

Failing Forward in Eastern Enlargement: Problem Solving through Problem Making

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The ‘failing forward’ synthesis of liberal intergovernmentalism and neofunctionalism puts European member states governments in charge of the process of integration (Jones et al., 2016). However, this placement does not show clearly whether the principals are reactive or proactive. That distinction between proactive and reactive is important in understanding what it means to say that integration is a movement ‘forward’ and what we mean by ‘success’. Moving forward could mean building out the great ideals of Europe’s political leaders, but it could also mean reacting to events in a way that solves problems, even if only imperfectly. The process of Eastern enlargement shows this distinction at work. We argue that enlargement is ‘successful’ as a reactive process and not as a proactive one. In proactive terms, the Eastern enlargement process has a consistent record of failure inasmuch as agents did not get what they wanted when they wanted it. In reactive terms, enlargement contributed to the creation of a wider and a deeper European Union.

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In 2016, Sophie Meunier and her colleagues (Jones et al., 2016) argued that we can understand the incompleteness of European arrangements as a function of intergovernmental bargaining, and the progressive deepening of European integration as a result of neofunctionalism. This combination leads to a pattern of ‘failing forward’ in the integration process. The incomplete arrangements European leaders accept may also lead to moments of crisis. When such crises emerge, leaders tend to negotiate a new incomplete arrangement, and the cycle begins again.

This ‘failing forward’ pattern raises the question about what the member states hope to achieve in their bargaining. In doing so, it puts European member states governments in charge of the process of integration – because intergovernmental models, both old and new, describe negotiations among the EU member states (Moravcsik, 1993; Bickerton, Hodson and Puetter, 2015). We broaden that perspective by emphasizing the influence of outside players and unforeseen external events to show whether decision-makers within intergovernmental bargains among member states are being reactive or proactive. When decision-makers are proactive, they define the goals of enlargement and so shape external actors or events; when they are reactive, they adapt the goals of enlargement in response to external influences or events.

We argue that this distinction matters when we say that integration moves ‘forward’. Moving forward could mean purposefully working to achieve the great ideals of Europe’s political leaders (Parsons, 2003), but it could also mean reacting to events in a way that solves problems, even if only imperfectly – as in the failing forward pattern (Jones et al., 2016). In this sense, European integration is not as ‘unstable and contradictory’ as Bickerton, Hodson, and Puetter (2015) suggest. Rather than seeing that ‘the EU is in a state of disequilibrium’ (p. 14), we should understand it as a work in progress. The players strategize around shifting points of equilibrium, but they are always overcome by context.

We use Europe's Eastward enlargement to illustrate this distinction between moving forward in a proactive and a reactive manner. In doing so, we distinguish between the negotiations that take place among the member states about how enlargement will proceed and the enlargement negotiations themselves, which also involve the candidate countries. Our focus is on the negotiations within the EU among the member states about how and when enlargement will take place. Until they join, the candidate countries are outside actors. We bring them into the analysis insofar as they play a role in lobbying member state governments to change the accession process. The candidates are aided in this by external events. Time and again, the conflict in former Yugoslavia revealed the possible consequences if enlargement should fail (European Commission, 1997; European Commission, 1999). The moments of 'crisis' that punctuate our analysis are those moments when both the lobbying and the conflict reach a crescendo.

By concentrating on specific bargains among existing member states, we show that their goals evolved significantly over time and in reaction to external actors and events. This is what we mean when we say that the EU's heads of state or government did not get what they wanted, when they wanted it. At each step along the way, leaders had to amend their goals in response to external pressure. With each evolution in member-state bargaining, moreover, the neo-functional influence also changed direction. The Commission expanded its competences to accomplish its assigned tasks, while remaining faithful to the guidance provided by the Council. This combination of changes in intergovernmental bargaining and adaptations to those changes on the part of the Commission and other actors is what made enlargement unfold the way it did.

The literature celebrating this achievement is vast. The role of the EU in pushing candidate countries to reform was a success story (Börzel, Dimitrova and Schimmelfennig, 2017), albeit one with potentially different post-accession outcomes (Dimitrova, 2010). Although our primary goal is to deepen what it means to 'fail forward', we add to that literature on enlargement in two ways. The first is to highlight the agency that belongs to the candidate countries. While it is true that the EU shaped how those countries

behaved (Vachudova 2005, Dimitrova and Pridham, 2004), it is also true that the candidate countries influenced decision making within the EU (Schimmelfennig, 2003).

