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In or Out: Interpretation of European Union Membership Criteria and its Effect on the EU Accession Process for Candidate and Potential Member States of Southeastern Europe

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In or Out: Interpretation of European Union Membership Criteria and its Effect on EU
Accession Process for Candidate and Potential Member States of Southeastern Europe

by

Ashley Marie Rasmussen

A thesis submitted in partial fulfillment of the
requirements for the degree of

Master of Arts
in
Political Science

Thesis Committee:
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Portland State University
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ABSTRACT

Since 1973, the European Union has been expanding its borders from its six founding members - West Germany, France, Italy, the Netherlands, Luxembourg, and Belgium, to include all of Western Europe and parts of Scandinavia by 1995. However, with the fall of the Soviet Union in 1990, the EU made a difficult but beneficial choice of paving the road for the Eastern and Central European (ECE) to become EU members. However, there was a need for the EU to determine the goals and guidelines that would format the transition of these former communist states into productive members of the EU. This paper will analyze the evolution of these guidelines - formally outlined by the Copenhagen Criteria - that set the precedent for these states to become members. The main issue of this paper will take these criteria a few steps forward, comparing states that were given membership based on the criteria and those who have been established by the EU as at least "potential EU members" but have not been deemed as satisfying these criteria enough to become candidates or full members. Both qualitatively and quantitatively, the comparisons of the 2004 and 2007 new EU members and other states of the Western Balkans and Turkey will be conducted to determine if the political and economic guidelines established by Copenhagen are the only guidelines being met, or if areas such as cultural values and "Europeanness" are also contributing to membership levels.

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1. Introduction

Looking back to the foundations of what would later become the European Union, six states took it upon themselves to create a community that would increase stability in a region that had been demolished following the worst war the world has seen to date. With the creation of the European Community, states were able to make agreements, while more economic than political, that with the stability provided by the United States and the Marshall Plan would allow Europe to reemerge as one of the main economic platforms of the world. However, deepening of policy areas within the small group of states could only go so far before a stalemate was to occur in areas that were more crucial to national sentiments and “high politic” areas. New ideas and policy areas were needed to increase the ability for the community to thrive. Because of this, the EU starting in the 1970s and continuing to the present-day have chosen to widen their policy areas by bringing in new members through numerous enlargement periods, first starting with the British Isles, and extending to Scandinavia, and the former authoritarian countries of Spain, Portugal, and Greece. While some cases posed challenges to the EU’s ability to absorb, or bring these states in without many challenges to policy areas, the EU would be faced with an even greater challenge that no one believed would come – the fall of the Soviet Union and the independence of former states that while seen as European borderlands had been under the Iron Curtain for almost half a century. These states which had been sheltered from democracy, market economy, and international arena, through various situations including coups, negotiations, or disintegration of former federations, were now faced with the question of how to proceed now that they were free to do so. The European Community was then faced with the issue of independent states that were highly unstable at the current time. Either the EU could

choose to ignore these states and be faced with possible conflict, or it could act in ways that were similar to the US, in which a sort of stability pact could exist to help these countries peacefully transition. In many of these countries, especially those closest to Western Europe – referred to as the Eastern and Central European (ECE) states the EU did just that – served as a way to stabilize the bloc as a future goal of these states returning to Europe and becoming members of the EU. However, the EU knew that there would need to be guidelines established that these countries would have to meet in order to act as an insurance policy for the EU member states who would be pumping billions of dollars into these ECE investments. The EU up to this point had never been dealt such a complex task, and there had never been formal criteria established as to membership requirements. This changed greatly in 1993 with the establishment of economic and political guidelines under the Copenhagen Criteria. These criteria established the need for prospective EU members to show proper levels of democratic governance, a stable market economy able to withstand the pressures of the Union, as well as the ability for state institutions to incorporate EU law at the domestic level. While these criteria did establish some sort of guidelines, they were vague and largely up to the discretion of the current EU member states. This became even more apparent when some of the later additions to the EU while stated as “meeting criteria” faltered in ways that required the EU to place mechanisms or benchmarks in order for a state to enter the Union. This issue leads to the overall research question of this paper: Does each EU candidate meet the same levels or rankings of criteria in order to become a candidate or member? If not, are there other areas not outlined in the criteria that are playing a role in deciding levels of EU membership – such as a state’s ability to culturally align itself with the rest of Europe? This paper will outline case studies of countries

that emerged as transitioning states following 1990 and also were deemed at least potential members to the EU in the future. This list includes the Baltic states of Estonia, Latvia, and Lithuania, the Eastern Bloc countries of Poland, Czechoslovakia (later Slovakia and the Czech Republic), and Hungary, Eastern Balkan states of Romania, Bulgaria, and arguably Turkey, and the Western Balkans including states from the former Yugoslavia and Albania. All of these states will be qualitatively compared in numerous areas of economic development, economic freedoms, democracy, and cultural values as well as quantitatively tested through sets of ordinal logistic regression analysis to determine if the political and economic criteria alone as determining EU membership or if other areas are also significantly involved.

2. Historical Summary of Central and Eastern Europe

Central and Eastern European States: 1945-1990

While the states that this paper addresses all have their own scenarios that make them unique, they do have one critical theme in common – each of these states fell under the rule of communism following the end of World War II. Even though the Eastern European states felt this at a different level dependent upon their proximity and relations with the Soviet Union, each possessed key features of communist rule: Political and media censorship, the downplay of nationalistic and religious tendencies and close surveillance to ensure that communism remained as the political ideology in power. States such as those in the Baltics were completely under USSR control as they were annexed to the Soviet Union following agreements made after 1945. Poland, Hungary, and Czechoslovakia all were under the thumb of the Soviet Union to varying degrees with crackdowns ranging from warnings in Poland to military intervention in Czechoslovakia. While it can be said that history does not necessarily determine the path that a state will choose to take in the future, it does grant states and their societies attributes that could shape reactions of transition should the ability arise. This was observed following the fall of the Iron Curtain in 1989-90. While most of the Eastern Bloc and the Baltics had been placed against their will under the surveillance of the USSR, they reacted differently after the Soviet collapse in determining how they would transition into the international spectrum. In contrast to the above states, the states of Yugoslavia and Albania were not forced under the hand of the Soviet Union. The ability for these states to wiggle out of Soviet control without mass retaliation paved the way for the Balkan states to create their independent forms of communism; even though this regime may have been forced upon the population to some extent (i.e. Tito in Yugoslavia), the causal

effects of these differences meant that these states were given great amounts of autonomy to mold their own governments under the communist umbrella. This was the case for both Yugoslavia and Albania even though Albania would choose to take a more isolationist approach after severing ties with the USSR, Yugoslavia, and China. Tito's Yugoslavia on the other hand, played the fence between cutting ties with the Soviet Union, and maintaining a communist regime to avoid Soviet intervention while also establishing relations with the Western world¹.

