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From New to Indispensable: How the 2004 Enlargement Reshaped the EU's Transformative Powers

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Abstract

This editorial introduces a thematic issue that examines the consequences of the accession of the Central and East European countries to the EU 20 years onward. The socioeconomic transformation of these countries in the pre-accession period was considered a remarkable success, that was attributed to the EU’s conditionality policy. However, in the post-accession period, when these countries gained full membership rights and began playing a more active political role, they started deviating from some EU norms and rules, against a backdrop of EU crises. This shift has been, notably, reflected in concerns about democratic backsliding and rule of law violations. Nonetheless, the contributions in this issue also underscore that these countries have internalized (both top-down and bottom-up) EU norms and rules to a much greater extent than the focus on conditionality would suggest. Moreover, since Russia invaded Ukraine, Central and East European countries have become entrepreneurs of EU policy and bolstered its transformative power. These findings indicate a need to focus not only on the fundamental shortcomings in these countries—as the attention conferred to the (lack of post-accession) conditionality suggests—but also to consider other factors, such as the quality of the EU’s governance and political system, policy learning, geopolitics, and member states’ domestic politics.

Keywords

Central and East Europe; conditionality; Eastern enlargement; European Union; Europeanisation; transformative powers

1. Introduction: Big Bang Enlargement, 20 Years After

This year marks the 20th anniversary of the “Big Bang” enlargement. In 2004, eight post-communist Central and Eastern European (CEE) countries joined the EU: four Visegrad (V4) countries (the Czech Republic, Hungary, Poland, and Slovakia), three Baltic (B3) countries (Estonia, Latvia, and Lithuania), and Slovenia. The adoption of EU norms and rules as part of the pre-accession conditions not only supported the ongoing “triple transition,” i.e., the democratization of the political systems, the development of market economies, and the creation of civil societies in these countries (Offe & Adler, 1991) but also helped to bring them “back to the heart of Europe” and facilitated their embedding in the West (e.g., Bátorá, 2013).

Post-accession, however, democratic backsliding, growing concerns about the rule of law, and Euroscepticism have called into question the presumed transformative power of the EU. In accepting full membership and becoming more assertive actors, the CEE countries have often criticised Brussels institutions and strayed from the mainstream of the “old member states.” Examples include a deviation from the EU’s Kosovo recognition policy (Slovakia), an initial rejection of the euro rescue package for Greece (Slovakia), the blocking of accession talks with Croatia (Slovenia), the rejection of the euro (Hungary, Poland, and the Czech Republic), the rejection of burden-sharing in asylum policy (V4), the triggering of the yellow card procedure regarding the Posting of Workers Directive (all CEE countries), the threat to veto the post-pandemic recovery fund (Hungary and Poland), obstruction of sanctions packages against Russia, financial aid for Ukraine and Ukraine’s integration into the EU (Hungary and Slovakia), and the rejection of the introduction of qualified majority voting in the Common Foreign and Security Policy (all except Slovenia).

It is important to note that the EU is no longer the same organisation that these countries joined in 2004, having experienced several crises in recent decades, starting with the eurozone crisis (2009–2010), followed by security (Ukraine invasion in 2014 and 2022), migration (2015–2016), health (2020), and energy crises (2022). This polycrisis environment (Zeitlin et al., 2019) has had a profound impact on the EU’s political system (Bickerton et al., 2015; Schmitter, 2012) through the rise of populist, far-right, and radical parties with Eurosceptic views (see Vasilopoulou, 2018).

