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Partial enforcement of EU rules in five countries of Southeast Europe:
The case of pig and sheep home slaughter

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September 2017
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1. A brief overview of the general problem

The chosen case study represents the field of intervention EU regulations pose on domestic production and consumption of food. During the EU accession process, the countries in question met the news about what is to be changed in this respect with varying responses. While some of them raised no public debate on the issue, and welcomed the changes, in some countries, like Croatia, and to some extent also Bosnia and Herzegovina and Macedonia, concerns were raised about survival of traditional practices of production and processing of food and beverages, but also about consequences for small family, especially peasant, economies. It should be noted that the varieties of these public discourses may be partly due to the differences in openness of the accession processes. In Croatia, for example, the accession process was almost completely closed to the public (cf. Grubiša 2012; Ivanović 2011; Jović 2012b). In candidate countries, conditions and requirements for accession to membership are often discussed using a combination of fact and mythology.

Practices which are related to everyday life and strongly connected to local traditions as well as alternative modes of economic self-subsistence such as brandy home production, selling of homemade cheese and sour cream, sowing of old and locally specific varieties of vegetables and pig- and sheep-slaughtering have been highlighted in the public discourse as ones which will have to undergo significant changes. Especially in Croatia, as these practices were represented as endangered by new legislation, reactions in public space were set between existential threat and Euroscepticism.

Due to its deeply-rooted traditional aspects pig- and sheep-slaughter is chosen as a case study that would enable a more nuanced perspective on perceived differences in meeting the new regulations. We contend that these differences may help to uncover some of the pitfalls in the accession process.
2. Justification of the logic of operationalisation

Some of the research done on how people perceive EU rules that regulate, or would regulate pig- and sheep-slaughtering practices point at encroaching a complex field of the so-called ordinary everydayness, i.e. culturally rooted and socially functioning practices (e.g. Grandin and Regenstein 1994; Fonte 2008; Roseman 2010; Zoethout 2013; Bergeaud-Blackler et. al. 2015; Dorondel 2016). This makes the question a ready-made weapon in hands of those who have publicly been advocating their disapproval of common European policy. A deliberate suppression of food production is in question, as is often stated, so people would be dependent on “imported agricultural products that often look and taste suspicious” (Zobel 2011). At the other side of this apparently political spectrum, evidence was raised in defence of the changes, oftentimes by lessening the negative effects that EU regulations (would) produce in actual and local-specific surroundings. The symbolic potential of legal interventions in the field of everyday life or, more precisely, its removal from the domain of private decision making and private preferences to the domain of state legislation, proved to be crucial for an important part of the process of Europeanization, namely of “Europe’s intentions” as estimated by a cultural subject, confused by noise in a communication channel filled with contradictory explanations. Still, especially when it comes to the imposing of European sanitary measures it should be noted that former pig-slaughtering practices, together with former legislative instruments, seemed to be, in general, safe enough, while the re-emergence of trichinellosis during the 1990-es is ascribed not only to “culinary habits and poor veterinary control” (Šeguljev et. al. 2011) but also to the war on Yugoslav territory, severe economic and demographic changes and/or external economic sanctions (Djordjević et. al. 2003, Ćuperlović et. al. 2005).
3. Theoretical introduction

Many studies have been done on the consequences of the EU membership on the performance of agricultural sector in various countries, ranging from statistics that show changes in performance of the agricultural sector after entry into the EU, to implications of a UK exit from the EU for British agriculture (Van Berkum et. al. 2016). A number of studies deal with producing and processing pork meat in part-time family farms, where the proprietor is a family which cannot earn their livelihood exclusively through farming but depends on off-farm income sources, and whose main aim for keeping pigs is their own consumption. One of the examples is a study based on fieldwork carried out by national teams in 10 European countries as a part of the CORASON (A cognitive approach to rural sustainable development: the dynamics of expert and lay knowledge) work package on the dynamics of knowledge in the valorisation of local food (Fonte 2008). In many regions, as is shown, local lay knowledge, often exchanged and circulated through informal social networks, is the dominant form of knowledge used. Spanish and Portuguese fieldwork, for example, showed that pig-slaughtering was an important cultural, social and economic event for families and communities, a cultural and anthropological component of social life, involving shared effort and fostering solidarity in the community. So the authors of the study concluded that it is clear that scientific, general and theoretical perspectives are not the most relevant to these experiences: the best experts are not scientists from universities or bureaucratic-managerial experts from government development agencies. Scientific knowledge may only be a starting point but it needs to be integrated, adapted and mediated by those with expertise and training in specific traditional and artisan modes of food production, and by those who know the “place” (ibid.: 221-222).

Some of the studies are concerned with implementing the rules on animal welfare. Although the traditional system of raising animals outdoors surely contributes to their welfare (Cerjak et. al. 2011), it is often stated that in old EU member states animal welfare directives developed through a “step-by-step process”, while for the new member states it appeared to be a “time-lapsed process” (Wellbrock 2008: 26). Also, for the new member states new rules are sometimes difficult to comply with. As is shown...
in the Polish case (Dunn 2003), standards often create barriers because they are embedded in specific geographies. On the one hand, many harmonized standards favour large-scale multinational capital and discourage local small-scale producers. On the other hand, the social legacies of previous economic systems—in this case, state socialism—give small-scale producers tools such as informal markets, personal social ties, and political organizing skills that can be used to create barriers for large multinational competitors.

However, it seems that much of local traditional practices recede. As is shown in the case of Hungary, pig-slaughtering which was a family fiesta and a popular way of supplying fresh meat, bacon and sausage, is currently very rarely performed (Kovach 2014). In the research done on Romanian farms and farmers facing the EU regulations it is shown that there was no consent about the attitudes towards EU regulations concerning agriculture: while some of them were welcomed by the population, others were strongly rejected. However, the most unpopular regulation, as stated by the authors, was exactly about pigs’ slaughtering.

Also in Slovenia and Croatia some research on related matters has been done, although predominantly addressing disease prevention and production yields. However, in 2009 results were published based on extensive fieldwork with 42 farm households during the two-year period and comprised of detailed interviews with farmers and other local and national stakeholders, participant observation and documentary analysis. Much of the agricultural production in these households is primarily oriented toward subsistence use, while part of it is used for exchange, or sold informally and the study shows that biosecurity, as part of a broader shift in agri-food governance stemming from Slovenia's entry to the European Union, has dramatically reshaped the playing field for semi-subsistence producers, driving agricultural restructuring and diminishing farmers’ strategies of subsistence slaughter and informal marketing (Frelih Larsen 2009). As for Croatia, in 2008 a master’s thesis entitled “Pig welfare in Croatia: A critical reflection on the EU pig welfare directives” was defended at the Wageningen University in Netherlands, a university that focusses specifically on the theme of healthy food and living environment. Efforts to terminate or intensify family farms, the author concluded, could lead to welfare impairment – both for pigs and for humans – instead of welfare
improvement. For example, the author stated, neglect of part-time family farms could increase informal market activities (Wellbrock 2008).

