

<b>Institution:</b> University College London (School of Slavonic and East European Studies)		
<b>Unit of Assessment:</b> UoA25 – Area Studies		
<b>Title of case study:</b> INFORM: Closing the gap between formal and informal institutions in the Balkans		
<b>Period when the underpinning research was undertaken:</b> January 2000-April 2019		
<b>Details of staff conducting the underpinning research from the submitting unit:</b>		
<b>Name(s):</b> Eric Gordy Alena Ledeneva	<b>Role(s) (e.g. job title):</b> Professor of Political and Cultural Sociology Professor of Politics and Society	<b>Period(s) employed by submitting HEI:</b> 2007-present 1999-present
<b>Period when the claimed impact occurred:</b> 2016-2019		
<b>Is this case study continued from a case study submitted in 2014?</b> No		
<p><b>1. Summary of the impact</b> (indicative maximum 100 words)</p> <p>In the Balkans, informal practices emerge as a response to the failures of formal institutions (new laws, agencies and procedures created by top-down political reforms). These practices range from communally based modes of cooperation to corrupt practices, including clientelism and bribery. As PI for INFORM (an EUR2,300,000 ERC Horizon 2020 research programme) Gordy led research across 9 countries to develop the first detailed picture of the scope and effects of informal practices in the Southeast Europe region (SEE). INFORM research, synthesised in a published collection (ed. by Gordy), helped an EU institution (DG NEAR) develop approaches towards the promotion of rule of law which were based on 'concrete knowledge of how informality functions' [as confirmed by the fmr. Director of DG NEAR in <b>A.</b>].</p> <p>Gordy's research has impacted governments, policymakers, and publics. INFORM's advice to governments in EU candidate countries helped them understand methods of bringing EU-inspired legislation into closer correspondence with local practices and needs; direct engagement with policymakers 'set the standard for collaboration between the research community and the services of the EC working on policy' [as confirmed by a Senior Expert, DG NEAR, in <b>B.</b>]; and, through media engagement in Southeast Europe (SEE), Gordy encouraged public participation in SEE political dialogues, expanding beyond the 'closed circles' identified in his earlier research [<b>R1</b>].</p>		
<p><b>2. Underpinning research</b> (indicative maximum 500 words)</p> <p>Gordy's research, published in <i>Guilt, Responsibility and Denial: The Past at Stake in Post-Milosevic Serbia</i> [<b>R1</b>, 2013], examined developments in Serbian society and politics following the 1990s Yugoslav wars. Both the guilt of the leaders and the moral responsibility of society remained to be established. Establishing the former was the task of the International Criminal Tribunal for the Former Yugoslavia (<b>ICTY</b>) in the Hague. Gordy argued that 'to assess this <i>legal</i> institution we have to ask <i>social</i> questions. The principal social question I ask is how the conflicts and the crimes committed in the course of them came to be understood by people in Serbia' [<b>R1</b>]. The book traced the apparent failure to achieve post-conflict reconciliation to a strategy whereby local 'compromised and self-seeking' politicians concentrated dialogues concerning transitional justice 'in a way that was confined to small groups' [<b>R1</b>]. This excluded from participation the cultural, educational and religious institutions which were most trusted by the public as well as the public themselves. Despite international pressure, the main focus of many scholars, Serb politicians were able to reduce the impact of the ICTY's verdicts. Nonetheless, Gordy illustrates how, within society, questions of moral responsibility were beginning to be explored. By employing a multi-methods approach to research civil society action as well as the media, films and fiction, Gordy shows that, despite the communication gap</p>		

between the institutions of transitional justice and the Serbian public, things were stirring on the ground.

In 2016-2019, Gordy was Principal Investigator for INFORM: Closing the Gap between Formal and Informal Institutions in the Balkans, an EUR2,300,000 research programme (funded by ERC Horizon; grant agreement No.693537). Gordy's role and responsibilities as PI comprised: the overall design of the programme; research strategy; project coordination; the synthesising of INFORM's research findings; and communication to policy-makers and the media. INFORM brought together 9 universities in 9 countries to conduct multidisciplinary social science research on formal and informal institutions. The countries were: the UK; Latvia; Slovenia; and, in the Balkans, Albania, Bosnia and Herzegovina (BiH), Croatia, Kosovo, North Macedonia and Serbia.