Democratic Transition after 1990

While all of these case studies (minus Turkey) fell under communist rule, it does not mean that each state made an identical transition to democracy. Between historical paths and cultural distance from the USSR, significant differences to were able to develop in these states. However, distance from Moscow was not necessarily beneficial. As Sabrina Ramet discusses, the type of transitions within the Eastern bloc varied from negotiated reforms, to similar "coup like" instances, to absolute collapse. While states such as Hungary and Poland were able to slowly distance themselves from the USSR and start democratic reforms in the 1980's, states such as Czechoslovakia did not see the gradual reform. The demonstrations in Czechoslovakia that served as a precursor to their replacement of communism resulted in an absolute collapse of the former regime and replacement by a coalition formed by the dissidents in the first post-communist election. While Poland, Czechoslovakia, and Hungary faced direct oversight from Moscow, the removal from relations with the USSR did not aid the former Yugoslav states and Albania toward a smooth path of democratic transition. While Yugoslavia split at fissure points, very similar to the split of the USSR, it did not do so with the low level of

¹ Yugoslavia cut ties with the USSR in 1948 and in 1955 became one of the founding members of the Non-aligned movement.

conflict that some of the post-Soviet states did. Instead, each of the Yugoslav states went through varying degrees of conflict ranging from the Albanian minority uprising in 2001 in the Former Yugoslav Republic of Macedonia, to the 1999 Kosovo Conflict, to the 1992-95 Yugoslav War. The only Balkans country to escape this conflict was Slovenia – a country that lacked an ethnic minority, namely Serb minority that would have pulled it into the war as well. Slovenia had exercised a great amount of autonomy under the Tito regime, and was able to keep numerous ties with Western Europe that were established in the 1970s that the other Balkan states lost due to conflict. With the ability for early reform, prior Western market involvement, and lack of conflict, Slovenia was able to make the necessary reforms to be one of the leading states in becoming a EU member in 2004.

Economic Growing Pains

However, all of these states faced the issues that went along with socialist economic policies. While all businesses were nationalized and prices were based on what the government set, the regimes could not deal with maintaining set prices for long. With the global recession that followed the Oil Crisis of 1973, states were forced to raise prices exponentially for basic foodstuffs and numerous other goods, resulting in demonstrations and strikes. These problems would not dissolve overnight with the fall of the communist hold. The new governments, as time progressed and the former communist states were not able to form their own political regimes not only faced the economic problems that existed, but also the historical legacy that communism had left in the regions. As Ramet and Wagner discuss: “There were dreams of overnight prosperity, if not of wealth, of national reawakening, of religious freedom, or the chance to travel. There was also a general and speedy repudiation of the communist past which affected almost all of the countries of the

region in one way or the other – all, indeed, except Romania, Serbia, and Montenegro, and even here, the communists survived in power only by redesigning themselves as reformers (as per Ion Iliescu of Romania) or as nationalists (in the cases of Slobodan Milosevic and Momir Bulatovic of Serbia and Montenegro, respectively).”² However, each of these states had their growing pains following 1989, and while all of these states took steps in some fashion, away from the former communists, with the contraction of the economy that occurred due to the need to deal with lack of technology and reestablishing these states with the rest of the Western capitalist societies, populations chose to return to some form of communism in the second elections following the collapse. This need of transition from socialist to capitalist economies plagued all of these states, but Yugoslavia would face the greatest pitfall with the dissolution of Yugoslavia and the breakout of a three-way war between rump Yugoslavia (Serbia and Montenegro), Croatia, and Bosnia-Herzegovina. While other eastern states faced transition issues, with the lack of conflict, they were eventually able to begin making leaps and bounds to transitioning even with the growing pains and lack of public confidence. Even Slovenia, which escaped all but a ten-day conflict with Serbia, was able to make the Western turn. However the states that were involved in the war missed this opportunity, and as will later be viewed by measures of economic development and raw economic data, would become almost ten years behind the rest of Eastern Europe.

Role of the European Union

With all of the transformations that the renewed European countries had to face, even without looking towards EU membership, it is difficult to understand why these states would risk economic downturn and rigorous democratic turnover to achieve

² Ramet 2000: 9.

such a standing. The EU played a strong role in not only helping to establish institutions both politically and economically within the new candidates, it also gave them a light at the end of the tunnel prospect. With the financial backing through the initiatives such as the PHARE program and other EU financial assistance programs, the foundation needed for central and Eastern Europe to make the capitalist transition back into the international arena. Just as the stability supplied by the United States and the Marshall Plan aided Western Europe in establishing the start of the European Coal and Steel Community, the EU played a very similar role within these states. Democratically, despite the turnover between anti-communist and reformed-communist regimes, having EU membership within reach kept the new or reformed democracies from falling back into authoritarianism.

3. EU Enlargement Process

Before Copenhagen

Since its inception in the early 1950s, the foundation of the European Union has been centered on the idea of creating a peaceful community in order to ensure the development and stability of the continent. Though the EU and its previous parts have made strides towards increase development and stability both with leaps in economic ties and baby steps in political agreements, over time it was seen that not only was the deepening of policy needed to allow for these ties, but also the ability to expand the community to include new partners that would both strengthen the economy with agreements in policy and new markets, but would also extend the borders of the European Community in order to maintain overall security. Through the 1970's with the addition of the UK and Ireland, the European Community was able to focus on these principles. However starting with the fall of authoritarianism along the Mediterranean, the EC was forced to shift their attention of not only bringing in European states that were fit the European standard for market economies or the economic reforms needed in order to so – it also had to make a determination of government that needed to be present as well. The late 1970's and 1980's began the early turn for the European Community as it focused its Enlargement policy on the countries of Greece, Spain, and Portugal – all of which had been under some sort of authoritarian rule for over twenty years, removing themselves from the European mainstream. This would be the first time that the EC would declare itself a group of "liberal democracies" and establish an outline of the need for democratic institutions for a state to be admitted.