4. Justification of the methodologies used and sites selected

In order to study partial enforcement of EU rules effectively, we decided to choose one specific field of practices where partial enforcement can be expected and which could be studied in a comparative manner. For reasons explained in the introduction, we opted for legislation and practices regarding domestic slaughter of pigs and sheep.

The sample of countries for our investigation involved five countries of the former Yugoslavia with significant differences in their level of integration with the EU. Two of them are member states of the EU; Slovenia since 2004 and Croatia since 2013. Macedonia is considered as an official candidate, while BiH has submitted a membership application in 2016 and is currently considered a potential candidate for the membership in the EU. Kosovo is another step further from the EU since it has not yet submitted a membership application. It is, however, also considered a potential candidate for the membership.

These differences represent excellent ground for comparative analyses in light of the so-called model of Europeanization (see: Schimmelfennig and Sedelmeier, 2005; Sedelmeier 2011, Dimitrova, 2010; Kmezić, 2014).

Therefore, we grounded our methodological approach on the model of Europeanization, whereby initial research questions were structured according to the basic stages of the process (EU rules → Adoption of EU rules → Implementation/enforcement of EU rules → Behavioural change). Our initial research questions were:

1. What is basic content of the EU regulations?
2. Which EU rules were adopted in individual countries, and what were related public discourses?
3. What kinds of practices, perceptions and trends regarding home slaughter are present among farmers and consumers of meat from domestic slaughter?
4. What kind of attitudes toward the legislation and the EU prevail in countries observed?
5. To what extent are the most important regulations enforced in countries observed?
6. What are reasons and motives for partial enforcement?
7. What was the impact of adopted EU rules on practices on the ground?
8. What formal and informal constraints were most important in regulating practices?

In order to find answers to these questions we applied four related qualitative research methods:

1. **Legal documents analysis**
   In applying this method we first searched texts of EU directives and regulations which are relevant to the home slaughter of animals. In the next step we analyzed these legal contents in view of the theoretically and legally most relevant issues (e.g. regulations on selling/donating meat, or regulations on stunning animals before slaughter) and derived basic legal frames that were used for further analyses. In the third step, we analyzed relevant legal documents at the national level and compared national regulations with EU directives and regulations.

2. **Analysis of media reports available online**
   This method was used only as a supplementary tool in order to assess national public discourses in relation to the adoption of the EU rules. Researchers searched the internet in their local languages searching for possible media reports on this issue. Relevant media reports were considered in the presentation of findings for each country.

3. **Interviews with relevant public servants**
   These interviews were one of the central methods of our investigation since we were able to collect valuable data in relation to practically all research questions. In Bosnia and Herzegovina (BiH) we conducted four expert interviews. Two of them were with veterinarians (one from the Veterinary Office of BiH and one from Inspections); one with a Muslim religious authority; one with a certified butcher and one with a controller of halal slaughter. In Croatia we interviewed the Head of Service from the Ministry of Agriculture, Veterinary and Food Safety Directorate, Veterinary Inspection Service, an employee of the Institute for Judicial and Administrative Veterinary Medicine, Faculty
of Veterinary Medicine and an employee at one of the local veterinary stations. In Kosovo interviews were conducted with one veterinarian, one expert on EU law harmonization working in public administration, and a director of unit at the Food and Veterinary Agency. In Macedonia four interviews with experts/public servants from the Agency for food and veterinary were conducted. One interview was conducted with the head of inspection unit, one with the head of the sector for legal affairs and two more were conducted with other civil servants within the Agency. In Slovenia, we interviewed three public servants, all employed at the Administration of Republic of Slovenia for food safety, veterinary and plant protection: one senior official from headquarters in Ljubljana, one specialized official for disposal of SRMs from headquarters in Ljubljana, and a higher official from a local branch of this institution.

4. **Interviews with producers and consumers of meat from domestic slaughter**

We put most of our efforts into this method since it enabled us to effectively identify practices on the ground and identify different gaps between formal institutions and practices on this basis. Altogether, we conducted 33 interviews with farmers and 25 interviews with consumers of meat originating from home slaughter. We set a minimum of six interviews per country for both categories of respondents together. The number of interviews varied, depending on possibilities in individual country, from six in Kosovo to twenty-two in Slovenia.

All respondents were tagged based on their position and their country. We used symbols in the following manner: F – farmer; C – consumer; E – expert/public servant. These symbols were combined with country codes and with a reference number. So, for instance a tag ‘E_CRO_1’ would stand for the first interviewed expert/public servant from Croatia. Such tags are used next to citations of our respondents in subsequent chapters. All interviews were conducted between November 2016 and February 2017.
5. Empirical elaboration

5.1. Legal aspects of home slaughter in the EU

Generally speaking home slaughter of animals encompasses the slaughtering of animals by their owner on the premises of their own property with the purpose of their personal consumption or consumption by the members of their immediate family living there. Consequently, home slaughter cannot take place in an approved slaughterhouse and differs from private slaughter which refers to situations when an animal belonging to a private owner is slaughtered in an approved slaughterhouse which subsequently returns the carcass to the owner.¹

In the scope of EU legislation, home slaughter of animals is covered by the Animal Welfare regulations and the EU rules regarding Food Hygiene.

The principal EU legislation that regulates the protection of animals at the time of slaughtering is the Council Regulation (EC) No 1099/2009² on the protection of animals at the time of killing, which became effective as of 1 January 2013 and replaced the older Directive 93/119/EC from 22 December 1993. In regard to slaughtering of animals for private consumption, Council Regulation (EC) No 1099/2009 envisages that slaughter of animals (except poultry, rabbits and hares) for domestic consumption, outside of the slaughterhouse (article 10) should be performed by taking into considerations the following provisions:

A) Article 3 (1): Animals shall be spared any avoidable pain, distress or suffering during their killing and related operations.


B) Article 4 (1): Animals shall only be killed after stunning in accordance with the methods and specific requirements related to the application of those methods set out in the Annex I of the mentioned Council Regulation. The loss of consciousness and sensibility shall be maintained until the death of the animal.

C) Article 7 (1): Killing and related operations shall only be carried out by persons with the appropriate level of competence to do so without causing the animals any avoidable pain, distress or suffering.

Exceptions to the stunning obligation are envisaged in Article 4 (4) where it is stated that in the case of animals subject to particular methods of slaughter prescribed by religious rites, the requirements of Article 4 (1) should not be applied as long as the slaughter takes place in a slaughterhouse.

In addition, the Hygiene Package of EU regulations covers all stages of production, processing, distribution and placing on the market of food intended for human consumption. The package is comprised of Regulation (EC) 852/2004 on the hygiene of foodstuffs which provides general hygiene rules and requirements for all registered food business; Regulation (EC) 853/2004 laying down specific hygiene rules for food of animal origin which outlays more specific requirements for business suppliers of products of animal origin; as well as Regulation (EC) 854/2004 laying down specific rules for the organisation of official controls on products of animal origin intended for human consumption and Directive 2004/41/EC - repealing certain Directives concerning food hygiene and health conditions for the production and placing on the market of certain products of animal origin intended for human consumption and

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amending Council Directives 89/662/EEC and 92/118/EEC and Council Decision 95/408/EC. As the Hygiene Package lays down requirements for food business operators, private domestic consumption is excluded from its scope. Thus, EU Regulation (EC) 853/2004 indicates that in most cases meat for human consumption must originate from licensed slaughterhouses. Hence, only meat from business operators can be placed on the market, whereby placing on the market means “holding of food for the purpose of sale, including offering for sale, or any other form of transfer, whether free of charge or not, and the sale, distribution and other forms of transfer themselves”. As home slaughter is intended for private domestic consumption, the meat that originates from domestic slaughtering cannot be put on the market since it has been obtained by a private person who cannot be considered as being a food business operator. Therefore, such meat can be consumed only by the owner and his/her immediate family living in the owner’s household and cannot be sold or transferred to other parties. In such cases of private domestic consumption, the Member States may adopt even more stringent national rules if they consider it necessary.