INFORM researched 'informal' practices, the everyday solutions adopted by public institutions and members of the public outside of official frameworks, to understand reasons why SEE states' compliance with new EU-aligned legal and regulatory frameworks remained incomplete, and how this could be rectified. INFORM's scholarship produced the first detailed map of the size, scope, cost and causes of informality. The team of 40 researchers surveyed 6040 respondents in six West Balkan countries, conducted 422 semi-structured and unstructured interviews, carried out 36 months of ethnographic fieldwork, and realised 11 case studies. They analysed more than 2000 media releases related to informal practices; investigated how legal frameworks related to the justice system and freedom of expression had been changing during EU accession; and analysed secondary data from other research studies regarding informality in the SEE region.

In *Meaningful Reform in the Western Balkans: Between Formal Institutions and Informal Practices* [R3, 2019] Gordy co-edited a collection of articles, drawn from across the INFORM research programme, which suggested policy implications related to the problem of achieving substantive reform in harmonising legislation in Western Balkan (WB) countries with that of the European Union (EU) during EU accession. In the introductory chapter 'Engaging Policy to Address Gaps Between Formality and Informality in the Western Balkans' [R3], Gordy synthesised INFORM research findings, highlighting the overproduction of 'empty shells' (legislative changes adopted exclusively at the formal level that states lack the capacity or will to implement), and dangers of 'goldplating': a narrow interpretation of EU regulations by countries aspiring to EU membership, who must align their legislation with EU law. The fact that these regulations show insufficient regard for existing social conditions locally, leads to Euroscepticism among the population; non-observance of EU-inspired laws; and preference for informal practices. Gordy expertly synthesised INFORM findings, arguing that they 'underline the need to harmonise formal rules to cultural values, norms, and practices that are perceived as legitimate on the local level' and advocated for greater understanding of social context through policymakers' engagement with research. 'Implementing this recommendation requires policymakers to engage the kind of cultural knowledge that is widely shared by citizens and available through research in the social sciences' [R3].

In 'Dayton's Annex 4 Constitution at 20: political stalemate, public dissatisfaction and the rebirth of self-organisation' [R2], Gordy had explored how Annex 4 of the Dayton Peace Agreement has continued to function as the *de facto* constitution of Bosnia and Herzegovina since 1995. Dayton was a provisional arrangement designed to appease the warring parties by imposing a system whereby government positions were divided between the main ethnic groups, and the country was divided into areas each ruled by one ethnic group. Gordy's research documented that, although everyday collaboration between different ethnic groups is key to overcoming the legacy of conflict, and does to some extent already exist 'on the ground', official institutions have continued to allocate positions mechanistically among the main ethnic groups (ignoring minorities) rather than building cross-ethnic bridges [R2]. In Chapter 4 of [R3] 'The Cost of Informal Networking in the Western Balkans Region Matters!' Ledeneva (as co-author) utilised regional survey data from the INFORM project, and supplemented them with qualitative interviews with entrepreneurs in the SEE region, to document that, by contrast, 'most

entrepreneurs explicitly point to the blindness of informal networks to ethnicity and religion' and that their informal networks 'deal better with ethnic and religious diversity than do formal institutions' [R3].

### 3. References to the research (indicative maximum of six references)

- R1.** Gordy, Eric. *Guilt, Responsibility and Denial: The Past at Stake in Post-Milošević Serbia* (Philadelphia: University of Pennsylvania Press, 2013).
- R2.** Gordy, Eric. "Dayton's Annex 4 Constitution at 20: Political Stalemate, Public Dissatisfaction, and the Rebirth of Self-Organisation." *Southeast European and Black Sea Studies*, 15(4): 611-622. 2015. <https://doi.org/10.1080/14683857.2015.1134132>
- R3(a).** Gordy, Eric and Adnan Efendić (eds.), *Meaningful Reform in the Western Balkans: Between Formal Institutions and Informal Practices* (Bern: Peter Lang, 2019)  
Synthesised research from the INFORM project, **incorporating the following UCL PI-authored chapters 3b and 3c:**
- R3(b):** Gordy, Eric and Adnan Efendić. "Engaging Policy to Address Gaps Between Formality and Informality in the Western Balkans" (Bern: Peter Lang, 2019)
- R3(c):** Efendić, Adnan and Alena Ledeneva. "The Cost of Informal Networking in the Western Balkans Region Matters!" (Bern: Peter Lang, 2019)

**R1- R3** are peer-reviewed academic books/journals. **R3a-c** emerged from the EUR 2.3m ERC Horizon 2020 research project: INFORM: Closing the gap between formal and informal institutions in the Balkans (Grant No. 693537).