The second contribution is to focus attention on the reactive decisions taken by existing member states. The enlargement process was not the realization of a grand ideal; it was a series of imperfect solutions to problems that the member state governments accepted they needed to address. Eastern enlargement is a case study in how we measure success and therefore what we mean by moving ‘forward’ in the context of the ‘failing forward’ argument. If we want to characterize enlargement as a ‘success’, that makes sense only in terms of problem solving; we find little evidence in the documents that we examine or the interviews that we made that the member states got what they wanted when they wanted it in a programmatic fashion.¹

What we find is that the outcome of enlargement reflects member states’ original preferences incompletely. This finding is consistent with the mainstream literature on enlargement. The implications of our argument for the notion that European integration follows a pattern of ‘failing forward’ is more significant. Specifically, we amend the ‘failing forward’ pattern by demonstrating that the notion of progress – or ‘forward’ – is contingent, and that it is at least as likely to be shaped by external actors and events as by any preconceived ambitions or blueprint on the part of the member states.

This argument has four sections. The first focuses on the intergovernmental bargains that constitute the building blocks for the enlargement process. The second highlights the patterns of spillover between enlargement and other areas of integration. The third introduces the elements of crisis that force Europe’s heads of state and government to come back to the negotiating table; it also brings in the candidate countries as actors with goals of their own. The fourth concludes.

Milestones as turning points

The first step in the pattern of ‘failing forward’ focuses on the intergovernmental bargaining emphasized in intergovernmentalist accounts. In these negotiations, member states set out their objectives and the broad outline of how the European institutions should achieve them. This section shows how the member states negotiating in the European Council set out the direction of travel and established the relevant milestones, focusing specifically on enlargement to the countries of Central and Eastern Europe.

Between 2004 and 2007, the European club widened to absorb ten formerly communist countries and two Mediterranean island states.² This enlargement process was incomplete in many ways. Not every country that wanted membership was given an opportunity to negotiate their accession; not every country succeeded in completing the accession process once they started negotiations; not every member state used their accession to achieve objectives related to economic convergence (Moravcsik and Vachudova, 2003; Thomson, 2009) or democratic stability (Lührmann and Lindberg, 2019; Kelemen, 2020); not all EU decision making processes were transformed to accommodate new-comers (Hertz & Leuffen, 2011; Plechanovová, 2011; Toshkov, 2017). Divisions between Western and Eastern EU members continue to be both real and perceived (Zhelyazkova, Kaya and Schrama, 2017; Anghel, 2020; Laczó & Gabrijelčič, 2020).

Saying enlargement is incomplete is not the same as saying it was ineffective. On the contrary, we show the sequence in which enlargement as a policy solved some of the EU member states’ most pressing problems. The elaboration of the accession process was piecemeal. Problems changed over time, and each time the problem changed, the member state governments had to negotiate a new solution. The punctuation points were moments of ‘crisis’ (that we explain in greater detail in part three of this paper). By reacting to such crises, EU member states pushed the process of enlargement forward. And yet, for each stage, that progress in terms of enlargement is built on ‘failure’ if we use the original goals set out by the European Council as the main point of reference. For each stage we can see how member states do not get what the agreement they reached was designed to accomplish. Table 1 summarizes this evolution.

Insert Table 1 about here.

Europe's historic enlargement unfolded as a series of intergovernmental bargains reached at European Council summits.³ Europe's heads of state or government agreed to the criteria for enlargement at the Copenhagen summit in 1993. They prepared for the accession process at the 1994 summit in Essen and the 1995 summit in Madrid. They inaugurated that accession process at the Luxembourg summit in 1997. They accelerated and expanded the process at the 1999 Cologne and Helsinki summits. And they agreed on how to complete the process at the Copenhagen summit in 2002. These Councils summits do not plot a straight line to Europe's enlargement; they are milestones on a winding road.

Consider for example, the first Copenhagen summit (1993) that provided the criteria for enlargement. The Copenhagen criteria were adopted as the enlargement to Austria, Finland, and Sweden was almost complete. Those criteria spelled out the need for governments to promote democracy and to protect human rights – including minority rights – explicitly. They also made it clear that any country should adopt the *acquis communautaire*, that they should be prepared to contribute to the European economy, and that they should be able to withstand the pressures of the internal market. Finally, they included a reference to the absorption capacity of the EU: candidates cannot join if the EU is unable to absorb them. Concerns regarding absorption were in no small measure also the result of domestic constraints on elected governments within member states (Hooghe and Marks 2008). We identify this as the first phase of enlargement, one that centred on managing candidate country expectations and during which there was no intention for the rapid accession of new member states.

