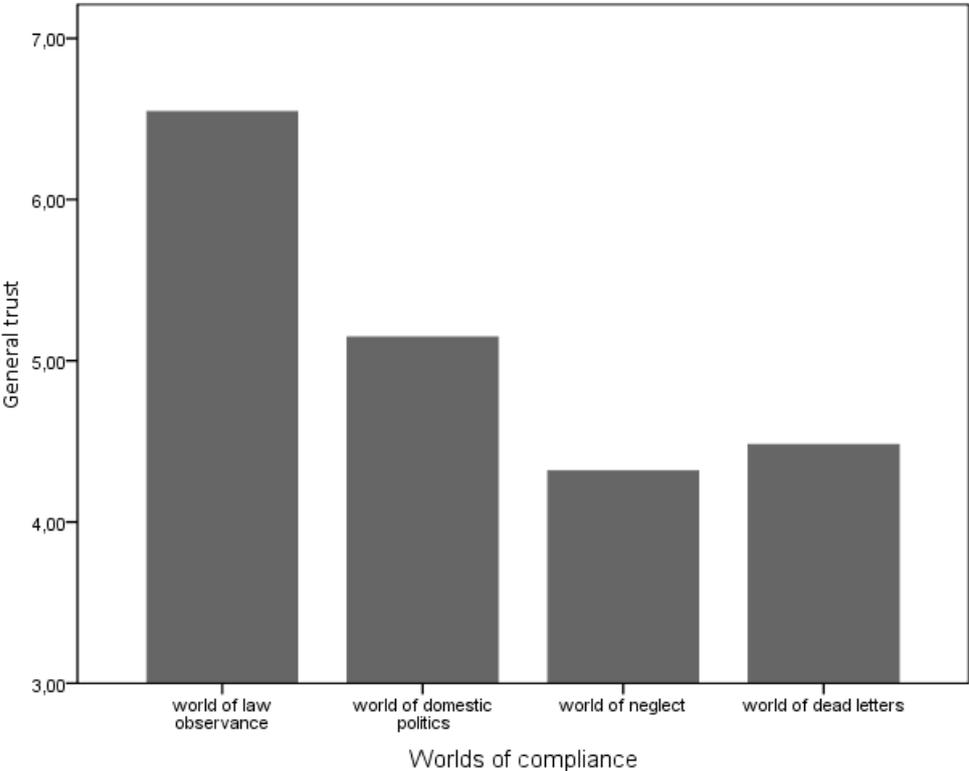
<sup>1</sup>A possible explanation for the high correlation between general trust and institutional trust is that high institutional trust allows people to trust people in general too, because they feel protected by the institutions in the way that institutions will sanction people who take advantage of them (Rothstein, 2005). The other correlations are less clear, but could be explained by the overall welfare of a country, which would lead to higher social trust, government effectiveness and a consensual policy style is more characteristic for countries with a high welfare.

The following figures show how the variables, which are assumed to have an effect on the way EU Directives are implemented, are distributed among the worlds of compliance.

Figure 2 indicates the highest level of general trust is represented in the world of law observance, followed by the world of domestic politics, which in turn is followed by the world of neglect. As for the world of dead letters, it shows to have a slightly higher level of general trust than the world of neglect, but lower than the world of domestic politics and the world of law observance.