The literature on the transformative power of the EU vis-à-vis (pre-accession) conditionality has concentrated on the insignificance of this leverage post-accession, with the EU in recent years experiencing an enlargement policy crisis and the weakening of its purported strongest foreign policy instrument. This was made very clear in the *JCMS: Journal of Common Market Studies* (JCMS) issue evaluating Eastern enlargement 10 years on (Epstein & Jacoby, 2014). In it, the authors advanced three conclusions: (a) the EU had a more direct and far-reaching impact on CEE countries’ economies compared to their democracies; (b) while the EU was to some extent able to support democratic governance by providing rules and procedures that strengthened civil society resistance to various forms of state capture (Dimitrova & Buzogány, 2014), this was not sufficient, as the EU lacked effective measures to combat capture (Innes, 2014); and (c) the lack of some form of post-accession conditionality, through which the EU can safeguard democratic governance and mobilize “domestic” support for future enlargement, has been blamed for “enlargement fatigue” (Vachudová, 2014).

To reflect on developments 20 years on, the authors of this thematic issue were asked to address the following questions: To what extent and in what ways has the eastward enlargement affected the EU and why? While the 2014 JCMS issue was published against the backdrop of an economic crisis, the world has

been upended by several additional turbulent developments over the past 10 years. On the 20th anniversary of the Eastern enlargement, the EU's transformative economic power is perceived as far more substantial compared to its political leverage. However, the contributions in this thematic issue also underscore that the CEE countries have internalized (bottom-up and top-down) EU norms and rules far more than recognized in the literature on conditionality. Moreover, in response to some of the recent crises, such as the war in Ukraine, the CEE countries have become entrepreneurs of EU policies, contributing to their transformative power. This suggests that, apart from the fundamental shortcomings of the CEE countries implied by their (non-)adherence to conditionality, there are additional variables to consider. These encompass the quality of the EU's governance and political system, feedback loop-facilitated learning, the evolving geopolitical landscape, and/or the changing internal dynamics of member states.

This editorial begins with an overview of the literature on the role of (pre-accession) conditionality on the EU's transformative power. This is followed by engagement with the literature on the post-accession positioning of CEE countries in the EU, which is contrasted with the new findings presented in this issue. Our aim is twofold: (a) to better understand the processes and mechanisms through which the Eastern enlargement has changed the EU, and (b) to understand the evolving preferences of CEE countries in the post-accession period.

2. Review of Literature

2.1. *Pre-Accession Conditionality: Passive Actors and Policy Takers*

In general, the logic of EU conditionality can be divided into two main phases: pre-accession and post-accession. While the former is based on the interrelated mechanisms of EU conditionality, incentives, and monitoring measures, the latter is limited to the second element, i.e., financial rewards for fulfilling the EU's conditions (Gateva, 2015).

Pre-accession conditionality is a very broad and context-specific concept. The literature indeed distinguishes between several, often overlapping, categories of conditionality: political conditionality (Schimmelfennig, 2008); membership conditionality (Smith, 2003); accession conditionality (Grabbe, 2006); acquis conditionality (Grabbe, 2002); and democratic and rule of law conditionality (Kochenov, 2008). Earlier theoretical discussions of EU conditionality also examined the EU's transformative capacity, focusing on mechanisms that promote conformity to EU standards, norms and procedures, and assessing their impact on candidate countries' domestic politics (e.g., Grabbe, 2002, 2006; Pridham, 2002; Schimmelfennig & Sedelmeier, 2004; Smith, 1998).

With each round of enlargement, the EU introduced additional conditions for membership. The Treaty of Rome (1957), for instance, stipulated that membership required a "European identity." In 1978, the Council's conclusions added respect for representative democracy and human rights among the necessary conditions for membership, along with the maintenance of "good neighbourly relations" (Council of the European Communities, 1978; Smith, 2003, p. 10). The EU membership applications of countries with former dictatorships (Portugal and Spain), notably, were the impetus for this shift. Meanwhile, the interest expressed by post-Soviet and post-communist countries in the membership compelled the EU to once again reconsider the application criteria. The development of relations between the EU and the CEE countries before the accession followed a three-stage logic: closer economic relations were established through trade

and aid programmes (1989–1993), followed by political commitments (1993–1998), and, finally, accession negotiations (1998–2002).