This point about intentions requires demonstration. The Copenhagen criteria were not criteria to encourage membership or to accelerate the accession process; they did not offer many concessions to democratization as in the case of Greece, Spain, or Portugal. Rather the Copenhagen criteria set out benchmarks that potential candidates would have to achieve before they could begin the accession process. In the interim, the European Council recommended that potential candidate countries reinforce

Table 1: Eastern enlargement as a series of reactions

<i>Agents</i>	<i>Documents, Institutions or Procedures</i>	<i>Direction of Travel</i>	<i>Requirements for Progress</i>	<i>Predominant Area of Activity</i>
Phase 1: 1989-1993				
<i>Member States</i>	Maastricht Council and Copenhagen Criteria (1993)	Delayed enlargement; slow, deliberate pace of association	Achievement of the Copenhagen Criteria to start accession talks	Negotiate association agreements
<i>European Commission</i>	Europe and the Challenge of Enlargement		Association agreements	Human capital formation and trade facilitation
Phase 2: 1994-1997				
<i>Member States</i>	Essen (1994), Madrid (1995), and Luxembourg Councils (1997)	Acceptance that some enlargement will take place	Emphasis on democratic criteria; preparation of the EU for enlargement – EU institutional reform must come first (absorption capacity)	Complete association agreements; reform of the EU institutions and multi-annual financial framework (MFF)
<i>European Commission</i>	Agenda 2000		Human capital formation; emphasis on legal requirements	Design of new MFF and preparation of negotiating chapters
Phase 3: 1998-1999				
<i>Member States</i>	Cologne and Helsinki Councils (1999)	Make the prospect of membership 'real' for all candidates	Adherence to Copenhagen political criteria to start negotiations –minimum EU institutional reform (pointing at Nice summit)	Encouraging applications for membership; renewed emphasis on institutional reform
<i>European Commission</i>	New accession strategy in the 'Composite Paper'		Principle of differentiation with scorecards and competition	Acceleration and expansion of negotiations; accession partnerships
Phase 4: 2000-2006				
<i>Member States</i>	Copenhagen Council (2002)	Complete negotiations with as many countries as possible	Minimum adherence to Copenhagen criteria to join EU; membership to run alongside institutional reform	European Constitutional Treaty negotiations and new budgetary agreement
<i>European Commission</i>	Cooperation and Verification Mechanism (2006)		Rapid closure with safeguard clauses and ongoing surveillance provisions	Completion of enlargement and preparation of new MFF

their association with Europe through the development of a 'structured relationship'. This took the form of association agreements.

In the second phase, that strategy shifted under a sense of the inevitability of enlargement. Concern about the absorption capacity of the EU was central to the discussions that took place in Essen (1994) and Madrid (1995) as well. The newly acceding member states accounted for about 21 percent of the EU population but contributed only about 7 percent of gross domestic product (GDP). Studies at the time showed that the CEE countries would gain economically from EU integration, while then EU members had fewer immediate gains. This disparity appeared evident from models incorporating the fall in import barriers, export subsidies and transport costs (Baldwin et al., 1997); the liberalization of the iron, steel, and clothing sectors in the East (Winters and Wang, 1994), or the inclusion of CEE states in the Agricultural Policy (Rollo et al., 1993).

The summit conclusions point to the need for potential candidates to begin adapting to the challenges they would face in qualifying for accession. In Madrid, the European Council went further to instruct the Commission to explore the impact that any enlargement would have on EU finances. European leaders also wanted to see how the 1996 intergovernmental conference would alter the way the EU made legislative decisions. Any talk of accession would remain on hold until that intergovernmental conference could be finished – including for Cyprus and Malta.

The Essen and Madrid summits show greater acceptance that enlargement will happen than the Copenhagen summit did (Sedelmeier, 2000). The record of those summits shows little urgency in completing the enlargement process, although they do push the European Commission to establish a framework for doing so. European leaders also applauded the progress toward democratization and a market economy that had been made across Central and Eastern Europe. Nevertheless, they focus on the challenges related to enlargement – both for the candidates and for the EU – more than anything else. They also emphasize that enlargement should not come at the expense of European unity. The principal charge from the Madrid European Council to the Commission was to lay out the framework for how that

could take place. As the Commission worked on this new framework, the member states engaged in an intergovernmental conference that would result in the Treaty of Amsterdam.

