

# CEP Newsletter

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## Conference on Denmark's Future in the EU's Justice and Home Affairs

Tuesday 3 November 2015 from 13.00 to 17.00

The Ceremonial Hall, University of Copenhagen, Frue Plads 4



On 3 November, Centre for European Politics will be co-hosting a conference on the Danish Justice and Home Affairs opt-out. At the conference, we will take a closer look at the implications of an opt-in, and conversely where it will leave Denmark if the opt-out is maintained in its current form. To illuminate the issue, we have invited both practitioners and academics, including CEP researcher Rebecca Adler-Nissen, who will shed light on the concepts of opt-outs and parallel agreements, and discuss the British experience with an opt-in arrangement. Director of CEP Marlene Wind will moderate the event together with Maja Kluger Rasmussen, Senior Analyst at the Think Tank EUROPA.

The conference is organised in collaboration with the Think Tank EUROPA and is supported by Europa Nævnet.

[See the full programme and register here.](#)



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## NEW ELECTRONIC NEWSLETTER

We are pleased to announce that in the future, the CEP newsletter will be electronic. We hope that you will enjoy the changes we have made!

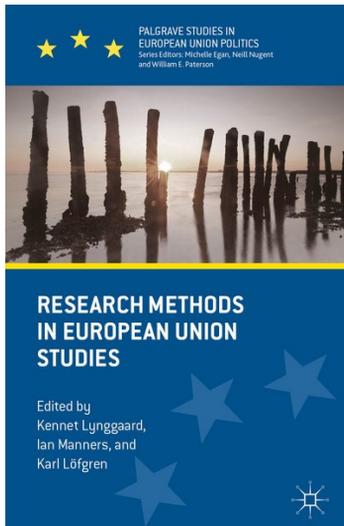
## ADLER-NISSEN AWARDED PRIZE FOR BEST JOURNAL ARTICLE

The European International Studies Association have awarded the prize for the best article in the European Journal of International Relations to Rebecca Adler-Nissen and Vincent Pouliot for the article "Power in practice: Negotiating the international intervention in Libya" (2014).

## LATEST RESEARCH

[Adler-Nissen, Rebecca](#) (2015): 'Conclusion: Relationalism or Why Diplomats Find IR Theory Strange'. In Ole Jacob Sending, Vincent Pouliot and Iver Neumann (eds.): *Diplomacy and the Making of World Politics*, Cambridge: Cambridge University Press, pp. 284-308.

## New Publications by CEP Researchers Dorte Martinsen and Ian Manners



Dorte Sindbjerg Martinsen recently published the monograph '*An Ever More Powerful Court? The Political Constraints of Legal Integration in the European Union*', and Ian Manners has co-edited a new anthology on research methods in EU studies.

In her book, [Dorte Martinsen](#) examines how judicial-legislative interactions determine the scope and limits of European integration in the day-to-day EU decision-making process. She delivers new insights into the dynamics of law and politics in the European Union in its contemporary institutional and political setting, offering a theoretical and empirical examination of how the EU legislative process can influence and interact with decisions by the European Court of Justice. Moreover, with the book Martinsen provides original data on the interaction between judicial and legislative politics from 1957 to 2014 within EU social policies, and develops new methods for examining judicial influence on legislative outputs. The book and its data have been accepted for a higher doctoral defence. The defence will take place on Friday, 13 November 2015, at 13.00 in room 35.3.12 at the Faculty of Social Sciences, Øster Farimagsgade 5, 1353 Copenhagen K.

CEP researcher Professor [Ian Manners](#) recently published the anthology '*Research Methods in European Union Studies*', which also includes chapters by two other CEP researchers, Professor [Ben Rosamond](#) and Postdoc [Julie Hassing Nielsen](#). According to Ian Manners and his co-editors: "Research on the European Union over the past few years has been strongly implicated in the crises that currently grip Europe with a failure to ask the pertinent questions as well as a perceived weakness in the methods and

[Adler-Nissen, Rebecca](#) (2015): 'Theorizing the EEAS: Social Body or Rational Actor?'. In Jozef Batora and David Spence (eds.): *The European External Action Service: European Diplomacy Post-Westphalia*, Palgrave Macmillan, pp. 17-41.

Bischoff, Carina & [Marlene Wind](#) (2015), 'Denmark', i Donatella Viola (red.) *Routledge Handbook of European Elections*, London & New York: Routledge, pp. 267-289

Bischoff, Carina & [Marlene Wind](#) (2015): 'Sweden', i Donatella Viola (red.) *Routledge Handbook of European Elections*, London & New York: Routledge, pp. 414-431

Lynggaard, Kennet, [Ian Manners](#) & Karl Löfgren (eds.) (2015): *Research Methods in European Union Studies*. Houndmills/New York: Palgrave Macmillan.

[Martinsen, Dorte Sindbjerg](#) (2015): *An Ever More Powerful Court? The Political Constraints of Legal Integration in the European Union*. Oxford: Oxford University Press.

[Martinsen, Dorte Sindbjerg](#), (2015): 'Judicial Influence on Policy Outputs? The Political Constraints of Legal Integration in the European Union', *Comparative Political Studies*, 48 (12), pp. 1622-1660

[Martinsen, Dorte Sindbjerg](#) & Hans Vollaard (eds.) (2015): *Implementing Social Europe in Times of Crisis. Re-established boundaries of welfare?*, New York/Oxford: Routledge, 2015.

[Wind, Marlene](#) (2015) 'Denmark: Its European Dilemma', in Eleanor E. Zeff and Ellen B. Pirro

evidence used by researchers providing the basis for these allegations. This volume moves the study of EU research strategies beyond the dichotomies of the past towards a new agenda for research on Europe through a rich diversity of problem-solving based research." Manners has authored four chapters in the book, which is co-edited by Kennet Lynggaard og Karl Lofgren.