### 4. Details of the impact (indicative maximum 750 words)

Research by Gordy [R1, R2, R3] and Ledeneva [R3c] drew the attention of policy-makers and the public to social phenomena that tend to be ignored in the policymaking process in Southeast Europe (SEE). Research produced by INFORM (R3) has been 'of great help in the development of European policy towards the accession states' (fmr. Director-General for Neighbourhood and Enlargement Negotiations, DG NEAR, [A]).

#### **Providing policymakers with access to social sciences research through direct engagement at consultative workshops; encouraging public participation in political dialogue through media engagement.**

Research addressed the need for 'policymakers to engage the kind of cultural knowledge that is widely shared by citizens and available through research in the social sciences' that Gordy identified in [R3] INFORM has so far resulted in one edited volume [R3]; led to 6 policy briefs published on the INFORM website by Gordy et. al., [C]; and 9 journal publications by INFORM team members. Policymakers were engaged with the research via 15 consultative workshops with the stakeholders, including: 3 with representatives of DG NEAR; 12 with representatives of national ministries and offices for EU integration (2 rounds of national meetings with state offices for European integration, in 6 accession states); 1 joint conference with policymakers in Bled (Nov 2017); and a concluding conference in Sarajevo (Feb 2019). INFORM's engagement approach positively affected the outlook of DG Near on collaboration with the academic community: a Senior Expert at DG NEAR [B] writes that 'the INFORM project has [...] set the standard for collaboration between the research community and the services of the European Commission working directly on policy [...] INFORM has had a greater impact than other research because there has been an increased permeability to the findings of research combined with a change in thinking about how policy can be effective [...] Somewhat ironically, INFORM has also created its own informal network between academia and bureaucracy acting as a source of inspiration and sounding board for ideas.'

Gordy has sought to encourage public participation in political dialogues through media engagement, avoiding the types of risk associated with confining dialogue to 'small groups' that his research methodology identified in [R1]. On 9 February 2018 Prof Gordy was interviewed in

Serbian on the BiH N1 TV news programme Vijesti for 17 minutes [D]. The programme was billed as being about BiH's EU accession process, and covered the INFORM findings in depth, as well as promoting Gordy's open access book [R3]. On 21 April 2018 Gordy gave a TV interview in Belgrade which also mentioned the INFORM project [E]. In 2019, Gordy gave several other interviews in SEE media on current political events, interviews where he was presented as a leading expert on politics in the region. EU official [B] recognised 'the dissemination of the research has... reached a larger target audience than the norm'.

**Enhancing understanding of experts in an EU institution (DG NEAR) regarding continuing problems with conflict resolution, illegality and corruption; promoting collaboration between NEAR and researchers on these topics**

In a Robert Schuman Foundation publication [F], former DG NEAR Director Pierre Mirel drew the urgent attention of EU policy-makers to the non-implementation of laws in SEE, and consequent threat to European security. He based his argument that 'the informal reigns' in SEE on the INFORM findings, citing [R3]. Senior Expert at DG NEAR [B] commented that: 'The depth and breadth of the research has provided useful insights [to NEAR] in a range of areas from economic regulation, through the functioning of democratic institutions to techniques for reaching specific target audiences.' The fmr. Director of DG NEAR [A] observed: 'In a sense, INFORM's research investigated phenomena that "everybody knows" [...] However, the empirical content of the field that "everybody knows" remained an object of anecdote and speculation for some time. Having concrete knowledge of how informality functions has been of great use in developing approaches toward the promotion of rule of law'.

Gordy's 2013 monograph [R1] argued that post-conflict problems could not be solved by international elites without taking into account local realities and initiatives. INFORM built on this insight, finding, for example that (unlike formal institutions), business people were ready to work with anyone, independently of their ethnic background [in R3c and C]. This finding led the EU to take more seriously the need to build its approach to reconciliation upon existing grassroots practices. Senior expert [B] asserts that INFORM's impact 'has been most obviously in the Commission's approach to reconciliation. The re-orientation of the approach, as part of the EC's Western Balkans strategy, from a focus on transitional justice issues to a whole of society approach was supported by elements in the research. Similarly, there is greater emphasis in the reconciliation process on developing local networks and on communication through informal channels'. He also identified as particularly useful the INFORM findings about clientelism [explored in R3, and explored further within the EU briefing paper, C], stating that NEAR was currently 'examining how best to integrate the findings related to corruption... in our approach to improving the functioning of parliamentary democracy in the western Balkans.'