The role of the 1997 Luxembourg European Council was to adopt that European Commission framework – called *Agenda 2000*. The presidency conclusions announce the start of the accession process, but they also focus on the problems within the EU. Institution reform was ‘a prerequisite for enlargement’.

Preparing the candidate countries to join and the European Union to absorb them, was the ‘task in the years ahead’. That task was not urgent, but something that would unfold ‘in stages’ and at a pace that depends upon each candidate country’s ‘degree of preparedness’. Enlargement could start after Luxembourg, but there was no clear indication when it would finish.

The 1999 Helsinki European Council summit struck an altogether different tone. This turning point signals a new phase. It established the goal of sustaining ‘an efficient and credible enlargement process’. To that end, the European Council committed to complete institutional reforms by December 2000 so that it could ‘be in a position to welcome new member states from the end of 2002’. The Council also promised to avoid ‘cumbersome procedures’ in the accession process, and it promised to create opportunities for those candidates that started the negotiations late to catch up with those that started earlier.⁴

The cumulative changes from Copenhagen to Helsinki are worth highlighting. The Helsinki summit made it clear that candidates would prepare for membership during the accession process, rather than prior to it. Moreover, the European Council was prepared to make exceptions to the Copenhagen criteria on a case-by-case basis. It also did not see the EU’s absorption capacity as an absolute barrier to potential candidates.

The 2002 Copenhagen European Council completed this evolution. It announced that ten countries would be able to join on 1 May 2004 even as the process of European Union institutional reform remained underway. It provided transitional arrangements to help the candidate countries meet the obligations of

membership. It noted the inclusion of safeguard clauses and ongoing surveillance should problems emerge unexpectedly. It created opportunities for the candidate countries to participate in the EU's institutional reform negotiations so that they could sign the new treaty after accession took place. The Copenhagen European Council also announced the goal of completing the accession process for Bulgaria and Romania so that they might join in 2007.

The 2002 Copenhagen European Council packaged its conclusions as the result of the process that started in Copenhagen a decade earlier. Despite the rhetoric, however, that progression was not linear. Indeed, the end of the process contradicted its beginning. Neither the European Union nor the candidate countries were fully prepared for an expansion of EU membership. The Copenhagen criteria were neither preconditions for the start of accession nor an accurate description of how it ended. Relative to the goals set out in the original Copenhagen summit, the efforts of EU member states to drag out the accession process ended in failure.

Supranational entrepreneurship: expansive but still faithful

The second step in the 'failing forward' pattern is for supranational actors to take up the plans set by the member states in the European Council and to put them into action. This part of the pattern comes from neo-functionalist accounts of supranational entrepreneurship. It centres on how efforts to fulfil plans set by the member states require supranational actors to expand their authority and so 'spillover' into other areas that the member state representatives may or may not have imagined would be implicated.

The question is whether supranational entrepreneurship in exploiting spillovers from the various European Council decisions explains why the accession process turned out differently from what heads of state or government claimed they wanted at different stages in their negotiations. We find little evidence of that in the documentary record or in the interviews that we conducted. Commission officials pushed for

changes around critical decisions and lobbied for improvements in how policies were implemented, but this action was bounded by what the Council decided (Sedelmeier, 2000).

Indeed, the documentary evidence suggests that the European Commission faithfully fulfilled its responsibility to the European Council in designing and implementing processes aligned with its decisions. The structured cooperation in the early 1990s was consistent with the decisions taken in Maastricht and Copenhagen; *Agenda 2000* followed from the requirements set out in Essen and Madrid; the Commission created a new enlargement strategy in response to the European Council's requests at Cologne; and the Commission developed its post-accession monitoring strategy in response to requirements established in 2002 at Copenhagen. In none of these cases, moreover, do we find evidence that the Commission anticipated changes in the pattern of enlargement agreed in intergovernmental bargaining. There was spilling over, but it was part of the Commission's efforts to achieve (or in some cases elaborate upon) goals set out by the European Council.

This documentary record centres on four texts: the 1992 European Commission report called 'Europe and the Challenge of Enlargement' (European Commission, 1992); the relevant sections of *Agenda 2000* (European Commission, 1997); the new accession strategy proposed by the Commission as part of its 1999 'composite document' on enlargement (European Commission, 1999); and the cooperation and verification mechanisms set up for Bulgaria and Romania in 2006 (European Commission 2006a and 2006b). Each text shows evidence of the Commission defining its mandate and some give reason to believe that the Commission is trying to shape the agenda for future action.