**Figure 2**

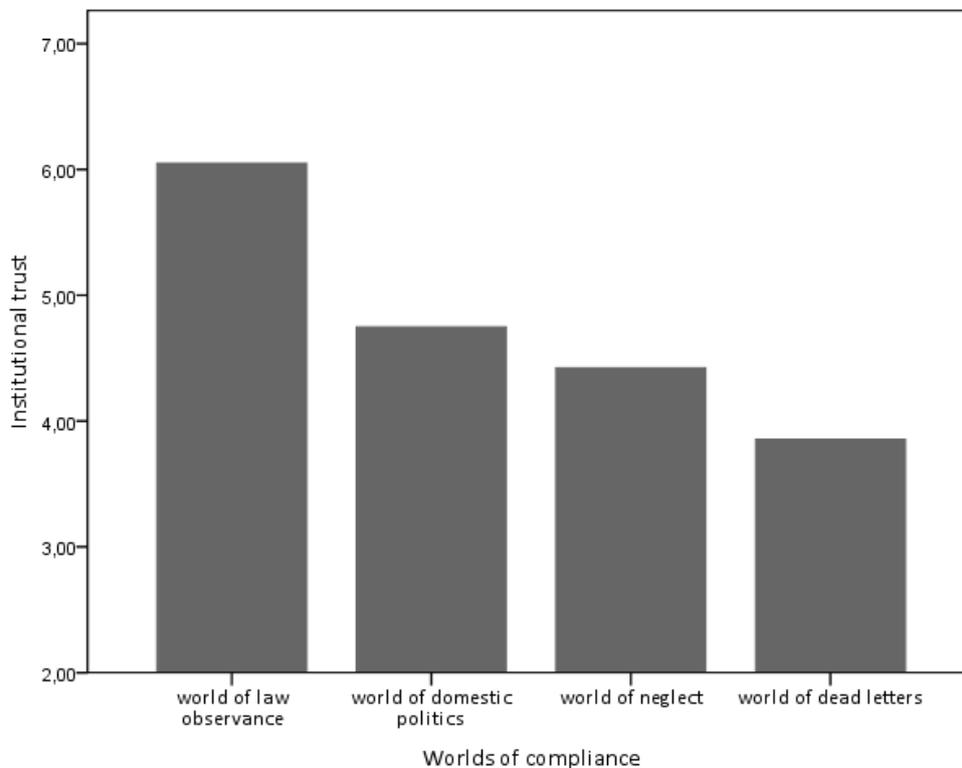
Graph of the level of generalized trust in the worlds of compliance



The same is true for the distribution of the level of institutional trust in the worlds of compliance. Figure 3 exhibits a similar ranking of the worlds when it comes to institutional trust, namely: the world of law observance comes in first, having the highest level; the world of domestic politics comes in second and the world of neglect comes in last, indicating to have the lowest level of institutional trust. The world of dead letters shows to have the lowest level of institutional trust.