End of Communism and its effects on Enlargement Policy

Democracy and market economy became the precursors for membership, and while looking at these areas of criteria seemed simple, this all changed with the fall of the Iron Curtain and the new-found freedom that would result for numerous countries of the geographically removed states of Eastern Europe. With the dissolution of the USSR in 1990, Eastern European states stretched into a sense of chaos as new governments formed – some in states that had been states previously or others who not only had to form governments, but also had formed new states in their entirety as well (i.e. Slovakia and the Western Balkans). With these vast changes that came from the dissolution, the EC (which became the EU under provisions in the Maastricht Treaty in 1992) was faced with the task of deciding how they would go about dealing with these new states that had been removed for so long, and some of which had never had strong relations with Western Europe. This would also include changes to EU institutions as well as to the criteria for membership, as it had never been strictly outlined, and even for the newly democratic states of Spain and Portugal, was extremely broad and vague. There was the need for more concrete criteria while also keeping in mind the ability of the newly transitioning states to meet said criteria after only a few years outside of the iron curtain.

Maastricht/Treaty of the European Union

The Treaty of the European Union (i.e. TEU or Maastricht Treaty) took these considerations into effect in its creation of articles and basic guidelines and principles for becoming members of the newly incorporated European Union. As Article 2 of the Final Provisions states: “The Union is founded on the values of respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights, including the rights of persons belonging to minorities.” This would be continued in Article 49:

“Any European State which respects the values referred to in Article 2 and is committed to promoting them may apply to become a member of the Union. The European Parliament and national Parliaments shall be notified of this application. The applicant state shall address its application to the Council, which shall act unanimously after consulting the Commission and after receiving the consent of the European Parliament, which shall act by a majority of its component members. The conditions of eligibility agreed upon by the European Council shall be taken into account... the conditions of admission and the adjustments to the Treaties on which the Union is founded, which such admission entails, shall be the subject of an agreement between the Member States and the applicant state.”³

Looking at the basic requirements created by the EU in 1992, it seems to be comprehensible to view that a state that is democratic in nature along with respecting the freedoms established by these articles would be open to apply for membership. The problem with these guidelines is the vagueness that plagues them, and still is a factor in determining achievement of membership criteria.

Copenhagen Criteria and Role of Conditionality

While Maastricht established a vague understanding of the foundations of the European Union, as pointed to above, it did not add structure or codify any set of criteria or expectations for future members. The closer Eastern states became to possibly applying for membership to the EU, the more these criteria needed to be taken into consideration, therefore creating a need for explanation. What is seen as evolving from the Copenhagen Criteria is this expanded version of Europeanization in the form not only of institutionalism as Sandholtz and Stone Sweet discuss, but also the Corporaso’s format of top-down Europeanization in which EU conditionality and laws would need to be incorporated at the domestic level in order to ensure candidacy and later membership. While analyzing the Copenhagen Criteria, it is easy to see the forms of conditionality that the EU pushed onto membership hopefuls in the forms of economic and democratic requirements, but

³ Kaczorowska, 2010: 107.

also those state's abilities to also take direct EU laws and regulations and transition them down to the domestic level of policy making and implementation. As the Council states:

“The European Council in Copenhagen in June 1993 declared that all of the Central European nations that entered into Europe Agreements (see below) might ultimately join the European Union, provided that they satisfied three pre-conditions, which have become famous as the "Copenhagen criteria": 1) stable institutions guaranteeing democracy and the rule of law, with full respect for basic human rights and the protection of minorities; 2) a functional market economy, with free market competition, and the ability to "cope with competitive pressure and market forces within the Union;" and 3) the ability and the administrative infrastructure necessary to fulfill all of the obligations of membership, including that in the Economic and Monetary Union.”⁴

With the strong interest of Eastern European members to join the EU, the standards vaguely described in the final parts of Maastricht were expanded with the creation of the criteria. These criteria would set the precedent for future enlargements by setting these forms of conditionality or guidelines of democracy, economic development, and also a new portion – referred to as the Community agreements or “Aquis Communautaire” in which states had to show their ability not only to promise reform, but also meet the obligations of being an EU membership, including implementation of EU law at the domestic level.

“[The criteria] require a candidate country to have stable democratic institutions, a viable market economy, and commitment to carry out the *Acquis Communautaire*.¹ Democracy requirements, known as the political criteria, specify the presence of extensive individual and civil rights for everyone and the rule of law. The economic criteria stresses the need of a strong market economy measured according to: relative strength of a functioning market economy and the capacity to withstand competitive pressure and market forces within the Union.”⁵

⁴ Goebel, 2003: 474.

⁵ Yesilada, 2011: 5.

It will be imperative to readdress these criteria when discussing the conditionality of the 2004 and 2007 enlargements as well as comparing the cases studies of these enlargements to those states who are current candidates or are still aspiring to hit that mark.

Community Agreements: “Aquis”

As summarized above, along with the democratic and economic guidelines outlined by the Copenhagen criteria, another part was added discussing the obligation of potential member states to not only meet levels of market economy and democracy, but also the ability to adoption and enforcement of EU law. Negotiations are completed between prospective and current members, which establish not the actual acceptance of this obligation (as this is a non-negotiable rule of membership), but when and how these rules shall be adopted. This is a startling issue that will be readdressed later in this paper as guidelines for meeting the Acquis have seen changes from the enlargement of 2004 and 2007 and to the guidelines that current candidates and potential candidates must now meet. While it is established that candidates must agree on dates and level of implementation that is to be reached. This does not seem to mean that these criteria or laws must be implemented before full membership, only that the dates for meeting these requirements are set and carried out. Also one of the interesting parts of the Aquis also comes from the reforms that can differ between candidate states. While it would seem that each candidate state must meet the same guidelines in order to be considered for membership, this has not necessarily been the case. With the wording placed in the Aquis, the European Union’s enlargement committee holds the right using the instrument of Accession Partnerships to identify “the reforms and adaptations that

the candidate country must undertake in order to join the European Union.”⁶ Taking this for face value, it seems that the EU holds the right to change the reforms and adaptations that a candidate must meet in order to close negotiations and start of the track of becoming a member. Within these negotiations, chapters of harmonization or accession are also determined. Again, while it would seem to be expected that the number of chapters or areas that must be met for candidates states would be the same, as in the cases of Turkey and Croatia this is not the case. The 2004 and 2007 enlargements were obligated to meet 31 Acquis chapters for membership while states that will ultimately make up a possible 6th enlargement, including Croatia, Turkey, and FYR Macedonia will be held to 35 chapters.