As far as the CEE countries' accession cycle is concerned, the EU initially focused more on economic reforms than political progress, with aid and trade-oriented relations targeted towards supporting the post-communist development of these countries. The EU used Phare—an important financial mechanism to guide economic transformation, with the Commission limiting its conditionality to market development measures (Grabbe, 2006). Phare conditionality facilitated the EU's neoliberal agenda, but due to the program's overall lack of coherence, it was unable to consistently guide assistance to the CEE countries (Grabbe, 2006).

The second phase involved policy commitments to stabilize the economic and political situation in the CEE countries. Here, based on the report *Towards a Closer Association with the Countries of Central and Eastern Europe*, published by the Commission in 1992, general accession criteria were established for the first time, which potential members had to meet before they could join the EU. The accession criteria were confirmed at the subsequent 1993 Copenhagen meeting and required the stability of institutions, a functioning market economy, and a functioning bureaucracy to satisfy these obligations. Moreover, the Copenhagen Council imposed an additional condition on the EU itself. It emphasized the need to maintain the pace and “momentum” of European integration in the enlarged Union (Council of the European Union, 1993). At this stage, the European Commission issued its opinions, which provided an overview of the political and economic situation and the progress towards meeting the Copenhagen criteria in the countries concerned. The Commission's opinions were crucial in that they provided a basis for the EU's application of conditionality; depending on the extent to which countries met the criteria, they were granted assistance and offered candidate status. As has been documented elsewhere, the vision of membership proved crucial to the EU's ability to transform the CEE countries (Grabbe, 2002).

Finally, the actual accession negotiations were characterized by a phase in which conditionality was made more explicit and financial assistance was distributed based on the accession requirements. The *Accession Partnership* highlights the main priority areas in which the candidate country must make progress and is largely based on the Commission's opinion on the country's application for EU membership. The *Regular Reports* on the candidate country's progress, issued annually by the European Commission, helped candidates to guide their efforts in meeting the conditions across a spectrum of policy areas and assessed the performance of national institutions and their staff. At the same time, member states used these reports to decide whether respective candidate countries could be advanced to the next stage of the accession process, making them powerful tools for facilitating change in specific policy areas (Grabbe, 2006, p. 83).

As this brief overview of the accession process underscores, the relationship between candidates and the EU before accession was characterized by palpable asymmetry. The enormous leverage of the EU in the pre-accession period is underpinned by the enticing benefits of membership, a powerful incentive motivating aspiring member states to fulfil the necessary accession criteria (Keohane & Hoffmann, 1993). Such criteria included extensive domestic reforms subjecting states to drastic review procedures (Vachudová, 2006).

Despite EU power derived from the accession process, there was a lack of consensus among member states concerning whether they wanted all CEE countries to join. To dispel any doubt about the viability of the EU

post-enlargement, the bloc altered its enlargement policy and created several mechanisms to monitor the progress of applicants. The conclusions of the Copenhagen Council (Council of the European Union, 1993, p. 13) reaffirmed that:

Accession will take place as soon as an associated country is able to assume the obligations of membership by satisfying the economic and political conditions required.....Membership presupposes the candidate's ability to take on the obligations of membership including adherence to the aims of political, economic and monetary union.

The fact that no controversy emerged over the conclusion's wording is the best indication that member states across the board eventually came around to the idea that the CEE countries' accession was inevitable (Lasas, 2010).

At the same time, the process is a reaffirmation of the asymmetric interdependence that existed at the time—the candidate countries were bound by the accession criteria and compelled to agree to pre-existing sets of rules, whose design they had no say about (Raik, 2006, p. 85). Meanwhile, CEE countries had little to immediately offer to the EU due to their modest economies. They also had minimal negotiating leverage due to the strong desire of their political elites to join the EU, even though public opinion was more volatile. This imbalance of trust allowed the EU to set the rules of the game for accession conditionality. However, as Haggard and Moravcsik (1993, p. 272) point out in their study on aid conditionality, it is quite difficult to determine the coercive nature of conditionality and to distinguish between “underlying interest and strategic interaction.” Similarly, it is rather complicated to determine whether governments complied with the conditions because they accepted the EU's underlying objectives or because the conditions were tied to strict timetables and the possibility of being excluded from the enlargement process would have been perceived as a missed opportunity.