**Figure 3**

Graph of the level of institutional trust in the worlds of compliance

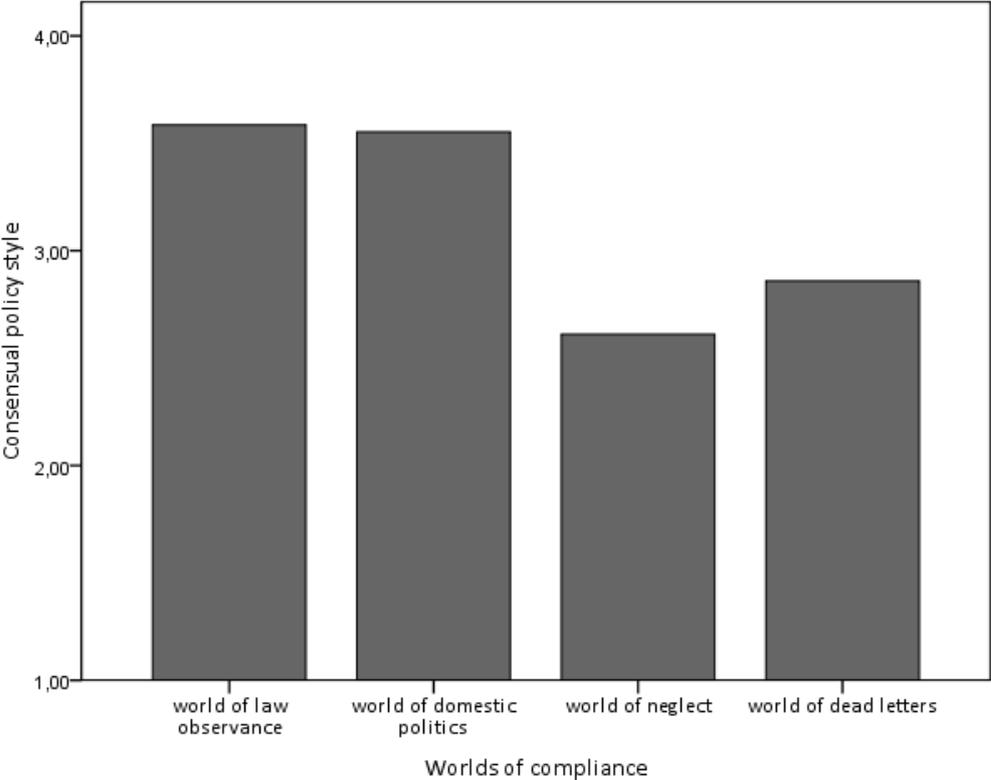


On the other hand, Figure 4 demonstrates a different picture than was expected. There does not seem to be a difference in the level of consensually in the policy styles of the world of law observance and the world of domestic politics. The world of neglect does seem to have a less consensual policy style. It was expected that the world of law observance would have a more consensual policy style than the other worlds. Also, the world of dead letters seems to have a higher level of consensual policy style than the world of neglect, it is however lower than in the other worlds.

Looking at the level of government effectiveness, the ranking reoccurs: world of law observance, followed by the world of domestic politics and then the world of neglect. Although the differences are not as pronounced as for general and institutional trust, Figure 5 does indicate the same pattern. A pattern consistent with that of the chances of the worlds of compliance to implement EU Directives within the deadline. Furthermore, the world of dead letters has the lowest level of government effectiveness, which was also expected.

**Figure 4**

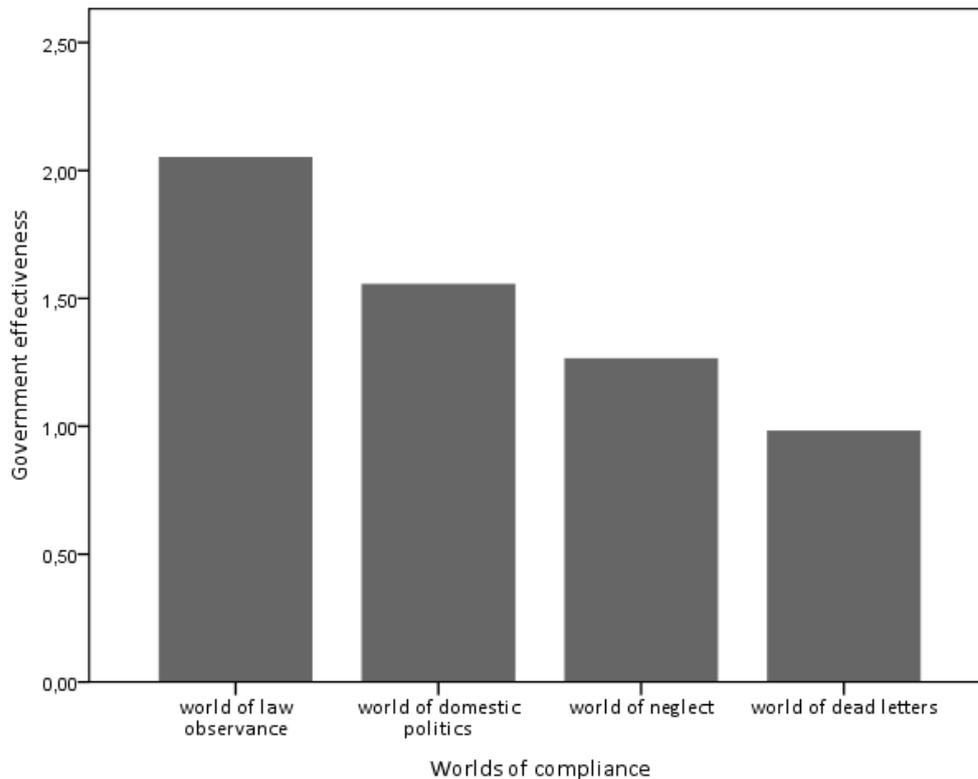
Graph of the level of consensual policy style in the worlds of compliance



The figures demonstrate a reoccurring pattern of a high scoring world of law observance, followed by the world of domestic politics and lastly the world of neglect. Besides this there are also some interesting observations to be made about the world of dead letters. Although it is not taken into account in the following analysis, the figures do show that there are quite immense differences between the world of law observance and the world of dead letters. If these mechanisms turn out to be of significant importance, this suggests that it could also account for the differences between the world of law observance and the world of dead letters. Nevertheless, these are only descriptive measures. Only a deeper analysis can prove if there is indeed a significant effect of these variables on the chance of different worlds of compliance to implementing EU Directives in time.