5.2 Adoption of legislation in relation to EU standards and related national public discourses

All countries included in our case study have a good track record in alignment of domestic legislation with the aforementioned EU rules regulating home slaughter of livestock. Both the Animal Welfare regulations as well as the EU rules regarding Food Hygiene have been transposed into domestic legislation albeit with some variation across cases.

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7 Paragraph 2 (a) and (b) of Article 1 of Regulation (EC) No 852/2004 and Paragraph 3 (a) and (b) of Article 1 of Regulation (EC) No 853/2004


Thus, Council Regulation (EC) No 1099/2009 on the protection of animals at the time of killing has been fully harmonized in Macedonia and Croatia. In Macedonia, the regulation has been transposed into the Law on Animal Protection and Welfare (Official Gazette no. 148/2014) and the Rulebook on Handling of Animals at the Time of Killing (Official Gazette no. 163/2010), while in Croatia the animal welfare regulations have been harmonized with the Law on implementation of regulation of the European Union regarding protection of animals (Official Gazette 125/13, 14/14, 92/14). In contrast, in the case of Bosnia and Herzegovina, there is a narrower scope of harmonization as the domestic Law on Animal Protection and Welfare (Official Gazette 25/2009) has been harmonized with the old EU Directive 93/119/EC, but not with its successor, the Council Regulation (EC) No 1099/2009. However, the legal frameworks in all three countries stipulate mandatory stunning prior to slaughtering and mandatory engagement of competent slaughtering personnel. The only exception is Kosovo. Here the stunning obligations provisioned by Council Regulation (EC) No 1099/2009 on the protection of animals at the time of killing have been transposed with the Law on Food. However, their application is limited only to licensed slaughter houses and it does not apply to primary production of meat for private home consumption, meaning that home slaughter without stunning is practiced without legal restrictions.

On the other hand, the Hygiene Package of EU rules has been fully harmonized in all countries. Hence, in Croatia, the hygiene regulations have been harmonized with the Law on veterinary medicine (Official Gazette 82/13, 148/13) and the Rulebook on animal slaughter for domestic use (Official Gazette 85/14). In Macedonia, harmonization has been achieved through the Law on food safety (Official Gazette no. 157/10, 53/11, 1/12, 164/13, 187/13, 43/14, 72/15), while in Bosnia and Herzegovina, the EU Food Hygiene package has been harmonized with the Law on food (Official Gazette no. 50/04) and the Law on veterinary medicine (Official Gazette no. 34/02). In Kosovo, harmonization has been achieved with Regulation no.11/2011 on hygiene of food-stuffs; Regulation no.12/2011 of laying down specific rules on hygiene of food of animal origin and Regulation no.13/2011 laying down specific rules for the organization of official controls on products of animal origin intended for human consumption. Each county-specific legislature allows home slaughter only for private domestic consumption and
consequently forbids any placing on the market of meat that originates from domestic slaughtering.

Finally, as Slovenia became an EU member in 2004, the harmonization of EU legislation regarding home slaughter of livestock took place at a much earlier stage in comparison to the other countries of our case study. Alignment with the old Directive 93/119/EC was already achieved in 1999 with the Animal protection act which was amended, mostly updated in accordance with the changing EU legislation, in 2003, 2007 and 2013. This act was specifically applied to the area of slaughter in the Rules on animal protection and welfare at slaughter, an act adopted in 2005 and amended a year later. The most relevant legal provision when it comes to home slaughter, however, is the Rules on conditions for the slaughter outside slaughterhouses of animals intended for household consumption only, which was adopted in 2000 and has not been amended since then. As in the other cases, Slovenian legislation requires mandatory stunning of animals prior to slaughtering and allows home slaughtering only for private consumption purposes.

Despite the transposition of these EU regulations, in the majority of countries in our focus the public media discourse did not draw much attention to EU regulation of home slaughtering and have not comprehensively investigated the domestic implementation of the legislation. The most significant debate occurred in Croatia, during its pre-accession phase when the public was concerned with EU regulations not only in relation to home slaughtering but also for agriculture in general. On the other hand, both the adoption of the legislation and its later implementation did not provoke significant public debate in Slovenia, Macedonia and BiH. This might be partially due to the widely shared perception, that EU rules are generally related to progress and modernization in all areas of life, but also due to the partial implementation of the legislation which have limited effect on small farmers and their old home slaughtering practices.

It is interesting to note that for instance in Croatia some of the media articles that can be found on the internet are characterized with sensationalist titles such as “EU zabranuje kolinje” [EU prohibits pig home slaughtering], “Spasimo kolinje” [We should save pig home slaughtering] which do not correspond with the actual content of the text where EU legislation on home slaughter is more broadly explained and where it is noted
that the EU does not prohibit, but regulates home slaughter. Similarly, in Macedonia, some of the articles rely exclusively on the ‘negatives’ of EU integration via the prism of potential ‘loss of national identity’. For instance, in the recent post-Brexit media debate, the Eurosceptic viewpoints among others use the example of EU restrictions on home slaughtering to justify their argument of “Why do we need the EU, when everyone wants out” (TV Nova 2016), giving a misleading interpretation of the regulation and arguing that, beside other negative influences, it would endanger Macedonian traditional life. However, despite these radically EU sceptical views, there are also earlier examples of articles with neutral tone. These articles describe the pros and cons, explaining that although home (informal) production of products (including meat production) is an important social tool for additional income of the poor and rural families, EU legislation is justified because it protects citizens’ wellbeing from possible damaging consequences of unregulated food and drink production (Utrinski Vesnik 2006).

5.3 Basic practices, perceptions and trends regarding home slaughter

In spite of differences between the societies in which we have conducted research in terms of their inherited traditions, wealth or EU-related status, we observed a significant resemblance in terms of basic perceptions and trends regarding home slaughter. Traditionally, pig slaughtering has been part of the cycle of annual customs, having also an important social role. In the socialist period it was performed during the days off for the Republic day (November 29th). Most of our respondents emphasized the importance of this tradition, but they also pointed at its fading, largely due to migrations from the rural areas to the cities, impoverishment, atomizing of families and the arrival of large retailers that are selling imported meat. As is the case of paying the Qurban to an organization engaged in charitable work or to the Islamic community instead of performing the ritual, increasingly more practices reduce or transform traditional ones. Most usual among such practices is buying cheaper meat in retail chains to process it at home while in Kosovo, for instance, postërma, the custom that gathers family at dinner after slaughter is performed is more and more often held in restaurants.
Although the number of pigs slaughtered at home fell significantly and pig-slaughtering lost most of its traditional aspects, the practice of sharing home slaughtered meat and home-made meat products is relatively widespread. There is a shared perspective that meat from home grown animals is of much better quality than meat bought at retailers, which is perceived as being imported frozen and as full of additives, albeit the only product that is available to a significant number of people.