You can read more and order copies of [Dorte Sindbjerg Martinsen's monograph](#) or [Ian Manner's anthology](#) here.

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## **EURECO Final Honorary Lecture: 'European Identities and Politics in the Wake of the Financial Crisis' by Professor Neil Fligstein**

**Time and Place: 24 November 15.00-17.00, The Ceremonial Hall, University of Copenhagen, Frue Plads 4**



The Final Honorary Lecture of the EURECO Distinguished Lecture Series this autumn will be delivered by the internationally renowned scholar Professor Neil Fligstein from the Department of Sociology, University of California, Berkeley. Fligstein is well-known for his work in the field between economic and political sociology and organisational theory, and he has a long record of publications. Amongst the most recent ones are 'A Theory of Fields', co-authored with Doug McAdam, and 'Euroclash: The EU, European Identity, and the Future of Europe'.

In his talk 'European Identities and Politics in the Wake of the Financial Crisis', Fligstein will take a closer look at the concept of a European citizenship and present the argument that while political and economic integration projects are quite far along, the national identity project has lagged far behind. The EU integration project has pushed citizens to value their national identities more and to look to their national governments to protect them. One dramatic effect of this has been the rise of populist parties across Europe as a backlash to both the financial crisis and the integration project more generally.

The lecture is open to all but registration is necessary. For more information and registration please visit EURECO's [website](#).

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## **Research Column: Unravelling a well-tossed bowl of spaghetti, or: Surveying the debate**

(red.): The European Union and the Member States. Boulder: Lynne Rienner Publishers, pp. 151-158.

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### **MEMBERS OF CEP**

**Marlene Wind**, Director and Professor

**Ben Rosamond**, Deputy Director and Professor

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**Maryna Onishchenko**

# on the Danish Justice and Home Affairs opt-out in the light of the refugee crisis.

By Christina la Cour and Clara Lambert, *stud.scient.pol.* and student assistants at CEP



Denmark is approaching a crossroads in the country's relationship with the European Union. In a few months, Danes will be asked to decide between keeping their current opt-out from EU Justice and Home Affairs, or replacing it with a more flexible opt-in arrangement. The opt-in, as known from the UK and Ireland, would allow Denmark to pick and mix legislation in Justice and Home Affairs on a case-by-case basis.

For a long time, the polls showed consistent support for the opt-in. However, the last couple of weeks have turned everything we thought we knew about the referendum upside down, the polls now suggesting a more ambiguous picture. This raises the question: Will the refugee crisis influence the outcome of the referendum? There are at least two, interconnected ways in which it might.

First of all, the refugee crisis may prove decisive in the on-going referendum frame-game. Proponents of the opt-in are emphasising the merits of specific fields of cooperation – Europol being the most prominent example – whereas Eurosceptics from across the political spectre have taken a more principled stance, warning that an opt-in is a slippery slope towards a still greater loss of sovereignty. Anti-immigration arguments are also frequently employed by the right wing voters, mirroring a widespread attitude in Europe.

At an early stage, it thus became clear that a key battle of the referendum campaign would concern the framing of the question at hand; whether security and Europol, or immigration and slippery slope-arguments were allowed to dominate the public debate seemed a powerful indicator of what to expect come December.

The massive influx of refugees, along with Mr Juncker's subsequent call for fundamental changes to the EU's refugee policies, has now definitively put immigration- and asylum policies on the agenda in

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## ABOUT THE NEWSLETTER

**Editor:** Marlene Wind  
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The newsletter is published four times a year and includes the latest updates on activities and research at the Centre for European Politics.

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Denmark. Certainly, Denmark will – legally – be neither more nor less obligated to take in any of the disputed ‘quota refugees’ no matter the result on December 3<sup>rd</sup>, but the prevalence of the topic in the referendum campaign may nonetheless influence the outcome.

Secondly, the prospect of a quota-based distribution of refugees (distinguishing between the Emergency and Permanent Relocation Mechanisms) elevates the issue of the opt-in to a level of complexity beyond the comprehension of those not familiar with the intricacies of EU legislation. In other words, there is a very real risk that some voters will confuse the opt-in with the question of compulsory distribution quotas, prompting reluctant opt-in-voters to stick with the status quo (although arguably there is no such thing as a status quo in the ever-evolving European Union).

Concerns about a mix-up have paved the way for proposals about a second, non-binding referendum on Denmark’s participation in the Permanent Relocation Mechanism, if such an arrangement sees the light of day. To complicate matters further, the mechanism would most likely take the shape of a revised Dublin-regulation (in which Denmark has been participating via a parallel agreement since 2006), which would in fact make the second referendum a question about *continued* participation in a changing field of cooperation.

While the two-votes solution would certainly clarify the questions at hand, consulting the electorate on the matter might complicate an already difficult decision facing the government: Supposing that the other member states succeed in reforming the Dublin-framework, Mr Løkke and co. will have to decide between joining the distribution quotas (which they have thus far refused to do) or leaving the Dublin-system altogether (which they have similarly ruled out). Needless to say, this choice will have to be made irrespective of the outcome of the opt-out-referendum.

While this column by no means does justice to the chaos, tragedy, and political headaches implied by the refugee crisis, it may have clarified slightly the rather messy state of affairs in the present referendum campaign. As is obvious from the above, the campaign does not exist in a vacuum, and might be strongly influenced by developments at the borders of Europe. Whether this turns out to be decisive, we will know in a few months.

*The research column is written in turn by the researchers at the Centre for European Politics. The column does not represent a common CEP position.*

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