2.2. Post-Accession: (Re)Active Players?

The literature on pre-accession conditionality also emphasized the future shift of power after the accession of candidate countries. Research has focused on discerning the sustainability of EU post-accession conditionality by examining EU compliance (e.g., Dimitrova & Toshkov, 2009; Sedelmeier, 2008; Toshkov, 2007). Dimitrova (2007) examined the potential for either institutionalization or the reversal of norms “imported” by new EU member states from the CEE region during their accessions. This author argues that the institutionalization of formal rules imposed as a condition of enlargement is not automatic upon accession, but that they can be “be reversed, supported by secondary rules and institutionalized or ignored and not implemented.” In the case of non-acquis rules, formal rules could be reversed without fines, while in the case of acquis rules, institutionalization or “empty shells” are plausible outcomes (Dimitrova, 2007). It was also expected that the influence of European institutions on future members would weaken significantly with decreasing conditionality, which could lead to a reassessment of the obligations assumed by CEE countries (Dimitrova & Steunenberg, 2004). A lack of incentives would ostensibly slow the transposition of legal acts into national systems once countries become members (Linden, 2002; Schimmelfennig et al., 2005), leading to increasing non-compliance with EU law (Börzel, 2021). However, this assumption was partially refuted by several studies that examined the evolution of the transposition deficit and indicated that member states' compliance with EU law improved (Pircher, 2023; Pircher & Loxbo, 2020).

In addition, the outflow of human capital involved in accession negotiations given the obligation to appoint representatives to EU institutions was expected to weaken awareness of the EU and its socialization effect (Schimmelfennig & Sedelmeier, 2007). In the study of civil service reforms in new member states, Meyer-Sahling (2009, p. 7) shows that Lithuania, Latvia, and Estonia continued pre-accession reforms and improved their systems, while Hungary and Slovenia were classified as cases of “constructive reform reversals” in which reform progress was made only in some areas. Poland, Slovakia and the Czech Republic, meanwhile, were categorized as cases of “destructive reform reversals,” in which civil service institutions were dismantled after accession, making the system incompatible with European standards (Meyer-Sahling, 2009, p. 7). Although the expectation that the departure of civil servants would weaken the socialization effect was correct to some extent, the potential for “secondary” socialization through the establishment of direct contacts in the EU institutions, and especially through the rotating EU Council presidency, tended to be underestimated. At the time of writing, all CEE countries have held the presidency of the Council of the European Union (Slovenia and the Czech Republic have had this opportunity twice). The Council Presidency offers member states the opportunity to get to know the “inner workings” of the EU’s multi-level system. This experience not only serves to help member states to better understand the day-to-day tasks and functioning of the EU, but also to deepen knowledge about and relations with their peers (Láštic, 2010, pp. 151–152).

Indeed, some of the rotating CEE countries’ presidencies have been surprisingly successful, enhancing the countries’ reputations for advancing reforms or providing political leadership (Panke & Gurol, 2018). What CEE countries presidencies have in common is that their terms have been heavily influenced by international events and often constrained by domestic political squabbles (Ágh, 2012; Auers & Rostoks, 2016; Balázs, 2011; Beneš & Karlas, 2010). Nevertheless, CEE countries’ presidencies in many cases have succeeded in adopting important legal acts on the internal market and economic policy (Beneš & Karlas, 2010; Panke & Gurol, 2018; Vilpisauskas, 2014), they have also been involved in external relations issues, especially enlargement (Kajnc, 2009; Vilpisauskas, 2014), and they have not been afraid to introduce new practices for concluding EU summits in member state capitals (Bilčík, 2017). All in all, these countries’ presidencies of the EU Council have shown that the “new” member states have the potential to set the agenda (Bátora, 2017) and to act as honest brokers and skilled negotiators forging common positions in turbulent times (Pomorska & Vanhoonacker, 2012). In addition, CEE countries have invested in the professionalization of the civil service by increasing their permanent representations to the EU and ensuring their civil servants are in daily contact with the General Secretariat of the Council and other EU institutions months and often years before and during their respective presidencies. This form of “secondary socialization,” as opposed to that which preceded CEE countries’ membership, allows for the transfer of experience back to the domestic bureaucracy after the end of the presidency, which could strengthen its negotiating position in the future.