**Figure 5**

Graph of the level of government effectiveness in the worlds of compliance



In order to answer the question what mechanisms cause differences in the way countries comply with EU Directives, the differences between the worlds of compliance have to be investigated. Table 5 indicates that there are significant differences to distinguish. In this analysis the world of domestic politics, the world of neglect and the world of dead letters are compared to the world of law observance, which is the reference category. The world of law observance demonstrates to have the highest chance of implementing EU Directives within the deadline. The world of domestic politics has less chance ( $p \leq 0.05$ ) of compliance. The difference between the world of neglect and the world of law observance in their chance to implement in time is the greatest ( $p \leq 0.01$ ); the world of neglect has the slimmest chance of complying with EU Directives. These results confirm the assumption that there are different worlds of compliance.

**Table 5**

*Logistic regression on the differences in chance of complying with EU directives within the deadline between the worlds of compliance*

	<b>Compliance within deadline</b>
Intercept	0.958
World of domestic politics	-0.18**
World of neglect	-1.438***
World of dead letters	-0,345*
<i>Control variables</i>	
Intra EU dependency	4.229***
Government pro/anti EU	0.640***
Number of subjects	0.089
Amending	-0.043*

*Reference category: World of law observance*

\*\*\* Significant on level of 0.01

\*\* Significant on level of 0.05

\* Significant on level of 0.1

However, the fourth world of compliance, that of dead letters, does not demonstrate a highly significant difference ( $p \leq 0.1$ ) relative to the world of law observance. This can be explained by the fact that the world of dead letters is characterized as a world that does comply with EU Directives in the sense that they adopt them on paper, but do not bring them into practice (Falkner et al, 2006). Because of this there was not a lot of difference expected between the world of law observance and the world of dead letters. The dependent variable in this study was whether an EU directive is officially transposed within the deadline. It does not measure, though, if these Directives are actually implemented and taken into practice. This is often not the case in the world of dead letters (Falkner et al, 2006). Since this study is not able to test the compliance of the world of dead letters, the focus of further analysis on the dependent variable will be on the original three worlds of compliance, namely: the world of law observance, the world of domestic politics and the world of neglect.

A discussion of the results of the logistic regression on the mechanisms that drive the effects of the three worlds of compliance that are the focus of this study will follow next.

Table 6 shows the results of the logistic regression on the timely compliance of the three worlds of compliance, when taken account for the mechanisms of general trust, institutional trust, policy style and government effectiveness. The first model contains only the worlds of compliance, controlled for variables regarding country characteristics and the Directive. Model 2 also takes the mechanism of general trust into account, while model 3 is accounting for institutional trust. Model 3 tests the mechanism of policy style. And the fourth model contains the mechanism of government effectiveness.

It can be stated that all mechanisms have a significant (all with  $p \leq 0.01$ ) effect on the differences between the worlds of compliance regarding timely compliance. All mechanisms have a positive effect on transposition timeliness. This means that the hypotheses that stated that the higher the level of these variables (social trust, consensual policy style and administrative capacity), the better the compliance with EU Directives are supported by the results of this study.

Concentrating on the effects of the different mechanisms on the worlds of compliance the following observations can be made:

Firstly, Model 2 in Table 6 shows that general trust has a significant positive effect on timely compliance ( $p \leq 0.01$ ). Hypothesis 1, which states that the higher the level of general trust in a country, the more likely the country is to comply with EU Directives, is supported. The results of this study also show that, when accounting for general trust, the world of domestic politics, instead of having a lower chance of compliance, now has a higher chance of complying with an EU Directive within the deadline than the world of law observance ( $p \leq 0.05$ ). This means that general trust is a driving mechanism behind the effect that the worlds of compliance have on timely compliance. If it was not for the high level of general trust in the world of law observance, the world of domestic politics would have a higher chance of complying with EU Directives in time. However, it remains unclear what it is that causes the new difference that occurred between the world of domestic politics and the world of law observance.

General trust also plays a significant role in the world of neglect. The difference that existed between the world of law observance and the world of neglect disappears when controlling for the variable general trust (see Model 2 in Table 6). The difference that once was, is no longer significant. It can be concluded that the mechanism of general trust considerably accounts for the good compliance that is attributed to the world of law observance. This supports hypothesis 1b, general trust seems to explain the differences between the three worlds of compliance.