Madrid

While Copenhagen outlined the democratic, economic, and Acquis requirements, the EU went a step further with its meeting in Madrid in 1995. In this meeting, the criteria were clarified even further explaining that not only do candidate states have to guarantee that the Acquis will be followed in a timely manner established in the negotiations, it also established that administrative structures must be in place in order for the EU laws and regulations to be implemented. Without proper structures (i.e. judicial and bureaucracy), words guaranteeing the Acquis were just words. The EU needed to see that when these agreements were made, that the correct bodies were in place to ensure this enforcement. This is a prerequisite of the mutual trust needed for EU membership. With the idea that the EU could possibly continue to enlarge, while a candidate state may be able to administer the agreed upon Acquis at the time of negotiations, without the implementation structures, worries surfaced as to whether these states would be able to bring about amendments or additional

⁶ European Commission on Enlargement, *The Mandate and the Framework*: 2011.

criteria that could later be adopted by EU members and would later require not only the guarantee, but the actual application of EU law before accession.

Treaties of Nice and Lisbon

After the EU chose to bring in the 10 former communist states (along with Cyprus and, Malta, and the already candidate of Turkey) to begin the accession process, not only did the EU have to discuss the guarantees and steps needed to be reached for these states to be deemed as appropriate members, they also had to deal with the growing pains that would effect the institutions of the European Union as a working body. While at first, the EU was concerned with the preconditions for membership, enlargement was still going to take its toll on the members of the EU and the Union's institutions as well. As Dyson points out, this is where top-down Europeanization fails to explain the total picture of Europeanization. There is also a bottom-up factor to Europeanization with the admittance of new members, affecting the ability of EU institutions to function. With the prospect of almost doubling the size of the Union from 15 in 1995 to 27, the conundrum existed as to how to keep proper representation of the member states while also maintaining some level of efficiency for policy purposes. Up to this point, the EU had chosen to keep membership enlargements small and succinct at first with states that easily fit into the accepted EU model at least with basic principles. While the European Community had made financial concessions with the UK for membership along with huge packages of financial agricultural support for Ireland, these two accompanied by Denmark were manageable as well as that of Austria, Finland, and Sweden in 1995. Even when dealing with transitioning countries, the EU was able to deal with them in stride, first taking on a recovering Greece in 1981 followed by newly democratic Spain and

Portugal. Fitting in 10 states that had been under communist rule for close to forty years was nothing that the EU had dealt with, let alone that their institutions could absorb. Member states began to feel the strain of not only dealing financially and democratically with these new states and how to implement EU laws into domestic matters, but “on the other hand, the institutional structures of the European Union must be altered to the degree necessary to include and satisfactorily integrate the representatives of the new States”⁷ while maintaining this efficiency and functionality. It was decided that both with the coming of these states, but also following their accession, the changes that would be made to the institutions of the EU would have to be monitored and amended in order to take all of these things into consideration. It was again stated that after the EU reached 27 states, that membership should be halted to deal with these changes along with the issue of where to take the European Union concerning the possible drafting of an EU constitution.

The EU Constitution and Treaty of Lisbon

With the failure of referendum concerning the EU Constitution by France and the Netherlands in 2005⁸, heads of numerous EU governments including French leader Nicolas Sarkozy and German Chancellor Angela Merkel believed that EU enlargement should be postponed until agreements could be reached as to the institutional reforms that allow for the incorporation of the states that would comprise the EU 27, even though at the time Romania and Bulgaria had not been deemed full members. The institutions that had lasted up to that time for the EU only incorporated the 15 member states and it was very questionable as to whether

⁷ Goebel, 2004: 473.

⁸ French voters rejected the constitution by 55% to 45%; Dutch voters rejected it by 62% to 38%. BBC News, *French Say Firm 'No' to EU Treaty*: 2005.

the institutions of the EU would still be deemed efficient while still representative. However, this decision was made even though three other states at the time had received candidacy status and one of which, Croatia, had opened accession talks. While the Constitution itself was tabled indefinitely, many of the same areas of policy were dealt with in the Lisbon Treaty, which was used as a replacement treaty to deal with some of the issues the Constitution would have dealt with including institutional reform and enlargement. Lisbon would amend past treaties, not replace them, and keeping in mind the issues of referendum posed in France and the Netherlands, the amendments only needed to be ratified by the parliaments of member states instead of public referendum. While this seemed to still meet the challenges that the EU needed to deal with, it did not circumvent the issue of the public referendum requirement in Ireland, which was required by law to hold a public vote for these matters.⁹ Leaders met and signed the treaty in December of 2007, but this did not mean ratification. Irish voters shot down the treaty in the public referendum, just as the Nice Treaty was in 2001; this later led to objections also by Poland and the Czech Republic and withdrawal of the Czech's vote. However, the treaty was passed by Ireland in a second referendum in 2009 and Poland and the Czech Republic also ratified the treaty allowing the treaty to be implemented. While this treaty did result in changes to voting styles within the EU bodies along with changes in the number of votes and level of transparency in how voting was handled, it did nothing to change the requirements for membership, meaning that even though the actual institutions were changed in order to accommodate the enlargement in a fair manner, it did not necessarily act as an easy road for future accession candidates. The accession of candidate states must be

⁹ BBC News, *Irish EU Treaty Referendum Closes*: 2009.

approved by both the European Council and Parliament as well as receiving unanimous approval from each EU member state. As the number of member states, increase with no change to unanimous vote decisions, the more states that a candidate must agree with in order to receive membership. Lastly, the treaty did not deal with the solidifying of the Copenhagen economic and political criteria. While the criteria exist, part of the original Lisbon treaty had included codifying the Copenhagen Criteria in treaty law. However this was removed due to the argument of member states that codifying the criteria would then place it in the hands of the EU judiciary (European Court of Justice) for interpretation, meaning that the ECJ would have the final vote as to whether the criteria had been met, therefore having more influence on acceptance of a member state than the EU's political institutions.

