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One decade onwards: assessing the impact of European Union membership on Bulgaria and Romania

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ABSTRACT

The main aim of this Special Issue is to critically analyse the impact of the EU on Bulgaria and Romania, during their first decade as members of the European community, in several poignant areas of membership. The rationale for this endeavour is twofold. On the one hand, very few studies have looked in depth at the post-enlargement experience of the two countries and how the EU factor has played out and influenced various domestic policies and issues, ranging from national policies to the rule of law. On the other hand, there is little knowledge regarding the way the two countries experience EU membership or deal with their counterparts in Brussels.

KEYWORDS

European Union; Romania; Bulgaria; Europeanization; European integration

Bulgaria and Romania's accession to the European Union (EU) was a key feature of their foreign policy and political teleology during the 1990s and early 2000s. The pre-accession period coincided with a turbulent transition period following the demise of Communism, during which sweeping political changes, economic reforms and state restructuring took centre stage. Both countries signed European Association Agreements in 1993, obtained candidate status following the European Council in Luxembourg of 1997 and started accession negotiations in 2000. After four years of intense legislative harmonization and European driven institutional changes, Bucharest and Sofia signed their accession treaty and became officially EU Member States on the 1 of January 2007. Symbolically they were re-integrated into Europe. Much of the political and public debates in the two countries have been dominated since the end of the Cold War by the aim of 'returning to Europe' and, later on, taking advantage of EU membership. Nevertheless, political elites and the public perceive a sharp contrast between the before and after *accession moment*.

Before, and in the run-up to accession, the two countries adopted a series of changes meant to consolidate a sustainable democratic environment and strengthen respect for human rights, the rule of law, together with achieving a functional market economy. They also provided valuable insights regarding enlargement processes shaped these changes (Chiva & Phinnemore, 2009; Papadimitriou & Gateva, 2009; Papadimitriou & Phinnemore, 2008). Most of the literature examining this period focused on the EU's ability to influence reforms via conditionality mechanisms and to secure different domestic

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transformations in Romania and Bulgaria (equally relevant for other Central and Eastern European post-Communist states). For instance, the adoption of the *acquis communautaire*, by the two countries, particularly stands out as an important achievement-driven forward by the EU's conditionality leverage. However, many scholars have criticised the long-term effects of conditionality following accession (Dimitrova, 2010; Ganev, 2013; Levitz & Pop-Eleches, 2010; Noutcheva & Bechev, 2008; Tănăsioiu, 2012). Moreover, as Ekiert and Ziblatt (2013) shows, the pace of transformation and compliance with EU norms significantly declined in the central and eastern European countries that gained membership in 2004. Overall, the dynamics of EU accession and policy-making has varied in different countries from the area, including in Bulgaria and Romania.

After accession, much of the public debate focused on the novel Cooperation and Verification Mechanism (CVM), which sought to hold to account the lingering judicial and corruption issues in the two countries. Equally, there were discussions of the countries' partial membership given the fact that were not offered membership to the Schengen and the Euro area. Lastly, there were important discussions about the rising tensions between Bucharest, Sofia and Brussels on a variety of political issues such as institutional weaknesses, political interference and some evidence of backsliding and post-accession political 'hooliganism' (Ganev, 2013; Spendzharova & Vachudova, 2012; Tănăsioiu, 2012). These three topics tended to dominate domestic political discussions and left little room for an overall assessment of how the European membership of the two countries has progressed, and most importantly, with what benefits.