The European Commission's (1992) first sketch of the enlargement strategy sets out the broad principles that the Council will adopt at Copenhagen in 1993. This document was requested by the December 1991 European Council summit at Maastricht, where the intergovernmental conference that set out the treaty on European Union was concluded. The Maastricht Council asked the Commission to 'examine' the prospects for enlargement 'including the implications for the Union's future development'. The Commission came back with a strong message:

[W]idening must not be at the expense of deepening. Enlargement must not be a dilution of the Community's achievements. On this point there should be absolute clarity, on the part of the member states and of the applicants (p. 53).

This is the context within which it is possible to interpret the Copenhagen criteria as a reflection of French President Francois Mitterrand's (in)famous observation that enlargement could take decades and decades. With reference to Central and Eastern Europe, the document concludes that 'new means should be created' short of membership to meet the political aspirations of the countries of these countries. In the meantime, they should begin their economic preparations 'even if their accession lies well into the future' (p. 59). The Commission recommends that association agreements should be the main instrument for building relations between the EU and individual countries and that those countries would be well advised to look for ways to integrate among themselves.

Agenda 2000 represents only a modest evolution over the intervening five years (European Commission, 1997). On the surface, it sketches a conservative evolution. The Commission appears ready to accept governments that make a good faith effort or situations that more closely resemble a work in progress (Friis & Murphy, 2000). Romania and Bulgaria change their political status via a single election (European Commission, 1997: 51). Countries with long-standing minority issues or human rights problems can point to international commitments or signs of improvement. The Commission singles out only Slovakia for failing to meet the political criteria (p. 53).

The message the Commission offers is that membership is possible provided other criteria can be met in addition to the political prerequisites. Those other criteria centre on the functioning of a market economy. Only five countries – the Czech Republic, Estonia, Hungary, Poland, and Slovenia – meet these criteria (p. 54). Three of the five– the Czech Republic, Slovenia, and Estonia – need to strengthen their capacity to withstand the competitive pressures of participating in the internal market. The Commission concludes that there is reason to proceed with the applications of these five countries, although noting that the candidates will have to invest substantial efforts in reforming their institutions.

The accession strategy proposed by the Commission prior to Helsinki marks a break (European Commission, 1999). The new strategy is quicker because it allows the candidate countries to work through the negotiating chapters at their own pace, applying a ‘principle of differentiation’ (p. 31). This practice not only allows candidates to build momentum but also focuses their attention on ‘target dates’ (p. 34).

There is spillover insofar as the Commission drafted its new strategy based on experience garnered through the pre-accession process and the first phases of negotiations. The location of the new strategy in a ‘composite document’ that includes progress reports on individual countries highlights that aspect. All this action is within the mandate that the Cologne European Council gave to the Commission to ‘consider measures which can help crystallize [the] prospect [of membership] for all applicant countries’ (European Commission, 1999: 5).

In a similar sense, the European Commission’s decision to establish post-accession cooperation and verification mechanisms (CVM) for Bulgaria and Romania flow from the European Council decisions in Copenhagen in 2002 (European Commission 2006a and 2006b). In April 2005, the EU signed an accession treaty with Bulgaria and Romania setting the date for January 2007. This treaty gave legal basis for the new relationship. The EU also issued a ‘Comprehensive monitoring report on the state of preparedness for EU membership of Bulgaria and Romania’. Three months before their accession in 2007, one such report observed few concrete examples of success for the two countries. What is striking is that both countries were able to join without meeting the political criteria for membership or being able to meet the obligations that membership would require (Phinnemore, 2010). For both countries, moreover, considerable EU discretion was used in how conditionality was implemented (Papadimitriou and Gateva, 2009).

The supranational role in the evolution of the enlargement process is woven into the intergovernmental dimension. The Commission starts by setting out criteria for membership qualification that reflect the values and structures of the EU; it shows how those criteria can be used to differentiate between

candidates who have a potential to meet the obligations of membership over the medium term, and those for whom some other relationship with the EU could provide a stopgap; then it shows how negotiations could be conducted more quickly if they expanded to include all countries that meet a subset of the criteria; and it ends by developing a strategy for monitoring reform efforts in countries that gain membership and yet still have unfinished business in key aspects of economic and political life.