Issue of Satisfaction with a Candidate's Progress

As directed to above concerning the avoidance of involving the ECJ in accession procedures, the enlargement criteria do discuss steps that need to be met in order to meet the proper criteria to be a EU member or candidate, it is not a black and white decision. As with the negotiation process, the levels of democratic and economic transition that need to be reached along in parallel with completion of chapters of the Aquis, are up to the discretion of EU member states. Chapters are not opened without consent of the member states as well as closing chapters. If there is a discrepancy with a current member state, as will be viewed later in the cases of Croatia, FYR Macedonia, and Turkey, it can delay the opening of chapters or the approved vote that chapters have been sufficiently completed. This means that if one EU member state questions the ability of a chapter to be completed, the chapter is not considered closed – all EU member states must ratify the closing of negotiation chapters in order for a candidate to fulfill all necessary criteria. The same ideology

is applied to the draft accession treaty, which outlines all arrangements that have been agreed upon between member states and the candidate. The draft treaty as outlined by the European Union “lists all transitional arrangements and deadlines, as well as details of financial arrangements and any safeguard clauses.”¹⁰ This treaty agreement must be passed numerous painful and time consuming processes including passage through the European Council, Parliament, and the EU Commission even before making it to the vote of each individual member state. At any point could one of these bodies push back the treaty for areas that they feel have not been met or are not agreeable policies or timelines even before coming to a unanimous vote of members. At the time of member voting, the agreement could again be turned down by only one EU member state and the entire process is frozen until proper amendments to the treaty are made to satisfy that state. If by some blessing, a candidate’s draft treaty makes it through these numerous processes, it is then given privileges within the EU¹¹. Once the treaty is ratified in the candidate country, the state can then receive full bonuses of being a EU member.

¹⁰ European Commission on Enlargement, *Closure of Negotiations and Accession Treaty*: 2011.

¹¹ Privileges include commenting on EU proposals and observer status in EU bodies, however the state cannot vote on EU legislation until accession is complete. Source: EU Commission on Enlargement, *Understanding Enlargement*: 2007.

4. Analysis of Criteria and Reach of Membership

Enlargement of 2004

The EU enlargement commission came to the conclusion early on, that it would be necessary to welcome in the former communist central and eastern European states. As German chancellor Schroeder remarked in 2003: “With this step, the Union is finally overcoming the division of the European continent into east and west. The new and bigger Union will ... find a place in the world as a Europe of peace, solidarity and democracy.” It was not a matter of “if” but “when” the European Union would decide to bring in the Eastern bloc states as members. However, as viewed by the democratic and economic transitions occurring in each individual state, these states, while making the same needed transitions did so in very different ways. Looking at these roads of transition, even into the mid-1990s there existed the ability to see a split between the elite states wishing to join the EU that were thriving when making the proper reforms, while others lagged behind. 1996 began of accession proceedings for the countries of Central and Eastern Europe (ECE) with the Czech Republic, Estonia, Hungary, Poland, and Slovenia gaining candidacy status. When looking at economic and democratic indicators of those countries, they set the bar for the rest of the ECE states. Other ECE states lagged behind, resulting in a delay of their candidacy status which was accepted in 1998 and negotiations opened in 2000. The negotiating states continued with transitions and reforms into the early 2000’s with progress reports coming from the EU Commission through a monitoring report I 2003. This report showed that the states from their view, had reached “general satisfaction in the political sphere”, but that there were still areas in which large reforms were needed, focusing on minority rights in Estonia, Latvia, and Lithuania, Hungarians in Slovakia, and Roma within Hungary, Slovakia, and

Romania¹². Corruption even early in the negotiations served as a backslide for most candidate countries causing both political and economic issues. With a lack of confidence in national judiciaries and administrations, it would be extremely difficult for states to make proper reforms and implement both domestic reform and EU law. Economically, while states made transitions and reforms in different stages and were deemed to meet the criteria of being market economies, the EU Commission still expressed concern of their fragility and ability to withstand the pressures of competition within the EU and also the ability to hold up their contributions to the Union. The most difficult position for these states was the fact that the EU Commission really had no other state to base their progress on, or establish a correct ranking or level of stability to meet satisfactorily criteria. The only other EU members that developed through a transition period was Portugal following a revolution and coup in 1974 and Spain with the death of authoritarian leader Francisco Franco in 1975. It was though at the time that the ECE countries would not be able to reach similar levels of democracy and economic development that these two states had by the time of their membership in 1986. Along with the lack of an example to follow, Copenhagen only stated the need for a market economy and ability to deal with the pressures and competition within the EU, leaving no clear-cut way to decide when a state would be prepared to be a member – it was a guess by the EU and a hope that their decided upon guidelines would be high enough to keep the Eastern bloc progressing without resulting in economic downturn or extreme pressure on current member states to support them. Even with the question of corruption and economic stability, the Commission deemed eight of the ten former communist countries, along with Malta and Cyprus as having reached satisfactory

¹² Goebel, 2003: 483.

arrangements to be accepted as members in 2004.

Enlargement of 2007

While much of the enlargement from 2004 was taken with guarded but positive feedback, the story of the Eastern Balkans countries of Romania and Bulgaria was guarded at best. Romania and Bulgaria were accepted for candidacy status at the same time as the other eight post-communist states, Cyprus, and Malta even though there were questions as to their readiness and fulfillment of the Copenhagen Criteria. While many of the post-communist states were able to make reforms in a punctual time to be accepted into the EU in 2004, two of the ten states, Romania and Bulgaria, lagged behind in making the necessary reforms to warrant accession. It was decided by the Commission that the accession of the Eastern Balkans states would be pushed back to 2007, with the understanding of a one-year suspension of their accession date being possible if reforms were not met by the given time. However, even with questionable corruption levels and stability of market economy, the EU chose to accept Romania and Bulgaria in 2007 even though numerous EU commissioners questioned their readiness. However as viewed by the Enlargement Commission, it was believed that it would be more beneficial to bring the two states in on time instead of either pushing back the accession by another year.

“The problems facing Romania’s compliance with the accession criteria have been linked in large part with the country’s public administration after 1989, which suffers from a lack of necessary managerial capacity and a lack of political will for reform. On the whole, and despite some progress, the Romanian administrative system is also still suffering from a lack of managerial and strategic thinking at leadership levels. The development of managerial skills based upon flexibility and effectiveness in structuring administrative reform is of crucial importance for Romania’s future.”¹³

¹³ Gudjonsdottir, 2007: 4.