Even though meat derived from home slaughter is not allowed to be sold or given as a gift most people are ignorant about that, while the state authorities are reluctant to fully implement the provisions. This is mainly due to an insufficient number of inspectors, but also due to the fact that the quantities of meat distributed in this way are very small. In consequence, the practice of sharing home slaughtered meat and home-made meat products is widespread. It is seen as a part of tradition that strengthens community while in Qurban it is explicitly required: the family uses a portion of meat, the other part is divided among neighbors, while the third part should go to socially disadvantaged people. In Kosovo, distribution of meat through informal networks is a significant part of the supply, but also elsewhere there are cases that testify to an existence of informal economy in the procurement and sale of meat and meat products originating from home slaughter.

5.4 Enforcement of the legislation and practices in everyday life

Our study of legal frameworks, both at the level of the EU and at the level of individual countries, led us to the conclusion that there are two basic rules regarding home slaughter which are at the same time important to the EU, adopted by the countries in our sample, and also interesting in view of practices in everyday life.

1. The rule limiting the use of meat originating from home slaughter for private consumption
The first of these two rules stipulates that meat originating from domestic slaughter can only be used for private consumption. Our first finding in this regard is that, while the rule seems quite straightforward at the first glance, the definition of private consumption is rather vague and open to different interpretations. It appears that the EU legislation prohibits any transfer of meat originating from home slaughter (in further text: ‘HS meat’) outside the household and the immediate family, but it does not state clear answers as to who exactly counts as a member of immediate family, or whether a member of immediate family (e.g. daughter or son) who does not reside in the household of the owner of animals is allowed to be given meat from domestic slaughter. Within our sample of countries, we found a similar situation in Bosnia and Herzegovina, where we were unable to identify a clear definition of domestic consumption.

Our investigation suggests, however, that several official state agencies in EU member states interpret the term ‘immediate family’ as the members of the family who reside in the household, i.e. the people that live permanently on the property. We found that such an interpretation is also officially adopted in Croatia and Macedonia, where therefore any transfer of HS meat outside the household, even gifts to immediate family members who do not reside at the owner’s household, can be considered as illegal.

An interesting case is Slovenia, where the applicable legal act defines private consumption as ‘consumption of family members living in the household, including relatives and hired workforce’. State authorities (E_SI_1, E_SI_2) interpret this to mean that domestic consumption also includes people outside the household. It suffices that these persons are (even very distant) relatives of the owner of animals, or that they offered any help on the farm in the past (not necessarily related to the slaughter of animals). This regulation is clearly quite ‘liberal’ in relation to the EU standards, and especially in relation to the Macedonian and Croatian regulation.

Kosovo has transposed a significant part of EU regulations regarding slaughter of animals and handling meat of animal origin, but the law specifies these apply to food

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10 See Table 1 in the Appendix for clarification of respondents’ codes.
business operators and do not apply to primary production for private domestic use. Similarly to Slovenia, selling and donating home slaughtered meat is prohibited unless it is dedicated for primary production for private domestic use. Legally **domestic use** refers to the household, but in practice members of the extended family and immediate neighbors may be given or sold home-slaughtered meat without the expectation of prosecution. This exception creates a grey area and therefore home slaughtered meat is sold and goes unreported (is not taxed). Also, legislation does not allow keeping (and slaughtering) animals without a license. However, individuals with no licenses commonly produce and/or sell meat.

Especially the difference between the Slovenian and Croatian application of this EU rule is very interesting in light of the fact that there was quite furious public debate in relation to the adoption of EU rules regarding home slaughter in Croatia, while there was virtually no such debate in Slovenia. Furthermore, according to a representative of Slovenian authorities who was directly involved in the adoption of the enabling legal acts (E_SI_1), there was practically no pressure from the EU to make the regulation any more restrictive. The quest for specific reasons as to why public discontent in Croatia did not result in less restrictive regulations is beyond the scope of our investigation. On the other hand, this short comparison of the two countries leads us to the conclusion that **the relative restrictiveness of the adopted EU regulations can be rather independent of public discourses in individual countries.** This also means that internal polarization within countries regarding the EU rules might, in some cases, have more to do with internal political and social dynamics than with the EU rules as such. On the other hand, it is also possible that both higher level internal polarization and relative strictness of the domestic rules are partially also a result of different EU’s conditionality requirements in relation to individual countries.

More importantly, our research suggests that **the limitation of HS meat to private consumption is weakly monitored and enforced in all the countries observed.** This can be related to our first finding in this subchapter: Since it is rather unclear what exactly private consumption entails, state authorities are in a position that enables them to operate with a relatively permissive interpretation of the law, at least when it comes to giving meat as a gift. Our data suggest that HS meat is distributed as a gift within
networks of relatives and acquaintances on a regular basis in all five countries observed. Slovenia and BiH stand out as two countries where this situation is (at least predominantly) legalized. In the other three countries, such practices are also tolerated by the state authorities despite the fact that regulations do not explicitly allow transfer of HS meat outside the owners’ household. In these countries we can thus speak of a gap between formal rules and formal constraints in this regard.

As we shall see shortly, weak enforcement does not relate only to giving HS meat as a gift, but also to selling such meat through informal social networks. An especially interesting case in this regard is BiH. The situation there has a lot to do with ritual religious slaughter which is legally allowed and performed by Muslims during the Kurban Bayram (Eid). Namely, the main purpose of Qurban slaughter is exactly giving the (Halal) meat as a gift to neighbours and to people who need social help. Within the Muslim tradition such distribution of meat functions as a tool for building social solidarity and integration. It follows that it is so to say unimaginable that someone would sell meat that is derived from religious home slaughter.

This might be also a partial explanation as to why our data suggest that BiH is the only country in our sample where selling HS meat appears relatively rare. According to our findings, consumers of red meat in BiH increasingly and predominantly find it more practical to buy meat in butcher’s shops, which are very widespread.

Namely, in these countries selling of HS meat through social networks is practically not monitored or sanctioned by the state authorities. Rare interventions by the inspection agencies only take place in relation to third party complaints. In this case, we can, again, identify a gap between formal rules and formal constraints, which is probably present in all the observed countries.

The reasons for the observed two gaps can be sought in different directions. The first one has to do with the administrative capacity of the state. One of the public servants from Croatia put it quite straightforwardly: “What do you think, how many inspectors we

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11 Only one respondent from BH admitted to selling HS meat.
ought to have in order to penalize that?" (E_CRO_1). Similar reasons popped up also from expert interviews in other countries. Public servants from all countries also agreed that the quantities of meat distributed in this way are very small and therefore such distribution of HS meat poses no real threat to public health and causes no significant social problems. Furthermore, in Slovenia, Croatia and Macedonia, public servants also mentioned that the economic implications for the farmers engaged in home slaughter have been taken into consideration by the state authorities. In Slovenia and in Croatia, public servants also mentioned the beneficial effect of distribution of HS meat for social integration and cooperation between individuals and families (E_SI_1; E_SI_2; E_CRO_1).