As a result, the main aim of this Special Issue is to critically analyse the impact of the EU on Bulgaria and Romania, during their first decade as members of the European community, in several poignant areas of membership. The rationale for this endeavour is twofold. On the one hand, very few studies have looked in depth at the post-enlargement experience of the two countries and how the EU factor has played out and influenced various domestic policies and issues, ranging from national policies to the rule of law. On the other hand, there is little knowledge regarding the way the two countries experience EU membership or deal with their counterparts in Brussels. On the surface, it might seem that during the last ten years both countries have strengthened their fledgling democratic systems. However, in several respects, Bulgaria and Romania still seem to underperform in relation to their regional neighbours. Hence, our special issue provides a forum for discussing the two countries' ability and performance in integrating in the EU. Concretely, we adopt a thematic approach which entails an examination of several major areas: political and institutional developments, as well as continued rule of law discussions, legal compliance and harmonization, the impact of European funds on regional and local development, civil society engagement, and last but not least foreign policy changes. All these issues highlight the multiple areas and the potential avenues where the EU could have made a difference.

The contribution to the Special Issue is based on original research and guided by specific research questions. Moreover, each article previewed and engaged in discussions using up to date reviews of the literature and specific analytical frameworks, ranging from neo-functionalism inspired assessments of spill over effects to more pragmatic comparative politics grounded evaluations of Eurosceptic behaviour among political parties. The thematic and theoretical approach of this Special Issue worked well not only in providing an answer about Brussels' continued influence in the two countries but equally in

offering an assessment of developments taking place in the two countries in more than one decade. In this regard, the EU could be seen as both a dependent and independent factor of analysis and the contributions made in this volume transcend it. Moreover, the articles in the Special Issue can, very well, be seen as salient stand-alone evaluation of several key areas of theoretical and policy-relevant discussions.

As highlighted above, several key and overarching themes cut across the Special Issue. The first theme relates to political developments. Dimitrov and Plachkova (2020), as well as Mendelski (2020), discuss the national specificities with regard to the rule of law, and why this continues to be a contentious issue in both countries, a decade following accession. The former argue that both countries still diverge from the conventional multi-dimensional socio-political European space whilst the Cooperation and Verification mechanism (CVM) amounted to an instance of policy failure and design flaws. As such, the authors argue that the effects of the mechanisms are reversible and failed to induce any substantial improvements in terms of the rule of law in the two countries. Nevertheless, this was arguably one of the concessions made by Bulgaria and Romania to the EU, namely in terms of reassessing its Union-wide mechanisms for upholding rule of law principles, equally exacerbated by the recent attacks on democratic checks and balances of Hungarian and Polish governments. Mendelski (2020) focuses on judicial developments taking place in Romania arguing that quantitative improvements in the anti-corruption saga of the country did not reflect qualitatively, with many excesses and violations of judicial processes. Several mainstream analysts may not share his highly critical perspective, yet his assessment is rooted in clear evidence of excesses from the judicial institutions involved in the justice process. The excessive quantitative focus on output was carried out, with enthusiastic support from Brussels, at the expense of equitable and fair judicial processes. Both articles are anchored in diligent arguments and plausible evidence that highlights how to interpret differently political and judicial developments, especially with regard to the rule of law, on the ground. Lastly, Stoyanov and Kostadinova (2020) highlight that despite Bulgaria's high levels of citizens' support for the European integration project; certain forms of Euroscepticism have been established and seem to influence political party competition within the country. Growing anti-European discourses were opportunistically seized by some political parties, also given the relative under-development of party positioning on the question of the EU. As the authors' highlight, adhering to a Union of liberal values became a topic of domestic political relevance that, after accession, tended to divide political parties along economic and cultural lines.

A second overarching theme present in this Special Issue relates to legal, economic and institutional harmonization within the scope of EU integration. Firstly, adhering to and complying with EU legal norms has often been seen as an indicator of membership performance. Buzogany (2020) defies the all-encompassing expectation of the two countries being laggards in terms of compliance with EU law. Drawing on a decade long dataset of legal transposition and infringements (2007–2017), the author finds that the two countries did not diverge or perform worse, as compared to other regional neighbours or older more established Member States, in this area. Secondly, from an economic convergence perspective, Surubaru (2020) analysed the strong inflow of several billion EU funds injected in the two countries. The author found mixed results on whether or not these resources have contributed to an increase in national and regional level Gross Domestic Product (GDP). Nevertheless, EU funds represent the main source of public investments in the