Former NEAR Director [A] makes the further point that INFORM survey findings highlighted to NEAR the importance of pursuing a more energetic communication strategy. 'The research has been helpful in showing that positive attitudes toward Europe in the accession states are closely tied to the extent to which citizens perceive EU-led reforms as having contributed to making institutions more effective, accountable, and responsive. These findings have had a role in helping the European Commission to develop a more effective communication strategy, in particular to emphasize those places where improvements are a consequence of EU activity.'

**Supporting national governments of EU accession states in SEE to indigenise EU legislation and overcome ethnic divides**

INFORM held two rounds of briefings with representatives of each of six EU accession states in SEE. State officials noted the usefulness of INFORM data for developing strategies of legal reform and approaching accession negotiations. This is illustrated by the case of home slaughtering of livestock where 'EU inspired rules [...] are popularly perceived as interfering with deeply entrenched traditional practices' (detailed in R3 & C). A case study of five countries in SEE showed that some governments had 'indigenised' their legislation quite successfully, e.g. maintaining household rights to share meat with extended families, even though this was not



what EU lawmakers originally intended. By contrast, Croatia, Kosovo and Macedonia had failed to realise the possibility of negotiating solutions acceptable to rural populations, as a result of which the over-strict legislation was not enforced. INFORM helped governments better understand the scope for flexibility when adopting EU rules. Research findings are reflected in Assistant Secretary-General of the Republic of Montenegro for Government Strategies' [G] comments, when she writes that: 'In the narrative we construct around the EU accession negotiations [...] we should give, while working closely with the European Commission, more meaning and substance to the practical solutions that help us advance in some sectoral policy areas than the plain transposition of the EU Acquis into national legislative frameworks, not necessarily leading to quality implementation of numerous laws.'

Like [B], [G] also refers to how INFORM had uncovered useful examples of cross-ethnic collaboration [with reference to findings in R3c, and C] when she writes: 'the examples provided by the research, such as the fact that informal networks of entrepreneurs in Southeast Europe operate much better with various ethnic and religious groups, than the political system itself, indeed proved that we should all keep widening our knowledge about our own societies and seek opportunities to achieve more within the capacities that we have.' In other words, this senior figure is advocating precisely the approach recommended by the INFORM team.

#### 5. Sources to corroborate the impact (indicative maximum of 10 references)

**A.** Email testimonial from former Director of DG NEAR and member of INFORM Advisory Board.

**B.** Email testimonial from Senior Expert at DG NEAR.

**C.** December 2018 European Policy Briefs emerging from INFORM research.

<https://www.ucl.ac.uk/ssees/research/funded-research-projects/inform/inform-research/policy-briefs>

**D.** 'Eric Gordy za N1: Neformalnost je ustvari ono što čini život - N1', N1 TV channel, BiH, 9.2.19  
<http://ba.n1info.com/Vijesti/a314994/Eric-Gordy-za-N1-Neformalnost-je-ustvari-ono-sto-cini-zivot.html>

**E.** 'Erik Gordi: Evropa Vučića toleriše zbog dogovora s Kosovom'

<http://rs.n1info.com/Vesti/a381657/Erik-Gordi-Evropa-Vucica-tolerise-zbog-dogovora-s-Kosovom.html>

**F.** Pierre Mirel, 'European Union-Western Balkans: for a revised membership negotiation framework' (Robert Schuman Foundation, series European Issues, 529, 30/9/19)

<https://www.robert-schuman.eu/en/european-issues/0529-european-union-western-balkans-for-a-revised-membership-negotiation-framework>

**G.** Email testimonial from the Assistant Secretary-General of the Republic of Montenegro for Government Strategies.

The three briefs referenced within the case study, available on request to UCL, are:

'There is no free (informal) lunch: cost of informal networking in the Western Balkans'

'How to improve implementation of EU rules in the Western Balkans?'

'How to sustainably decrease clientelism and ensure fair political competition in the WB? The case for introducing standing parliamentary committees'