3. Thematic Issue’s Contributions: From New to Indispensable

This thematic issue contains four original research articles reflecting on the Big Bang enlargement 20 years on, answering questions concerning the extent and underlying reasons and mechanisms through which the eastward enlargement has reshaped the transformative power of the EU.

The first contribution by Medve-Bálint and Szabó (2024) assesses the extent of the impact of the Eastern enlargement on CEE countries’ economies and politics. The authors argue that the model of dependent

market economies on the Eastern periphery of the EU has proven its resilience despite the numerous crises and political upheavals of the last decade. The FDI-based and export-oriented growth models of the Visegrad countries were strengthened after the global financial crisis, while the debt-based, consumption-oriented capitalism of the Baltic states has not undergone dramatic changes despite the strengthening of its export component. Academic accounts from a comparative political economy perspective explain this resilience with country-specific factors and tend to downplay the role of external influences. Instead, the authors build a bridge between these approaches and international political economy by arguing that European integration in general, and the EU's transnational regulatory influence in particular, serves as an external anchoring mechanism for the two semi-peripheral growth models, in addition to the structural features of the region, such as deep embeddedness in global value chains, high exposure to trade with the EU and dependence on external sources of finance, as evidenced in country studies on Estonia and Hungary. The findings cohere with one of the main conclusions of the JCMS issue: the economic transformation impact has been far more sustainable than democratization (Epstein & Jacoby, 2014), while also pointing to dependencies and asymmetric governance structures limiting and/or shaping political and policy responses, along with other relevant factors, as discussed in the two country examples presented by Medve-Bálint and Szabó (2024).

The second and third contributions deal with questions pertaining to how eastward enlargement has reshaped the transformative potential of the EU from the bottom up and from the top down. Concerning the bottom up perspective, Novak and Lajh (2024) demonstrate that the 2004 EU enlargement and associated Europeanization processes promoted the development of stagnant interest group systems in the CEE in many ways, including the professionalization of mainly voluntary organizations. In the period before the EU accession and shortly after joining the EU, national interest groups from CEE countries were mostly dependent on interest groups at the EU level for pertinent information, knowledge, and know-how about EU policies; whereas today, after 20 years of membership, they are established as equal partners and co-decision-makers. To answer their main research question (i.e., in what different ways has the Europeanization process influenced interest groups in the region?), the authors focus on the cases of Lithuania, Poland, and Slovenia. Six exploratory factors were examined: (a) contacts with EU policymakers and institutions, (b) interest in EU policy-making, (c) funding received from EU projects and programs, (d) networking with EU umbrella organizations, (e) participation in open consultations, and (f) the group's relationship with its members. The impact of the Europeanization process is examined using data from a web survey conducted among national interest groups as part of the Comparative Interest Groups Survey project. The results show that interest groups from CEE countries have become European in various ways. Regulatory and discursive Europeanization is most typical for Polish interest groups and identity Europeanization for Lithuanian interest groups, with financial and participatory Europeanization also common for Lithuanian and Polish interest groups and organizational Europeanization exerting the strongest effect on interest groups in Slovenia. The diversity of ways in which interest groups in CEE countries have been Europeanized indicates that the role of enlargement is rather based on shared ideas, norms, opportunities, and interactions, suggesting it would be prudent to scale down the attention given to direct EU intervention in CEE countries and conditionality, as highlighted in previous research (Dimitrova & Buzogány, 2014).