**Table 6**

Logistic regression on the mechanisms driving the effect of the worlds of compliance on timely transposition

	Model 1	Model 2	Model 3	Model 4	Model 5
<i>Worlds of compliance</i>					
World of domestic politics	-0.408**	0.790**	0.515*	-0.413**	0.419*
World of neglect	-1.347***	0.752	0.094	-0.593**	-0.133
<i>Mechanisms</i>					
General trust	-	0.862***	-	-	-
Institutional trust	-		0.718***	-	-
Policy style	-		-	0.801***	-
Government effectiveness	-		-	-	1.592***
<i>Control variables</i>					
Intra EU dependency	-0.309	0.029	-0.317	0.292	-1.031
Government pro/anti EU	-0.243	-0.209	-0.144	-0.462	0.130
Number of subjects	0.097	0.099	0.100	0.099	0.105
Amending	-0.177	-0.180	-0.178	-0.181	-0.180

\*\*\* Significant on level of 0.01

\*\* Significant on level of 0.05

\* Significant on level of 0.1

Secondly, hypothesis 2 is also supported by the results. Focusing on Model 3 of the logistic regression the data indicate that the higher the institutional trust, the more likely a country is to comply with EU Directives. The positive effect of institutional trust on timely compliance is significant ( $p \leq 0.01$ ). Besides this, the results demonstrate an effect of institutional trust on the differences between the world of law observance and the world of domestic politics; when accounting for institutional trust the world of law observance does no longer have a higher chance on timely compliance than the world of domestic politics. However the results are not as significant as in the case for general trust ( $p \leq 0.1$ ). As for the results of Model 2, the fact that the world of domestic politics suddenly has a better compliance than the world of law observance in Model 3 is surprising.

Furthermore, Model 3 also shows that the difference between the world of law observance and the world of neglect has also become non-significant. The conclusion is that institutional trust is also a driving mechanism behind the differences in compliance in the three worlds of compliance. It seems that the good compliance of the world of law observance can be partly explained by institutional trust.

Hypothesis 2b is supported by the results, the differences between the worlds of compliance can be partly explained by the mechanism of institutional trust is confirmed by the results.

Thirdly, Model 4 demonstrates that policy style has a significant positive effect on timely compliance ( $p \leq 0.01$ ). This supports hypotheses 3-4; a consensual policy style has a positive effect on the chance of compliance with EU Directives within the deadline. However, as demonstrated in Model 4 as well, the differences between the three worlds of compliance remain existent, when accounting for policy style. The differences remain significant ( $p \leq 0.05$ ). Directed from this, hypotheses 3-4b is not supported; consensual policy style does not seem to be a driving mechanism behind differences in compliance with EU Directives.

Lastly, focusing on Model 5, the data show that government effectiveness has a positive effect on the chance of timely compliance as well. This supports hypothesis 5; the higher the government effectiveness in a country, the more likely the country is to comply with EU Directives. Another conclusion that can be drawn from Model 5, which accounts for government effectiveness, is that the world of domestic politics has a higher chance of complying with EU Directives within the deadline than the world of law observance. While the world of law observance normally complies better than the world of domestic politics, if the government effectiveness was not as high as it is in the world of law observance, the world of domestic politics would do better. However, it is not clear why this would be the case.

Model 5 also demonstrates that the difference between the world of law observance loses significance, when accounting for government effectiveness. In other words: the differences between the world of law observance and the world of neglect are for a large part due to the higher level of government effectiveness in the world of law observance. This supports hypothesis 5b; government effectiveness seems to be a driving mechanism behind the effects of the worlds of compliance on compliance.

What can be concluded out of these results is that the mechanisms of general trust, institutional trust and government effectiveness are driving mechanisms behind the differences in the three worlds of compliance in their chance on complying with EU Directives within the deadline. If it was not for these mechanisms the world of domestic politics would have significantly higher chances of timely compliance than the world of law observance. Compliance would be the same for the world of law observance and the world of neglect, if the world of law observance did not have a higher level of social trust and government effectiveness. The mechanism of consensual policy style does have a significant effect on timely compliance, but could not explain the differences between the three worlds of compliance.