two countries and have managed to mitigate the negative effects of the recent financial crisis. Lastly, both Buzogany (2020) and Surubaru (2020) touch upon the issue of institutional and administrative capacities. Although these have been reinforced during EU accession, they still constitute weaknesses, arguably holding back these countries' from implementing legal or financial instruments. Despite this, there is some evidence to suggest that EU templates, procedures and practices have had an indirect positive effect on the functioning of the public administration in terms of capacity building, strategic development and enhanced relations between local stakeholders.

Third, civil society engagement seems to be another overarching theme. For instance, Buzogany (2020) finds an interesting correlation for the two countries between high levels of public support and high levels of compliance. This reinforces the idea the public opinion and civil society pressure could often support the daily aspects of EU policy implementation and membership, in relation to the government of the two countries. Moreover, Soare and Tufis (2020) find that the environmental activism surrounding the Roşia Montană mining site in Romania has challenged the exclusivity of policy-making of national politicians. The protests surrounding the mining site were one of the largest in post-Communist Eastern Europe and paved the way for a new chapter in civil society networks and activism in the area. It showed how bottom-up activism could influence public opinion and state-society relations. Similar protests have taken place in Bulgaria ranging from requests for safeguarding the environment and democratic processes. All these signalled a positive increase in civic life and political participation post-accession.

Last but not least, Nitoiu and Moga (2020) have examined how foreign policy has evolved, since accession, in Bulgaria and Romania. They start from the puzzle that joining the ranks of the European Union had been an 'end of history' moment in the diplomatic chancelleries of both countries. The authors find that it was relatively difficult for the two countries to learn the ropes and act within the framework of EU foreign policy, choosing a more inactive role as compared to active countries, such as Poland or the Baltics. On the one hand, Bulgaria sought to be a pragmatic actor conserving its relations with Russia within the framework offered by its new EU status, advance the interests of Western Balkan countries and promote wider Black sea region. On the other hand, Romania has kept its outspoken and critical position towards Russia, whilst contributing to a Danube region strategy and being a vocal supporter of a path towards EU integration for the Republic of Moldova. Despite all this, the two countries have rather been inactive players in the EU when it came to foreign policy formation.

Summing up the Special Issue, Dimitrova (2020) provides an analysis that brings together all these contributions. The point of departure relates to the question of Europeanisation and the effects that this phenomenon has had on the two countries. The author argues that there is, on the one hand, no sufficient evidence for assessing the two countries as exceptions or laggards. Quite the contrary, there are many instances in which they could be qualified as regular member states. On the other hand, issues such as conditionality and rule of law remain particularly controversial. Moreover, the author stresses the importance of the interplay between domestic actors and the EU in shaping Europeanisation processes. Indeed, the EU cannot be seen as a *deus ex machina* that simply intervenes and changes domestic settings and institutions. Change occurs as a result of the interactions between national elites, European and societal actors and needs to take into account the reality of domestic conditions, such as weak institutions, rent-seeking behaviour and

corrupt practices, and overly fragile democratic systems. It is against this background that EU membership and influence might be partially effective and ambiguous.

The Special Issue highlights how Bulgaria and Romania have evolved, in a number of important areas, since becoming European Union member states. Questions remain open regarding whether or not the two countries could still be qualified as laggards or exceptions although much of the evidence in this volume highlights either their exceptional or their highly regular status, in relation to other peers. Over the next decade, research could equally concentrate on the areas touched in this Special Issue, as well as on new academic and policy questions. These could relate to the assessment of membership performance in different policy areas (Papadimitriou, Baltag, & Surubaru, 2017), the role of differentiated integration (including the two countries' unclear path towards the Eurozone and Schengen area) and the political and social legacy that EU membership might entail for the two countries in the following decades.

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