On the other hand, our data suggest that state authorities are much more active in monitoring and sanctioning more public forms of selling HS meat on the informal market, e.g. selling HS meat in the parking lot in front of a shopping mall, or at the market. Slovenian authorities also developed an additional approach to limit such practices by informing the public of individuals penalized for selling HS meat in order to prevent the spread of production of HS meat for the informal market12.

We can summarize this short analysis in the conclusion that the rule limiting HS meat for private consumption is only partially enforced by the state authorities in the countries observed. The rule is enforced only in the part relating to selling HS meat on the open informal market, while it is weakly or not at all enforced when it comes to transfers within networks of relatives and acquaintances. State authorities expressed three quite clear reasons for this. Probably most important one is the lack of bureaucratic capacity to monitor and penalize transfers within social networks. In this sense, we can speak about a gap between formal rules and state resources to implement the rules. The second expressed reason lies in the relatively low estimated quantity and thus low socio-economic importance of home slaughter. And thirdly, positive socio-economic functions of HS were expressed by some public servants.

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12 For instance, in 2014, the Administration of the Republic of Slovenia for Food Safety, Veterinary Sector and Plant Protection (http://www.glasdezele.si/articles/2014/nedovoljen-zakol-na-domu)
Regarding the last two reasons, we can identify a gap between formal rules and interpretations by the state authorities.

Thus, the partiality of enforcement of the observed rule can be basically explained by a two-dimensional gap between formal rules on the one hand and bureaucratic capacity and interpretations of state authorities on the other hand.

2. The rule on obligatory stunning of animals before slaughter

All five countries from our sample have adopted the rule on obligatory stunning of cattle, pigs and sheep into their legislation. Nevertheless, enforcement of this rule appears to vary significantly among countries.

In BiH legislation allows an exception from the stunning obligation when animals are subject to particular methods of slaughter prescribed by religious rites, but only if the slaughter takes place in a slaughterhouse. According to our data, however, slaughter without stunning is a normal practice, at least among Muslims, also in cases of home slaughter. Interestingly, this is not related only to religious doctrine, but also to more pragmatic thinking: "every time that I've seen animals slaughtered without stunning it appears that bleeding happens faster and blood is completely red, it is a lot of oxygen and the meat is cleaner" (S_BH_19). Even in cases of pig slaughter, there are virtually no enforcement activities on the part of state authorities. Stunning of pigs is nevertheless quite common, but for reasons of easier handling rather than due to the regulations. However, according to our respondents stunning of pigs is frequently done with non-adequate (in terms of regulations) tools such as axes, hammers or a mallet.

In Kosovo this rule applies to registered slaughter-houses and farmers. However, there is a large number of unregistered individuals performing home slaughter who are not monitored by state authorities and frequently use illegal methods (usually rope or man power). Such methods are also frequent among registered farmers. State authorities are aware of this situation but don’t see the possibilities to effectively monitor methods of slaughtering.
In Macedonia, prior to the implementation of the stunning regulations, animal killing for private consumption was predominantly based on traditional methods that either omitted stunning or used a less effective (and less humane) stunning method. In the past decade these practices are being gradually replaced with stunning practices which are in line with the legal provisions. However, these new stunning practices are not per se a result of legal enforcement, but rather they have a strong rationalist dimension based on the perception of the efficiency of the stunning equipment.

In Croatia and Slovenia the situation in relation to pig slaughter seems to be rather similar. The practice of stunning has been used already before the negotiation process with the EU began. Different traditional stunning practices, like using bayonets to penetrate the pig’s skull (e.g. in Croatian Istria), are being increasingly replaced by the use of proper stunning equipment and pig slaughter without stunning is very rare. State authorities, however, do not actively engage in systematic monitoring of proper stunning when home slaughter is concerned. The prevalence of proper stunning is rather related to the availability of stunning tools and the fact that using these tools makes the whole process much easier.

Based on this analysis we can conclude that in all countries state authorities invest little or virtually no efforts in enforcement of the rule on obligatory stunning. In this sense, we can speak of weak enforcement of this rule in all five countries. According to the interviews with public servants, there are two main reasons for this. First, it is virtually impossible (or extremely expensive) to effectively monitor all the domestic slaughters in a country. And second, the data in fact show that vast majority of farmers comply to this rule even without systematic control; ‘due to practical and emotional reasons’, as one of public servants (E_SI_1) put it.

Nonetheless, there are some notable differences between countries. Our results show that proper stunning in legal terms is most prevalent in Slovenia and Croatia and less prevalent in Kosovo and in Bosnia and Herzegovina.

Based on this finding we can deduce that lack of stunning or the use non-proper stunning techniques (hammer, axe, mallet) tends to be related to relative economic
availability of proper equipment. Moreover, answers of our respondents suggest that informal constrains are basically supportive in relation to formal rule in this case. That is, people tend to be, with the notable exception of religion-related slaughter in BiH, willing to use proper stunning procedures simply for practical and emotional reasons. The deviations from formal rules in this case therefore mostly ensue from what can be called the gap between resources of farmers and formal rules. Especially in less developed environments, the use of proper stunning equipment is simply something that not everyone can afford.

5.5 Attitudes of producers and consumers of HS meat towards the legislation and the EU

In all five countries ambivalent attitudes towards the regulations in the area of home slaughter can be found and same applies to attitudes towards the EU as an agent of these rules. On the one hand, there is a notion that the rules adopted under the influence of the EU are related to progress and modernization. Among many respondents, there is acceptance that EU regulations bring about increased quality and higher standards, which are predominantly beneficial.

On the other hand, there is a general feeling that regulations are not good for the small farmers and that big business takes advantage of the regulations. In Kosovo, Macedonia and BiH, there is also the complaint as to why the country is required to adhere to European standards when it does not possess the means (monetary, infrastructural) to meet those standards, nor is it in the EU. In relation to this, political elites are in some cases criticized for copy-pasting legislation which institutions are then not able to implement.

It should be noted, however, that in all societies in question, most interviewed farmers and consumers see regulations and their implementation as being too strict and in many ways harmful for small farmers. Farmers mostly complain about too much bureaucratic work being put on their shoulders. Some public servants opine that the EU directive is
too complicated and that previous (Yugoslav) regulations were much easier to understand and implement; in words of one of the respondents, the old rules were 'more alive' (E_BH_01). Our respondents also frequently expressed the notion that small farmers simply lack resources to comply with certain aspects of formal rules. And, more importantly, most respondents resent aspects of the regulation that endanger traditional practices they consider important and, at the same time, non-threatening.

Specifically, most respondents believe that it is not correct to restrict farmers in sharing and selling their own meat to relatives and friends: “even if I sell, if my animals are checked by a veterinarian, why should it be a problem if someone wants to buy?” (F_MK_01). Moreover, as we have shown in subchapter 5.3, HS meat is widely considered as more healthy and better in all other respects when compared to meat in the formal market. Therefore, restrictions on distribution of such meat (at least) through social networks are logically seen as generally non-beneficial.