The analysis included control variables regarding both country characteristics and the Directives. The

dependency of a country on the European Union or its attitude towards it is accounted for in all models. Also the complexity of a Directive (the number of subjects) or whether or not a Directive needs amending old policies or designing new polices, are regarded in this research. These variables do not seem to have a significant on timely compliance. However, because these variables are controlled for, it can be stated that country characteristics such as their dependency and attitude regarding the European Union and characteristics of Directives such as the complexity and the sort of amending needed, do not change the fact that social trust, policy style and administrative capacity have a significant positive effect on compliance. Likewise, these factors do not change the fact that social trust and administrative capacity are at least partly accountable for the differences between the worlds of compliance.

# CONCLUSION & DISCUSSION

## **Conclusion**

This study was set up to determine the mechanisms that drive the effect of the different worlds on compliance, in order to explain why some member states seem to comply with EU Directives better than others. Compliance in this study was defined as transposition of EU Directives in the national context within the stated deadline.

The aim of this study was to complement Falkner's et al (2005) research on the worlds of compliance. Falkner's et al (2005) typology was meant to create some order in the chaos of differences of compliance between member states. The typology categorizes the EU member states into a world of law observance, a world of domestic politics, a world of neglect and a world of dead letters. According to Falkner et al (2005, 2008), the difference between these worlds are the underlying mechanisms that make them either comply or not comply. However, the risk of typologies is that they can become ends in themselves, instead of means to an end (Bailey, 1994). Typologies are not explanatory; they are used to categorize different variables. But this categorization is a creation, it is not self-evident. Therefore typologies have to be proven to be accurate categories. In order to do that, typologies have to be very clear about the underlying mechanisms that cause the categories to be the way they are and what causal effect they have on the dependent variable. Categorizing countries into different worlds does not explain in itself why these countries either comply or do not comply with EU Directives. Mechanisms that cause these differences are not clearly identified by Falkner et al (2005). This study tried to put the mechanisms to the test and complement the theory behind the typology that is meant to explain compliance patterns in the European Union.

This study used a quantitative research design in order to test the mechanisms that cause non-compliance in the different worlds of compliance. The dataset used contained 2610 cases and 97 EU Directives that cover different policy areas in all 27 member states, instead of the six EU Directives in 15 member states in Falkner's et al (2005) study. This extensive dataset provided the possibility of using quantitative measures to test the causal relationship of the mechanisms, the worlds of compliance and their effect on compliance with EU Directives with a multivariate logistic regression. This enhances the reliability and generalizability of the research.

It was hypothesized that social trust, both general and institutional trust would be existent in higher levels in the world of law observance than in the other worlds; therefore it would explain the differences between the worlds of compliance. Social trust is the mechanism that could account for

the good compliance that is characteristic for the world of law observance, according to Falkner et al (2005).

Another hypothesis was that the world of law observance would have a more consensual policy style than the world of domestic politics and that the world of neglect and the world of dead letters would have the least consensual policy style of the worlds. The assumption was that the more consensual the policy style, the better the compliance would be; differences between the worlds of compliance would then be explained by the policy style current in the member states.

The final hypothesis in this study was that governmental effectiveness, or administrative capacity, could explain the differences between the worlds of compliance. It is believed that the lack of administrative capacity in the world of neglect was the reason for a high level of non-compliance, while the world of law observance and the world of domestic politics have a high level of government effectiveness and administrative capacity and therefore a better level of compliance (Falkner et al, 2005).

Both hypotheses on general trust and institutional trust as on the governmental effectiveness were supported. The study did not find support for the hypothesis that policy style could explain the differences in compliance with EU Directives between the worlds of compliance. However, like general trust, institutional trust and government effectiveness, policy style did have a significant positive effect on timely compliance.

General trust, institutional trust and governmental effectiveness were all mechanisms that accounted for the differences between the worlds of compliance. When accounted for these variables, the world of domestic politics had a significant higher chance of compliance than the world of law observance, while the world of law observance had a better chance of compliance before. Correspondingly, the differences between the world of law observance and the world of neglect were no longer significant, when taken into account general trust, institutional trust and governmental effectiveness.