At each stage in this process, the Commission responded to requests from the Council. At each stage, the Council folded the Commission's new designs into its own subsequent intergovernmental bargains. Both Council and Commission were reactive. The Council was reacting to outside actors and events; the Commission was reacting to those factors as well, but also to the decisions taken in the Council.

'Crisis' as mismanaged expectations in the face of conflict

The third step in the argument is to explain why the pattern of European enlargement fails to conform either to the original goals set out by the member states or to an alternative blueprint that could be traced back to supranational entrepreneurship. The explanation we develop focuses on actors and events that are external to the EU's decision-making process. These are what constitute the 'crisis' that cause the turning points in the 'failing forward' pattern.

We argue that the moments of crisis in the enlargement story are a result of external conflict and mismanaged expectations. This argument is in line with Frank Schimmelfennig's (2003) identification of enlargement outcomes as the result of 'rhetorical action' based on a historic pan-European vision. We broaden Schimmelfennig's perspective on the enlargement process by claiming that enlargement is also the result of how conflict and expectations are interconnected – both in the outside world and in the relationship between European institutions and political leadership. The four phases of enlargement identified in Table 1 have distinctive goals and directions of travel that change under the pressure of

candidate countries, and are underscored by the Yugoslav Wars. In what follows, we characterize each step as a movement ‘forward’, but – again – the road is winding.

From resistance to enlargement to acceptance of enlargement.

The collapse of communism was the external shock that forced the EU into phase one of the enlargement process. This was mostly a period of risk assessment. Access to the European market is arguably the most coveted of EU membership advantages (Meunier and Nicolaidis, 2006). For EU members, extending this privilege to countries who were in a very different stage of economic and liberal market development was not an option in the early 1990s.

Nevertheless, the EU grew evermore aware that some form of enlargement would have to take place. This realization stemmed in part from the positioning of the candidate countries (Schimmelfennig, 2003; Sedelmeier, 2001). Even the laggards of the transition process saw their participation in the EU as manifest. As one Romanian minister in the first two democratic cabinets declared in an interview: ‘Our right to join was a certitude that verged on conceit.’

The countries of Central Eastern Europe were quick to call for their ‘return to Europe’ (Havel, 1990). The EU’s strategy of risk assessment was not in line with Eastern European expectations. In a speech given in 1990, Hungarian Prime-Minister Jozsef Antall revealed that initial expectations of national politicians were to see the country join the EU ‘in the course of the coming decade’ (Jezsenszky, 2008: 116). In an interview with the authors, his minister of Foreign Affairs, Geza Jezsenszky, said they believed they could join by 1995. At the same time, he confirmed the understanding that policy should be shaped to apply to the whole region, best embodied by the creation of the Visegrad group. Czech President Vaclav Havel stated in the Polish parliament that a separate return to Europe ‘could take a great deal longer and would be a far more complex a process than if we proceeded in a coordinated fashion’ (1990).

Eastern Europeans were primarily concerned with securing their territories from Russian aggression and stabilizing their economies. The European Council may have wanted to wait decades for enlargement to take place, but the candidates were not so patient. Arguments about their willingness to integrate jointly, and the disconcerting backdrop of the Yugoslav conflict as a plausible alternative to peaceful EU integration may not have resonated, but they did help foster a sense of inevitability. This led member states towards a different position on enlargement in the Councils in Madrid and Essen.

From acceptance of enlargement to active enlargement.

For candidate countries, accession negotiations turned out to be more difficult than anticipated. Even in the case of the front-runners, the revelation of institutional differences between EU member states and post-communist countries became clear. The contrast between reality and expectations increased frustrations within candidate countries at a delayed accession. The greatest challenge was to deal with political elites on the ground and the slow institutional changes.

Strong informal institutions such as clientelism and corruption filled the gap left by dysfunctional formal mechanisms of resource distribution and political and technocratic elite recruitment (Mungiu-Pippidi 2007, Schoenman, 2014). The Polish and Hungarian elite underestimated the need to strengthen the public character of many institutions, which lead to their misuse for partisan purposes (van Biezen and Kopecký, 2007;).

At the same time, the conflict in Yugoslavia continued to galvanize change. Hence the direction of travel shifted to bring in a small number of countries that could not be allowed to fail without jeopardizing EU security. These are the five countries that the Commission felt could survive the competitive forces of the internal market in *Agenda 2000*.