Our analyses of respondents from Slovenia also suggested that an important source of such interpretations lies in the existing high levels of regulation and administrative pressures on small farmers in other areas of farming. As one of the respondents put it: “On small farms, only rats are not yet officially numbered” (F_SI_1). It should be taken into consideration, that such perceptions are often generalized and transferred (also) to the area of home slaughter, regardless of specific restrictions within this area.

To conclude, the basic and most important idea in relation to attitudes of our respondents is that the EU-induced rules are generally perceived as beneficial, but only in the part that does not have negative effects on small farmers and/or traditional practices like sharing and selling HS meat within social networks: “I'm absolutely in favor of these directives being implemented, to bring in some kind of order, but I also think that traditional aspects should be maintained.” (C_BH_1).
6. Elements of EU relevance; contribution of data to developing policy for “narrowing the gap”

Based on the data gathered we were able to formulate several theses that are relevant for EU policy making with regard to the gap between formal and informal institutions:

Our first thesis is basically a confirmation of our initial assumption that, in all five countries observed, home slaughter of pigs and sheep can be considered as a deeply-rooted cultural practice with generally positive social impact. One obvious argument to support this idea is that these practices have been historically widespread in this area for centuries. Based on our data we can add three arguments proving that these practices are still important today:

1. Our data strongly suggest that HS meat is generally perceived as of substantially higher quality, especially in terms of health and taste, as compared to the meat that is offered by retailers in the formal market.
2. Transfer of HS meat within informal social networks (relatives, neighbours and acquaintances) is taking place on a regular basis and tends to be considered, even by state authorities, as something normal.
3. According to our respondents, including competent public servants, these practices pose a negligible threat in terms of public health and we found no reported serious sanitary problems related to regular traffic of HS meat through social networks or to HS practices in general.
4. The transfer of HS meat within informal social networks has important positive effects in terms of solidarity and social integration at the micro (local) level. This was especially clearly expressed in relation to HS meat in relation to Qurban slaughter, but also in other (secular) context. In some cases even representatives of state authorities mentioned such transfer of HS meat as something beneficial for interpersonal relations.

Our second and central thesis refers to the level of indigenization of EU rules, whereas indigenization is understood as the transformation of rules to suit a local culture. According to the gathered data, Balkan countries sometimes adopt relatively strict
versions of EU rules and then compensate for tensions between formal rules and traditional practices through partial enforcement of formal rules.

This pattern is most clearly seen in relation to the definition of private consumption. In Croatia, Kosovo and Macedonia, private consumption is restricted only to the household members of the owner of animals. In other words, meat and meat products derived from domestic slaughter are intended for use exclusively within the owner’s household. This regulation appears relatively strict since it seems to prohibit any transfer of meat outside the household, even gifts to immediate family members who do not reside at the owner’s household.

The fact is, of course, that a lot depends on the definition of household. According to the classical definition, a household consists of: “…one or more people who live in the same dwelling and also share at meals or living accommodation, and may consist of a single family or some other grouping of people” (Haviland, 2003). This quite obviously excludes (even immediate) family members living outside the household.

On the other hand, Slovenian and BiH legislation appears to be much less restrictive in this issue. In Slovenia, private consumption is defined as ‘consumption of family members living in the household, including relatives and hired workforce’. The addition of ‘relatives and hired workforce’ broadens the range of eligible parties to virtually all members of the owners’ social networks. An even more liberal scenario is to be found in BiH, where the term ‘private consumption’ is not defined at all within the domestic legislation. Effectively this means that HS meat cannot be put on the formal market, but it can be freely transferred within owners’ informal social networks.

The stated arguments make it quite clear that Croatian, Kosovo and Macedonian authorities missed the opportunity to make this regulation clearer and, more importantly, closer to traditional practices of citizens of their countries. Since we don’t have all the required data, we must allow the possibility that these countries faced stronger pressures from the EU to adopt stricter rules.
Regardless of causes, however, our findings suggest that national political elites in the three countries in question, perhaps together with the EU, could do much more in terms of indigenizing EU rules. In other words, the described situation in these countries resembles what is commonly called ‘gold-plating’. The European Commission defines ‘gold-plating’ as the “…transposition of EU legislation, which goes beyond what is required by that legislation, while staying within legality…” (Cited in Boci, De Vet and Pauer, 2014: 27).

But this is only part of the story. According to our data, state authorities tend not to implement such rules in practice and HS meat is distributed as a gift within networks of relatives and acquaintances on a regular basis in all five countries observed.

Since this is basically against the law in Croatia, Kosovo and Macedonia, we can thus, considering the INFORM theoretical model, speak of the gap between formal rules and formal constraints in these three countries.

One can hardly overlook the potential of social power for representatives of state authorities (vets, inspectors) stemming from this gap. One of the respondents from Macedonia made this quite explicit. He thinks that inspectors do not really care for the law. In his words, they only care if they can extract some bribery or favour back from the peasants (F_MK_04). This leads us to a socially dysfunctional potential overlap between interests of political elites and interests of public servants. The former benefit from adopting relatively restrictive legislation because they can present it as an achievement on the path of ‘Europeanization’, while the latter may benefit by holding executive power in a situation where virtually ‘everyone is guilty’. In such a situation, the law can be turned against an individual small farmer at almost any time and it is ‘the good will of the inspector’ that keeps the small farmer still functioning. Needless to say, such a situation creates perfect grounds for corruptive practices.

Another negative effect of such situation is, quite obviously, an increased level of anomie. Such a situation was also directly observed by some of our respondents: “Indeed, these things are forbidden, but these restrictions are simply not obeyed in practice” (F_SI_4). While this situation might serve well political elites and public
servants, it has severe negative effects on society as a whole. A combination of adoption of unrealistic, 'under-indigenized' EU rules on the one hand, and partial enforcement as a buffer on the other hand, logically leads to an increase of anomie with all its detrimental effects on society as a whole.

We should stress, however, that according to the gathered data, such partial enforcement on the part of public servants appears to be entirely well-intentioned and aims mainly at protecting small farmers and their customers from unrealistic rules. In our view, such a situation can best be described by the term 'spontaneous indigenization of formal rules'. By this term we understand a process, where actors of implementation of non-indigenized rules apply such rules in an (more) indigenized manner. This process probably occurs mainly because these actors are members of local societies themselves and therefore predominantly spontaneously and well-intentionally adjust the implementation of rules to local informal institutions and practices.

Our data confirm this notion through main reasons that were stated by public servants for the weak/partial enforcement of the observed formal rules. First, the economic implications for the farmers engaged in home slaughter have been taken into consideration. Second, the home slaughter was not considered problematic due to its very limited spread (quantity) and regulators were said to be focused primarily on the control of registered facilities. And third, traditional values and ways of life which are still functional were also considered as something that should be preserved. All these reasons point to the logic of spontaneous indigenization of rules on the part of public servants.