Corruption was and still is a major problem facing both Eastern Balkan states, primarily in Romania. The problem with dealing with corruption is that in some post-communist states, during communist rule, it became a normal act of everyday life. As corruption becomes engrained in society, it becomes even more difficult to have it seen as problematic to the society and also to rid the state of it both at the government level but also economically with black markets and bribes. It also leads to the lack of confidence not only in the government but also in other areas of security and stability including the military or public authorities:

“Romania ranks 84th on the Transparency International 2006 Corruption Perceptions Index. Bribes for basic services like health care are considered commonplace in the country, and the justice system is weak. Contracts and court decisions are not being enforced, which is of great concern to foreign investors.”¹⁴

This could be seen as a questionable choice by the EU to accept Romania into the EU 27 as corruption could greatly affect the areas that Romania had to meet for membership (Copenhagen democratic and economic criteria) and also make it extremely difficult to the government to implement and enforce EU laws established through the *Acquis Communautaire*. Bulgaria on the other hand, was in a more beneficial position to join the EU, however the country does not have a spotless record. Prior to acceptance of their candidacy status in 1998, Bulgaria faced an economic crisis due to its lack of financial organization and infrastructure, resulting in bailouts. It also faced large amounts of corruption and organized crime which crippled the state with its lack of judicial reform. Even with these trials, Bulgaria was granted candidacy and with negotiations, actually finished their accession talks ahead of schedule in 2004. While Bulgaria received large support from the EU in 2005, the Commission chose in late 2005 for Bulgaria to serve six more months of

¹⁴ Gudjonsdottir, 2007: 4.

probation to battle the large amounts of corruption and needed reform of the judicial system. Although the country ranks higher than Romania on the *Transparency International's 2006 Corruption Perceptions Index*, being in 57th place, corruption is a very serious problem there as well.¹⁵ Even with the levels of corruption within Bulgaria, it was deemed “meeting the Copenhagen Criteria” in 2006. However, even though Bulgaria met the criteria and received approval for accession in 2007, both itself and Romania both faced safeguards and benchmarks known as Cooperation and Verification Mechanisms (CVMs) in order to ensure that both states continued with reforms.

“Bulgaria will have to prove in its report that it has removed "any ambiguity regarding the independence and accountability of the judicial system" and conduct "professional, non-partisan investigations into allegations of high-level corruption". Romania faces less strict benchmarks, which include more transparency in its judicial system. If either country fails, it will be excluded from EU business in the areas covered by the benchmarks.”¹⁶

Even with all of these questionable areas for Bulgaria and Romania, the EU reported that the organization still felt that enough infrastructures was in place to accept them. As will be discussed when looking at the implications of the accession of Romania and Bulgaria both on future members and EU credibility, when analyzing these two countries in comparison to current members and other possible members, the ability exists to make a case for either side. When looking at the entire picture of criteria, it seems likely that Romania should not have been accepted as a member state in 2007 and it is questionable at best if Bulgaria met those same requirements. If the EU believed there was a need to place mechanisms on both states, it would seem only logical that the EU should have chose to suspend both states by a year as their

¹⁵ Gudjonsdottir, 2007: 7.

¹⁶ Watt, *Romania and Bulgaria to Join EU*, 2006: 1.

legislation allowed and reevaluated them in 2008. However, on the other side of the argument, many of the areas where both states falter, namely corruption, does not put these states in any worse position as current EU members Greece and Italy.

Therefore, if the EU is not willing to place mechanisms or some type of reprimand on those current states, it would not seem credible to hold member states to the standards of the criteria, if current member states cannot meet them.

Western Balkans and Turkey

After the declaration of candidacy for the ten Eastern states along with Cyprus and Malta, it was questioned as to whether the EU would stop at 27 members or continue on. However, after the breakout of the Yugoslav wars in 1992 and the involvement of both NATO peace enforcement (IFOR) and peacekeeping (SFOR) missions and the transfer of operations to the European Union Police Mission (EUPM), the EU's mind was for the most part decided for them. With both the presence of EU member forces and the fact that the volatile region came dangerously close to EU member Greece and later members Slovenia, Romania, and Bulgaria, the presence of the European Community in the Western Balkans would be in place whether those states were received as future members or not. If instability would again erupt in any of these states it would endanger spillover into EU member states – forcing the EU to be involved. Taking this into consideration, it would make more sense to try and use the EU as a stabilizing factor in the region and offer “rewards for good behavior” in a sense to those states that could have posed a threat, in hopes that through cost-benefit analysis those states would chose the road to EU membership instead of reverting back to ultranationalist tendencies. The public decision to include the

Western Balkans in the EU enlargement process was made at the EU-Balkan Tessaaloniki summit in June 2003 which stated, “the future of the Balkans would be in the EU, and that progress in this direction would depend on the fulfillment of the same conditions and requirements that applied to other candidates.”¹⁷ Again, this marked the importance of conditionality based on meeting the EU Copenhagen Criteria and the Acquis. It also stated that the Western Balkans would be held to the same “conditions and requirements that applied to other candidates” which would seem to imply that those states should go through the exact same negotiation procedures (including accession chapters) as well as meeting the same levels of democratic and economic ratings as their predecessors of the 2004 and 2007 accession groups. Currently as of the 2010 decisions of the EU Enlargement Commission, there are five states that hold candidacy status with the EU, three of which are Western Balkans countries – Croatia, the Former Yugoslav Republic of Macedonia (FYROM), and Montenegro, and lastly are accompanied by two other candidates that are outside the post-communist spectrum: Turkey. While Turkey is difficult to compare to the Eastern European states due to the fact that they come from differing political and economic spheres. However, they do serve a purpose when looking at the credibility of states meeting the criteria as well as other areas affecting membership. Out of these candidate states, only two have actually opened negotiations with the EU – Turkey and Croatia, and Croatia is the only state currently seen as fit to possibly enter the EU as a full member in the near future, as analyzed below.

Candidates with Negotiations: Croatia and Turkey

At the beginning of Yugoslav disintegration, Slovenia and Croatia were the two most

¹⁷ Blitz, 2006: 102.

prosperous states in the region. At first it seemed apparent that Croatia would follow in the same footsteps as Slovenia concerning a call for independence and realignment with Western Europe. However, unfortunately for Croatia, the state holds a sizable Serb minority that was not in favor of independence from the Yugoslav federation. Croatia was forced to deal with uprisings in two areas: that of Eastern Slavonia on the border between Croatia and Serbia and that of Western Slavonia (Krajina) on the border of Bosnia and Croatia. These uprisings coupled with the war in Bosnia-Herzegovina and lack of democratic government crippled Croatia's chances of 2004 accession with Slovenia. However, following the 2000 ousting of Franjo Tudjman, Croatia began to regain the confidence from Western Europe that it lost during the war and very quickly began to regain economic and democratic composure. Croatia, however due to the lack of democratic governance during the war and the need to conform with ICTY mandates, only formally applied for accession in February 2003, with negotiations formally opening in 2005.