This decision would not inform EU action for long. The atrocities unfolding in the Balkans shocked the EU to reconsider its policy towards the countries of the East (Caporaso, 2000; Vachudova, 2007). The

conflict in former Yugoslavia made it impossible to put off enlargement forever. The security, stability and reputation of the EU were on the line. NATO and the United States put added pressure on the EU to make a decision. In 1995, German Chancellor Helmut Kohl mentioned the year 2000 as a prospective entry date into the EU for Poland. French President Jacques Chirac had also mentioned 2000 as a point of reference for enlargement (Avery and Cameron, 1998). All these elements worked to make enlargement an active part of EU foreign policy (Vachudova, 2005).

From active enlargement to imminent enlargement.

In the meantime, frustration towards the EU's inaction fostered disillusionment among Eastern Europeans. *Agenda 2000* was not well received. Hungary and Poland expressed great disappointment at delayed EU membership. After 1998, this led to harder bargaining for Brussels with Hungarian Prime Minister Viktor Orban, whose FIDESZ party stressed the pitfalls of accession (Partos, 2003). Orban is quoted saying that 'there [was] life outside the Union.' In an interview with the authors, Mr. Orban's Minister of Foreign Affairs at the time, Janos Martony, confirmed this shift of policy. He stated that 'continuity [to pursue EU membership] prevailed, but there were also differences. When we [FIDESZ] campaigned in 1998, we also said we need clear transitional arrangements with the EU.' According to an EU parliament brief, representatives of the Polish Government had also accused 'the European Union on several occasions of slowing up enlargement' (2000). Slovakia's Prime Minister Mečiar started to concentrate power in the hands of his loyalists. Press freedoms were compromised, economic reform slowed, and relations with Slovakia's neighbours to the west deteriorated.

The escalating human drama in the Kosovo War of 1999 gave impetus to the need for an ambitious, intrusive, and attractive EU enlargement project (Garton Ash, 1999). The European Commission (1999: 4) notes this in its composite paper, underscoring 'a greater awareness of the strategic dimension of

enlargement'. The challenge was to adapt both the decision-making institutions and the budget to this new imperative.

From imminent enlargement to extensive enlargement.

At this time, it became clear that Romania and Bulgaria would take longer to fulfil the accession criteria, primarily for political reasons related to the slow pace of transition (Vachudova 2005). Meanwhile, Slovakia, was catching up with the three neighbouring Visegrad countries after its stalled democratization under Vladimir Mečiar. While in 1997 both the EU and NATO rejected Slovakia's application for membership on political grounds alone, by 1999 the country was given the chance to join. In an interview with the authors, Kinga Goncz, Hungarian cabinet member at the time of accession and Foreign Affairs minister starting 2006, stated that a joint integration of most post-communist states was a regional goal:

'We made huge efforts to help Slovakia join together with us. It was a commitment to get it out of the Mečiar era. The commitment was shared regardless of political party.'

In April 2005, the EU signed an accession treaty with Bulgaria and Romania setting the date for January 2007. Regardless of fundamental concerns, the EU concluded that the two countries are '*sufficiently* prepared to meet the political, economic and *acquis* criteria by 1 January 2007.' The lowest common denominator was the adoption of necessary legal provisions, while the implementation was deferred to a later date. Romania's minister of Foreign Affairs (1997 – 1999), Andrei Pleșu, explained the country's approach to reforms:

We promised to implement everything the EU asked for, with very little negotiation. The only country known for saying 'no problem' to everything was Romania. We weren't really keeping our promises. Diplomats were used to doing things this way – Romanian diplomacy up to 89 was used to 'working around issues'.

Other ministers we interviewed spoke of similar attitudes in Bulgaria. The end of the Kosovo conflict prompted an economic recovery in the second half of 1999 for Bulgaria, but not enough progress had been made to speed up accession. According to an EU parliament brief, Romania was in no position to fulfil the Copenhagen criteria required for membership ‘for some time (...) However, political considerations, in particular Romania's support for NATO during the 1999 war in Kosovo, and a desire not to discourage reform by making membership seem unattainable, were more influential in the end than how close countries were to meeting the criteria’ (2000). According to Romania’s ambassador to the EU at the time, Lazăr Comănescu:

The level of confidence in the ability of Romania and Bulgaria to reform took a positive turn during accession negotiations. However, (...) the confusion about how real the reforms for the two chapters of rule of law and human rights were led to the introduction of the Cooperation and Verification Mechanism (CVM).