The most frequently expressed reason for the weak enforcement of the observed rules, however, was the lack of bureaucratic capacity of the state, especially the limited number of veterinarians. This points to another kind of gap; a gap between formal rules

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93 It should be added, that a situation where state bureaucracy takes part in partial non-compliance with the law can lead to the 'criminalization' of entire society. That is, (parts of) political elites and external parties (e.g. EU officials) may see such deviations from formal rules as a symptom of problematic local culture, rather than a symptom of under-indigenized rules. Such attitudes and statements logically provoke public resentment and euroscepticism, which further deepens the gap between EU-related formal rules and practices.
and resources. The lack of resources was found not only at the level of bureaucracy, but also at the level of home slaughterers, especially in relation to the rule on obligatory stunning. In this case, informal constraints are, with the exception of religion-related slaughter in BiH, in favour of proper stunning animals before slaughter. Our data suggest, however, that in many cases, home slaughterers find it hard to afford the proper equipment and for this reason choose to apply traditional practices of stunning and slaughter.

It is important to note the difference between situation regarding the rule on private consumption and the situation in relation to the rule on obligatory stunning. In the former case, there was a gap between formal rules and informal constraints. But this gap was overcome by the spontaneous indigenization on the part of public servants. In the second case, however, there was no initial gap between formal rules and informal constraints: people in general want to do what law expects them to do, but they lack resources. Such a situation, of course, requires a different policy response.

Finally, it should be added that informal institutions and practices are changing too. For instance, our findings suggest that informal customs in relation to home slaughter seem to be fading and that home slaughterers are increasingly aware of hygiene requirements and the concern for animal welfare. Importantly, these changes appear to be mostly related to the broader modernization of the society. The impact of specific formal pressures on home slaughter practices appears to be of a much lesser importance. We see these findings as additional argument in favour in indigenization of formal rules and against the combination of gold-plating and partial enforcement of formal rules.
7. Contribution of data to development of theory regarding informality

7.1 Results in light of the INFORM theoretical model

In some of the previous chapters we already used the basic terminology which is used in the INFORM theoretical model, which is proposed as a crucial starting point of the entire research project. We therefore decided to test this model as a tool for theoretical interpretation of our findings.

*Picture 1. INFORM theoretical model*

This study offers two most interesting cases in this regard. The first one relates to the definition of private consumption in Croatia, Kosovo and Macedonia and the related partial enforcement of rules on the part of public servants. We already described this situation in the terminology of the INFORM model as the gap between formal rules and
formal constraints. The described situation seems to fit quite well into the INFORM model and points to the weakness of the enforcement belt. More specifically, state authorities interpret the formal rule limiting the consumption of meat to members of the owners’ household only in a way that transfer of meat is, in practice, also allowed among relatives, neighbours and friends. As a consequence, formal constraints [rules in use] are only a mild version of the actual formal rules. Of course, this is logically strongly connected with practices on the ground. As the theoretical model suggests, the gap between formal rules and constraints logically leads to the gap between formal rules and practices.

Reasons of state authorities for the described interpretation were explained in more detail within the previous chapter. In light of the INFORM model, these interpretations are rooted in (1) social values and norms (public servants interpreted rules in a more ‘indigenized’ manner) and (2) in the lack of resources, in this case the lack of bureaucratic capacity.

The second relevant finding relates to obligatory stunning of animals before slaughter. Here, with some exceptions, we found a gap between practices and formal constraints despite a good match between formal and informal constraints. In other words, people generally want to do what the law regulates, but in many cases they still don’t do it. The main reason for this lies in the lack of resources, both at the level of bureaucratic capacity to monitor HS practices, and at the level of pig slaughterers who often cannot afford proper equipment. As discernable from picture 1, this situation also fits well the applied theoretical model.

It should be added, that the model warns us also, that the discovered patterns may be relevant only in the observed social field, which is the field of everyday life in our case. Other fields, like for instance the field of cultural production or business, can display radically different patterns.
7.2 Results in light of the Helmke-Levitsky theoretical model

In the next step we tried to connect our findings with the model of interplay between formal and informal institutions as suggested by Gretchen Helmke and Steven Levitsky (2004). This model differentiates between four types of interaction between formal and informal institutions depending on the degree to which formal and informal institutional outcomes converge and on the extent to which rules and procedures that exist on paper are enforced in practice.

The first, complementary interaction occurs where formal institutions function effectively and when informal institutions play a complementary role in making the formal rules more effective. This type has a very poor match with our first case (private consumption). Informal rules on the ground strongly support transfer of HS meat between relatives, neighbours and friends, while formal rules restrict the use of HS meat only to members of the owners’ household.

On the other hand, this type could provide a good match with our second (stunning) case. In this case we did find a supportive role of informal institutions (or constraints in the language of the INFORM model). However, the Helmke-Levitsky model does not allow space for the very important fact that practices, due to the lack of resources, do not follow formal and informal institutions.

In the second mode of interaction, labelled as accommodating, formal institutions are effective, but their interaction with the informal institutions leads towards divergent outcomes. Here informal institutions lead towards behaviour that contradicts the spirit of, but does not violate the formally envisaged norms. In our first case, we can see that the observed formal rule is not effective since HS meat is, contrary to the rule, transferred within social networks on regular basis. A similar point can be made for the rule on obligatory stunning – it is frequently simply not being followed and there are no specific ‘legal bypasses’ aimed at contradicting the spirit of this rule.

Within the third mode, informal institutions are competing with formal ones, because formal institutions are ineffective and formal rules and procedures are not sufficiently
implemented. Therefore, informal institutions set alternative behavioural patterns which are in conflict with the formal ones, which then leads towards divergent outcomes. Our first case is probably closest to this type. Informal institutions indeed contradict the idea of restricting consumption of HS meat only to household members. However, this classification in terms of Helmke-Levitsky model does not take into account the very important fact of the weakness of the enforcement belt. It does not enable us to see that the gap between formal and informal institutions is concentrated at the level of interpretations by public servants and that therefore, there is no ‘competition’ between informal institutions and formal constraints (to use the INFORM terminology).

Finally, in the fourth mode, informal institutions have a substitutive character because formal institutions are ineffective and informal institutions tend to compensate for their inefficiency, or “to achieve what formal institutions were designed, but failed to achieve” (2004: 729). The aim of the restrictive rule on private consumption of HS meat is quite obviously the protection of consumers in terms of health risks related to procedures of food production. It is obvious that informal institutions supporting the transfer of HS meat through social networks do not help in achieving this aim. As to the case of obligatory stunning, the obvious aim of the rule is the welfare of animals. The relatively frequent absence of stunning due to lack of resources obviously does not contribute to achieving this goal.

In short it is possible to find closest matches for both of our central cases within the Helmke-Levitsky model. However, in both cases the model does not take into account very important aspects of the interplay between formal and informal institutions. Our analyses has shown that in this sense the INFORM theoretical model does a much better job.

8. Further data needed for testing and/or confirmation

In our view, the methods applied in this study enabled us to achieve our research goals and were sufficient to cover most of the crucial aspects of partial enforcement of EU
rules in the area of home slaughter. In areas like attitudes of citizens towards the EU rules and towards traditional practices, our findings should be tested and further upgraded on the basis of systematic survey on representative national samples. Such a survey would also enable locating different (types of) attitudes into different parts of social space and thus provide basis for evaluation of needs and potentials for indigenization of EU rules.