From a top-down perspective, Varju et al. (2024) examine the annulment procedures used by EU member states to challenge the legality of EU actions, while also pursuing numerous political motives. These authors

argue that this strategy has been deployed by the V4 member states, which have resorted to annulment actions to settle their EU disputes at the European Court of Justice. Among the V4, Poland was the most frequent litigant challenging EU legislative measures in policy conflict areas such as internal market harmonization, EU rule of law, and EU energy and climate policy. In their actions against EU legislative measures, the V4 member states usually seek to have contested measures annulled by the Court of Justice. However, there are indications that they also pursue certain political motives or a combination thereof. They have used this institutional tool, for instance, in a symbolic manner to secure domestic political advantage, avoid local costs from policy misfits, promote preferred political stances, and/or attempt to influence EU jurisdictional rules in their favour. V4 annulment cases have also transpired where litigation was directed at securing legal interpretations that would influence the behaviour of other EU actors or clarify laws affecting the position of the member state concerned. Member states have sought to avert concrete material damages in only a few cases. The results affirm the importance of the (im)possibility of challenging laws on legal grounds for the adoption of the *acquis* and non-*acquis* rules (Dimitrova, 2007). Together with the relatively high degree of compliance with EU law in the CEE countries (Pircher, 2023), they show a strong reverence to basic norms and rules such as a level playing field, even or especially when these contradict national interests.

The final article provides clarity on why the eastward enlargement was central to the transformative power of the EU in the Eastern neighbourhood. Dubský et al. (2024) argue that the EU's Eastern enlargement in 2004 was characterized by the accession of mainly smaller states whose ability to shape the EU's external direction was challenged. However, the EU's response to the war in Ukraine has shown how important the Eastern dimension of foreign policy is for the EU and that this easternization is precisely a result of the 2004 enlargement. This is because these states were able to impose their narratives in discourses on the EU's Eastern orientation, particularly in the case of the Eastern Partnership (EaP). By analysing the discourse of the CEE countries regarding the EaP, in particular, narratives in official documents of the B3 and V4 countries in 2009–2022, these authors were able to identify narrative structures and show that such narratives in the selected countries were relatively similar. Despite the lack of cooperation between the two groups and the neglect of the EaP by the West, they were able to strengthen their position in the EU individually and maintain discussions on the EaP at the EU level. These findings underline the importance of factors, such as strategic considerations (Haggard & Moravcsik, 1993) and of Eastern enlargement in embedding the East in the West (Bátora, 2013) beyond the CEE.

4. Conclusion: Beyond Conditionality

This thematic issue aimed to reflect on the effects of the Big Bang enlargement 20 years on. Eastern enlargement was considered a success story because of the changes it brought to the CEE countries, which has been linked to (pre-)accession conditionality. Consequently, in the post-accession period, the more active and divergent role of the CEE countries (against the backdrop of the polycrisis) has been attributed to the lack of conditionality.

The contributions in this issue are consistent with the findings of the 2014 JCMS issue (Epstein & Jacoby, 2014): European integration has a stronger impact on CEE countries' economies than on their politics. However, this research also underscores that CEE countries have internalized EU norms and rules far more than the focus on conditionality would suggest, in contrast to the polycrisis environment (Zeitlin et al., 2019).

Moreover, (most) of these countries have become entrepreneurs of EU policy and its transformative power during the Ukraine war by promoting support for Ukraine and further enlargement. These findings indicate an exclusive focus on conditionality has overly attributed the EU's diminished transformative potential to the inherent shortcomings of CEE countries, neglecting other crucial factors, such as the quality of the EU's governance and political system, political and policy feedback loops, changing geopolitics, and/or internal domestic circumstances.

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