These findings indicate that the mechanisms of social trust and administrative capacity have explained a great deal of the differences between the world of law observance and the world of domestic politics. General trust, in particular, is responsible for the differences in compliance in these two worlds, since their effect on compliance changed significantly. The significance of the difference between the world of law observance and the world of domestic politics was lower for institutional trust and government effectiveness. Still, it turns out that if the world of law observance did not have higher levels of social trust and administrative capacity than the world of domestic politics, the world of domestic politics would have a higher chance of compliance. For the difference between the world

of law observance and the world of neglect counts that if there was no difference in social trust and administrative capacity, there would be no difference in compliance between these worlds.

This means that administrative capacity and social trust, with a special focus on general trust, are important and significant mechanisms that drive the differences in compliance between the worlds of compliance. Moreover, it seems that there is another mechanism at work in the world of domestic politics. When regarding social trust and administrative capacity, the world of domestic politics seems to have a better chance of compliance than the other worlds. A possible explanation for this, which was not accounted for in this study, is that the Directives were more according to the preferences of the world of domestic politics than to the world of law observance. Some of the countries that belong to the world of domestic politics, like Germany, have a lot of political power in the European Union, which could lead to Directives that are more in line with their own existing policies, laws and political preferences. However, this is just a tentative explanation, since this factor was not part of the study.

## **Discussion**

This study can contribute both empirically and theoretically to the research field of patterns of compliance with EU Directives by member states. Empirical contributions of this research are that the results demonstrated that both general trust and institutional trust are significant mechanisms that could drive the effects of the worlds of compliance on their timely compliance. General trust, in particular; that is; the trust individuals of the general public have in other individuals, seems to play an important role in the chances on good compliance. According to Falkner et al (2005) the good compliance culture in the world of law observance was the mechanism that caused good compliance with EU Directives. A theoretical contribution of this research was that it tried to discover the initial cause of this 'good compliance culture'. Social trust, and general trust in particular, can be the missing link that explains how a good compliance culture, like they have in the world of law observance, can occur and lead to better compliance within international institutions like the EU. This study demonstrates the importance of social trust. The result showed that, even in the world of neglect where Falkner et al (2005) stated that administrative capacity was the most important driving mechanism of compliance, social trust was at least as important in explaining non-compliance. The results also confirmed the importance of administrative capacity in the chance of compliance within the deadline. Administrative capacity did not only explain the differences between the world of law observance and the world of neglect, like Falkner et al (2005) stated, it attributes to the differences between the world of law observance and the world of domestic politics as well. This

finding also gives more theoretical insight in the mechanisms of non-compliance. Apparently these mechanisms are at work in all worlds of compliance.

Nevertheless, there were some limitations to this research. First of all, the data was not complete for every member state and every variable measuring the mechanisms. The fact that the data on some of the independent variables, namely general trust, institutional trust and policy style did not cover all of the member states could have influenced the effects. Another limitation is that the dependent variable used in this study is based only on transposition of EU Directives. Other forms of non-compliance, like incorrect and incomplete incorporation into national legislation or the failure of practically applying and enforcing the EU Directive cannot be accounted for in this research study. This is an important limitation that made it impossible to really look into how the different mechanisms of non-compliance work in the fourth world, the world of dead letters. This world could not be taken into the analysis, because on paper timely transposition is relatively good, however non-compliance usually occurs in the form of lack of enforcement in practice (Falkner, 2005).

In order to explore the mechanisms of non-compliance further more research has to be done. A research design has to be developed that can test the mechanisms and all the four worlds of compliance. To do so future research has to take into account different forms of compliance; so that the mechanisms can be tested more accurately and in further extent. For example, non-compliance can only be detected in the world of dead letter when looking at non-compliance in the form of non-enforcement. Different patterns might occur when focusing on different kinds of compliance. The problem with this kind of research is of course that it is very hard to retrieve quantifiable data on compliance in the form of implementation and enforcement. Data on this type of compliance has to come from qualitative research that investigates what happens to the implementation of policies in order to meet the end goals of the EU Directives in practice.

Moreover, special attention needs to be given to the role of social trust in compliance. This study has shown the significant effect of social trust, general trust in particular, on how different worlds of compliance comply with EU Directives. Following research is to be done on how social trust influences compliance. This research has raised questions on the importance of individual attitudes, trust in other people, and how this links to a collective culture of good compliance and in turn influences the effectiveness of international institutions like the European Union.

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