Candidates without Open Negotiations: FYR Macedonia and Montenegro

The former Yugoslav Republic of Macedonia, while able to avoid much of the chaos of the Yugoslav war did not fair as well as the more affluent members of the former federation. FYR Macedonia is one of the poorest countries in the region with extremely high unemployment rates – some reaching over forty percent in recent times¹⁸. While the country maintained some sense of stability throughout the war and the conflict in Kosovo, it does not mean that it remained unscathed. FYR Macedonia was faced with large groups of Albanian refugees much in the same way as Albania, and had problems with uprisings of their Albanian minority due to lack of protection for minority rights. However, the state avoided the horrific backsliding

¹⁸ IMF World Economic Outlook: October 2010.

that would have resulted from an all-out conflict with the signing of the Ohrid Agreement in 2001. Even though it is questionable as to the meeting of political and economic criteria by Macedonia, the state was accepted as a candidate country in 2005, but opening negotiations have not yet occurred. Montenegro serves as the newest country to be accepted for EU candidacy, only receiving candidacy in 2010. Montenegro for years maintained its federated agreements with Serbia in some form or another even through the Yugoslav war and Kosovo. For this reason, even though Serbia under Slobodan Milosevic received the greatest amount of punishment, many scholars wondered Montenegro's part in the fighting. Through negotiations and changes in the constitution of Serbia and Montenegro, Montenegro was able to gain its independence following a 55.4 percent¹⁹ passing of a public referendum. Montenegro has made strides at functioning independent from its larger sibling, Serbia, but still cannot meet political and market economic criteria for EU membership. Montenegro is also extremely difficult to analyze due to the fact that it has only been removed from its federation with Serbia for four years. Due to this fact, Montenegro will only briefly be touched on in this paper.

¹⁹ The threshold for the Montenegro referendum was increased from 50 to 55 percent following recommendations from the EU Commission.

5. Do Actual Ratings Making a Difference?

Specific cases of Croatia and Turkey

As outlined by Blitz, Yesilada, Ramet, and numerous other scholars, potential members must reach political and economic stability in order for the EU to bring them on board. This is also strictly outlined by the European Commission which believed in stressing, “the absolute priority of the Copenhagen political criteria before beginning and continuing the accession negotiations with any candidate country”²⁰ including protection of minority rights. However, looking at specific cases through out the 5th and 6th enlargements, it has been questionable as to whether candidate or member countries are actually held to the same ratings and standards as their predecessors. It is without doubt that the European Community knew prior to the accession of the 2004 Eastern and Central European states, that it would not be possible at the time for these transitioned or transitioning states to reach the same milestones as the closest country to its ratings – Portugal, let alone the rest of Western Europe. When the EU chose to bring in the Eastern states it also chose to decrease the requirements needed in order to become a member by some dimensions, but also made the requirements stronger on overall areas that needed to actually be met before accession. While many of the 2004 countries met very similar ratings both on levels of democracy and economic development, it is questionable whether a state such as Slovakia should have made the cut in 2004 and why Romania and

Table : 5.1 Comparison of Democratic Transition in Central and Eastern European States – Polity IV Data

²⁰ Kochenov, 2006: 183.

	1990	1992	1994	1996	1998	2000	2002	2004	2006	2008
Hungary	10	10	10	10	10	10	10	10	10	10
Poland	5	8	8	9	9	9	10	10	10	10
Czech	8	8	10	10	10	10	10	10	8	8
Estonia	N/A	6	6	6	6	9	9	9	9	9
Latvia	N/A	8	8	8	8	8	8	8	8	8
Lithuania	N/A	10	10	10	10	10	10	10	10	10
Romania	5	5	5	8	8	8	8	9	9	9
Slovakia	8	8	7	7	9	9	9	9	10	10
Slovenia	10	10	10	10	10	10	10	10	10	10
Bulgaria	8	8	8	8	8	8	9	9	9	9
Croatia	N/A	-3	-3	-5	-5	8	8	9	9	9
Turkey	9	9	8	8	7	7	7	7	7	7
Serbia	-5	-7	-7	-7	-6	-6	7	6	8	8
FYR Macedonia	N/A	6	6	6	6	6	9	9	9	9
Albania	1	5	5	0	5	5	7	7	9	9

Source: Polity IV Data; Systemicpeace.org: 2011.

Bulgaria were brought in to the Union even though they did not reach the same levels of political and economic requirements as the 2004 candidates at the time of their reception of candidacy or membership. Looking at Polity IV²¹ scores for democracy from the Systemic Peace, it seems reasonable why states such as Serbia, FYR Macedonia, and Albania had not been granted candidacy status as of 2000 when the other ten post-communist states opened negotiations. However, while the EU criteria seem to be solid for 2000, it does not hold the explanation power that would be expected if political criteria alone were deciding candidacy or membership. Romania was admitted as a full member to the EU with a Polity score of only eight just as Latvia was in 2004. If these situations were held as the status quo for political criteria, Croatia would have been admitted as a candidate when it first applied in 2003. This score would also currently place states such as Serbia and Albania as politically capable of candidacy in 2006. Romania and Bulgaria finished below many of the 2004 states, and even some – namely Croatia and Turkey, have finished at their equal or higher scores at different points in time, but were not or have not at this time been deemed worthy of membership. Even currently, Croatia holds a

²¹ Explanation of the variable will be presented under Regression Analysis .

higher democratic score than 2004 accession members Czech Republic and Latvia. Turkey in the early 1990's also represented equal if not better Polity IV democracy scores than other EU members at the same time they achieved candidacy status and membership. Even though Turkey held significantly high democracy scores since the 1980s up through the early 1990s, it was not accepted as a formal candidate until 1998. While it could be gathered from the above table that Turkey fell below the threshold for democratic scores in 1998²². When this data is expanded to look at a more comprehensive World Governance Indicator from the World Bank²³, the scores indicate similar points. The most important findings are that even in 2000, when Croatia was first emerging as a democratically transitioning state after Tudjman, it will outperformed Bulgaria and Romania which were both candidate states with open negotiations in five of the six areas covered by the WGI – including two of the areas

Table 5.2: World Governance Indicators (WGI) for Central and Eastern European States