This implementation of EU demands was unsuccessful in ensuring that either country would complete the reforms once set out as necessary for EU membership (Tanasoiu, 2012; Toneva-Metodieva 2014). The CVMs were supposed to be transformative but had limited effect. As of 2021, those mechanisms are still in place for the two countries, noting yearly progress and relapses and having lost most of their political leverage.

This observation brings us back to the very beginning. As many scholars noted, the European Union’s expansion to Central and Eastern Europe was incomplete. Our qualification is that this notion of incompleteness is contingent. The principal actors in the European Union did not plan where they ended up in the enlargement story; rather, they made the best of a challenging set of influences and events. They did so through a sequence of decisions that adapted how enlargement would progress. The Commission faithfully implemented those decisions.

Conclusion

The EU's enlargement to Central and Eastern Europe was not a straight line from the fall of the Berlin Wall to the EU27. The process initiated at Copenhagen in 1993 was meant to progress more slowly and to build in greater safeguards to prevent countries from joining before they were ready; the process elaborated in Luxembourg in 1997 was also measured and involved only the most qualified (particularly on the economic front); the process introduced in Helsinki in 1999 was quicker and more inclusive, and yet promised that both the EU and the candidates would be prepared. Each of these agreements fell short of their stated objectives. Even the accession announced in Copenhagen in 2002 proved incomplete: Bulgaria and Romania were allowed to join subject to exceptional temporary safeguards; twenty years later, those safeguards look permanent. Meanwhile, the EU struggles to uphold standards of democracy in those countries that were at the vanguard of the accession process (Kelemen, 2017; Kelemen, 2020, Börzel and Schimmelfennig, 2017). This paper shows that the European Union may have been complicit from the beginning in overlooking the obligations of membership as set out in the Copenhagen criteria. It also raises questions on how new member states affect the process of integration from the inside.

Each of the intergovernmental agreements that shaped the enlargement process failed in some respect to meet the goals set out initially by the European Council, even once they were faithfully implemented by the European Commission. Nevertheless, the process moved 'forward' – not in the proactive sense of completing a blueprint, but in the reactive sense of addressing emerging problems. That direction of travel was shaped in large measure by the influence of external actors and events. The candidate countries lobbied for greater access to the European Union; the conflict in Yugoslavia underscored the threats implied by a failure. The European Council adapted to these pressures. The European Commission adapted as well, within the guidelines set by the European Council. The result was not what Europe's political leaders expected when the process began in the 1990s. In fact, the EU delivered more integration through a big-bang enlargement against initial preferences for a slow process. Nevertheless, the result was

better for the European Council than the alternatives represented by a failure to enlarge the EU or by a more piecemeal effort.

This pattern is unremarkable. Failing forward is something the EU does in other domains as well (Jones et al. 2016). What we reveal through the case of enlargement is that the progress of the European project is more contingent than we may have anticipated. If it moves ‘forward’, that is only evident in hindsight. From the perspective of the present or looking ahead to the future, the path to success is less certain.

This more contingent understanding of ‘failing forward’ suggests that the goal is not to build the best possible Europe, but rather to make the best of that which exists. By implication, the measure of success is not in relation to some kind of ideal type or benchmark; it is a question of relative stability, of minimizing the greatest possible loss once a crisis appears. That is why crisis response is so central to the ‘failing forward’ pattern. Europe’s enlargement to Central and Eastern Europe may not be a success in the conventional sense that the political leaders of the EU got what they claimed they wanted at the start of the process. The political leaders of the EU did not really want a large-scale enlargement but ended up supporting it. Enlargement remains an historic accomplishment both for the original member states and for the wider community of Europeans.

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Notes

¹ We made seven interviews with former ministers of foreign affairs or high level officials involved in enlargement negotiations from candidate countries. Some were given under the promise of anonymity; other respondents are referred to directly. Interviews were carried in Budapest, Bucharest, Vienna and online, between May and December 2019.

² For reasons of brevity and scope conditions, we focus on the European enlargement process to Eastern European post-communist countries. The experiences of Cyprus, Malta and Turkey will only be referred to in passing.

³ We make frequent use of the presidency conclusions of European Council summits. These are all found easily via the web using a search engine. Rather than accumulating these documents in the list of references, we expect that readers will have little difficulty finding them by entering the words ‘European Council’, ‘conclusions’, the name of the city in which the summit took place, and the year.

⁴ The Helsinki summit also reiterated that Cyprus could join even if there is no peace settlement. And it announced that Turkey would be treated as a candidate like any other. These elements are important; unfortunately, they take us beyond the scope of this paper.