Most of all, further research should therefore build on the basic findings of this study and apply them to other fields/areas of social life, like, for instance, employment, safety at work, public procurements, gender equality, and alike.

We also think that future research should place results of this and related studies into a broader framework of debates on Europeanization (see: Schimmelfennig and Sedelmeier, 2005; Sedelmeier 2011; Kmezić, 2014). Especially in view of the fact that the introduction of Western institutions and administrative standards to post-socialist societies has also been interpreted by some authors (e.g. Strange, 1996; Sassen, 2000; Kalb, 2007) as a very sophisticated technique and form of subordination, and even described as “neo-neo-colonialism” (Godina, 2014)14.

14 Neo-neo-colonialism of post-socialist societies shares several characteristics with modern colonialism and neo-colonialism (see Watts 1999); for example, economic subordination of concrete colonial territory to the West; political subordination of concrete colonial territory to the West; reorganization of colony’s economy in accordance with interest of the West, etc. However, there is one crucial characteristic which separate neo-neo-colonialism of post-socialist societies from classic colonialism and neo-colonialism; post-socialist societies namely decided freely to subordinate themselves to the West (referendums for the entrance in EU; referendums for the membership in the NATO; etc.).Understanding post-socialist societies as neo-neo-colonial locations is in accordance with Verderdy's statement, »that it actually makes sense to divide the world in to the 'West' and the 'Rest' and to subdivide the Rest further into different kinds of colonial/neo-colonial experience« (Verdery 2007: 20).
9. Conclusions

The results of research demonstrate that, although to different extent, in all of the countries observed there is partial enforcement of EU rules concerning pig and sheep home slaughter and meat consumption practices. Still, the implementation of a critical framework which offers a wider contextual insight enables the identification of a gap between formality and informality which is initiated precisely by the processes of Europeanization.

As evident from the analysis, partiality as a state of incompleteness is not only the consequence of the problematic processes of “indigenization” of rules in the field, but also of the fact that EU acquis assumes a quite indifferent position toward the existing and already regulated practices, and allows considerable space for domestic political elites for interpretation and alteration of regulation. Put in our key terms “informality” – as a state which supposedly precedes or defies Europeanization – in this case does not connote the space of legal and other lack of regulation but, on the contrary, the space of “ex-formal” and mostly functioning regulative practices. It refers both to the existing legislation and to everyday mostly traditional practices which are self-regulated through their own mechanisms.

As is demonstrated in the analysis, the Hygiene Package EU rules were fully harmonized in all of the countries, without any visible problems or fissures in the processes of enforcement, which points to the fact that the EU rules were, in most cases, already supported by the already existing, “indigenous” regulation. The same goes for the measures of animal welfare since the procedures of killing with the minimum of suffering were already part of a widely spread and rooted practices of home slaughter. At times, they were even more focused on compassion or the religious relation toward animal sacrifice than any EU regulation.

All the more so, the welfare of animals in the totality of traditional alimentary practices was additionally regulated by the more humane breeding, general rapport toward animals and especially by restrictions in consumption, which was mostly conditioned by economic factors. The regulation regarding animal welfare is, as relevant literature...
suggests, to a large extent related to the introduction of industrial, mass production and selling of meat. From this angle, implementation of regulation regarding animal welfare on domestic production, together with its inevitably partial enforcement, can be seen as very problematic and even hypocritical.

The detailed elaboration of issues such as “humane slaughter” shows itself as a lesser obstacle to implementation than, for example, problems in precisely defining what constitutes “private consumption”, who are subject to unimpeded exchange and consumption of domestic meat products. Thus, the problems of enforcement for the most part relate to informal/traditional solidarity networks. This reinforces the thesis that the main reasons for partial enforcement are to be found in the process of spontaneous indigenization, whereby state authorities apply formal rules by taking into account economic and broader cultural specifics of (farmers in) their countries.

The results of research should also be related to the length and complexity of pre-accession negotiation, the quality of mediation of its results in public discourse, the cultural imaginary which were penetrated by the news of necessary changes and last but not least, the state of national economies. So, while in Slovenia the predominant discourse of Europeanization was not questioned, in Bosnia and Herzegovina, Macedonia and Kosovo the news on domestic production and processing of food and drinks were positioned on the margins of public debates. In the case of Croatia they were recognized as a material suited for political positioning: here, the manipulative pre-accession public debate, which was supported by the scarcity of official sources, used a controversial discourse of Europeanization as a civilizing process generally prone to the “extinction of tradition”. Such an approach enabled the transfer of public attention from structural processes which define the state of national agricultural economy within the EU, whether it is about discriminating in favor of certain individuals and the making of “neo-feudal” relations, or, on the other hand, the clear class and social differentiation of producers and mass emigration of people from the traditionally agricultural areas.

On the other hand, we have also identified a situation of agreement between formal and informal constraints, which, however, did not result in an adequate response at the level of practices. Many home slaughterers would prefer to follow the rule on obligatory
stunning of animals, but they lack economic resources. In face of the implementation of, in many cases redundant, “civilizing” norms which the EU regulation intended in the regulating of these practices, it becomes evident that the general intention is reduced to the subjection to the systemic logic of the functioning of EU economy, the professionalization of traditional roles in the agricultural production, which extricates certain activities from its integral, lifeworld context. Such EU-enforced partialization is in line with the further transformation of peasants into farmers and entrepreneurs, and it substantially changes the existing social and class surrounding of the states’ agricultural sector.

Some of the factors influencing the general decline of home slaughter of animals, such as the introduction of cheap meat from large retail chains or mass emigration in some of the countries of the Western Balkans, are at times directly linked to the European Union, while others, such as ageing households and depopulation of rural areas are general European trends.

In relation to policy relevance, our study has shown that adoption of EU rules regarding the home slaughter of pigs and sheep into domestic legislation could and should, at least in some cases, be substantially more subtle in terms of adjusting EU rules to traditional practices. The insufficient indigenization of EU rules tends to result in partial enforcement of such rules and tends to increase the levels of anomie with all its detrimental social effects (e.g. low effectiveness of institutions, high frequency of corruptive practices, widespread feelings of meaninglessness and pessimism, etc). In such situation, the role and functions of informal sector are often basically redefined; in many situations it is exactly this sector which is the only one that can still guarantee some basic social functions and services and protects society from even deeper anomie (see Burawoy and Verdery 1999; Stark 1996).

In our view, the EU should therefore look for ways to prevent practices that resemble gold-plating and instead help countries in the search of a functional adjustment of EU regulation to domestic cultural values, norms and practices. Otherwise, the logic of the widespread partial enforcement may continue to reproduce orientalist imaginary in that the most (South)Eastern countries fall behind the
(North)Western ones. Based on the gathered data, we also believe that the EU-supported indigenization might provide a relatively efficient tool for producing the expected adjustments. As the very logic of the accession process is implementation rather than true negotiation, the EU should at least support indigenization of imported practices both bureaucratically and financially.
10. References


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