Country	Year	VA	PSNV	GOV_EFF	RQ	RL	CC
Bulgaria	2000	0.48	0.49	0.18	0.20	-0.09	-0.20
Romania	2000	0.40	0.02	-0.39	-0.10	-0.14	-0.25
Croatia	2000	0.41*	0.32	0.34**	0.00*	0.17**	0.06**
Turkey	2000	-0.48	-1.00	-0.13	0.28	-0.10	-0.34
Macedonia	2000	-0.35	-0.84	-0.76	-0.13	-0.63	-0.55
Serbia	2000	-0.72	-1.70	-0.87	-0.71	-1.21	-1.12
Albania	2000	-0.32	-0.96	-0.84	-0.25	-1.10	-0.83
Bulgaria	2007	0.65	0.43	0.09	0.63	-0.08	-0.12
Romania	2007	0.49	0.29	-0.15	0.51	-0.05	-0.10
Croatia	2007	0.50*	0.60**	0.52**	0.45	0.09**	0.14**
Turkey	2007	-0.20	-0.74	0.31**	0.29	-0.48	-0.32
Macedonia	2007	0.20	-0.35	-0.19	0.16	-0.42	-0.25
Serbia	2007	0.25	-0.64	-0.29	-0.29	-0.48	-0.32
Albania	2007	0.03	-0.22	-0.36	0.11	-0.68	-0.60
Bulgaria	2009	0.54	0.47	0.14	0.63	-0.05	-0.12

²² While Turkey showed strong democratic scores up through the early to mid-1990s, it began to decline. When compared to those states who actually opened negotiations in 1998 or 2000, Turkey did fall below the other candidates. However, even with these lower numbers, Turkey was brought on in 1998 as a formal candidate, but did not open negotiations with the rest of Central and Eastern Europe.

²³ Information concerning WGI and its methodology is included under the Quantitative Analysis section of this paper and can also be found at <http://info.worldbank.org/governance/wgi/resources.htm>.

Romania	2009	0.46	0.40	-0.13	0.62	0.10	-0.13
Croatia	2009	0.56**	0.60**	0.64**	0.55	0.22**	0.03**
Turkey	2009	-0.12	-0.88	0.35**	0.31	0.12**	0.09**
Macedonia	2009	0.13	-0.22	-0.14	0.32	-0.22	-0.03
Serbia	2009	0.32	-0.50	-0.15	-0.10	-0.41	-0.19
Albania	2009	0.16	-0.07	-0.20	0.28	-0.52	-0.40

Source: World Bank: 2011

that the EU has formally listed as areas that kept Croatia from opening negotiations until 2005 and is keeping them from presently closing accession talks – Control of Corruption (CC) and Rule of Law (RL). The same could be interpreted from data from 2007 when Romania and Bulgaria became EU members, and in 2009 even without Croatia holding full EU membership in contrast to these two countries. Even Turkey who as discussed above has seen a decline in democratic scores still outperforms Romania and Bulgaria in three areas in 2009. Economically, as pointed out in Table 5.3, both Croatia and Turkey have also performed at least as well or in Turkey’s case, substantially better than Romania and Bulgaria. Turkey applied

Table 5.3: Comparison in Economic Status of EU Members and Candidates

Country	GDP per Capita (PPP)			GDP percent change			Account Balances (% of GDP)		
	1990	2000	2007	1990	2000	2007	1990	2000	2007
Bulgaria	6,983	6,103	11,612	-9.1	5.4	6.2	-8.3	-5.0	-26.9
Romania	5,575	6,100	11,509	-5.6	2.9	6.3	-4.6	-4.1	-13.4
Croatia	N/A	10,998	17,781	N/A	3.0	4.7	N/A	-6.6	-7.6
Turkey	5,556	8,169	12,107	9.3	6.8	4.7	-1.3	-3.7	-5.9

Source: International Monetary Fund: 2011.

numerous economic reforms of the 1980s and opened the way for a dynamic and rapid economic modernization followed by large GDP growth that cannot be reflected by another candidate or potential member, or for that fact by any recent new EU member. The dynamic nature of the Turkish economy is also noted by the European Commission which concluded that “Turkey’s functioning market economy should be able to cope with competitive pressure and market forces within the Union in the medium term, provided the Turkish government implements comprehensive

reform program in order to address structural weaknesses.”²⁴ When looking at Turkey’s economic status even as far back as 1990, it has greatly been able to outperform these states even with its significantly larger population. The most crucial numbers to observe are those of 2000, when Romania and Bulgaria opened negotiations with the European Union. In all three categories explored above, both Croatia and Turkey show at least equal promise to that of Romania or outperform both of the other two Eastern Balkans states. However, as discussed above, even with equal or more positive economic positions, Turkey and Croatia did not open negotiations with the EU Enlargement Commission until 2005. In numerous economic categories Turkey outperforms Bulgaria, Croatia, and Romania from 2000-2008. Also, during the most recent global financial crisis, the Turkish economy declined by -5.7 percent but was expected to rebound and actually posted significant growth in 2010. Furthermore, Turkey’s economy is more than twice the size of the other three economies when measured in terms of purchasing power parity. Which as discussed later would be a blessing for the EU but also a stopping block for Turkey concerning the issue of absorption. Overall while Croatia’s economy cannot outperform the Turkish economy, it still fairs better than members Romania and Bulgaria. It could also be concluded that Turkey’s economy most likely would be able to hold its own through competition and pressure it would experience as part of the EU market, if the necessary structural reforms are completed.

Role of European Identity

While not elaborated on as a part of Maastricht, Copenhagen, and Madrid, the issue of European identity has been a more recent and widely controversial topic when viewing the European Union and the ability for a state to become a candidate or

²⁴ Yesilada, 2011: 49.

member. As discussed in the above paragraph, the only outline to being a member to the European Union member is to be a “European” state that follows or is willing to invoke reforms to follow the same democratic and economic practices of current members and holds the ability to take EU policy and implement and enforce is at the national level. None of the above criteria (before Copenhagen or after) has ever discussed what the measure of “being European” is. Geographically, it has been disputed if and where there is a distinction between Western Asia and Europe. Many maps see countries such as Russia and Turkey belonging to Western Asia instead of Europe, however, this becomes much more opaque when observing other institutions that are founded upon being “European” such as the Council of Europe.

Europe Geographically

If a researcher was to look at the Council of Europe, while absolutely separate from the European Union, some of its principles are similar. The Council of Europe sees itself formed on the vision of “47 countries, one Europe”²⁵. Geographically speaking, going by this viewpoint, Europe would come to include Western Europe, the Baltics, former Eastern bloc, the Western Balkans (i.e. former Yugoslav countries, Greece, and Albania), the Eastern Balkans (i.e. Romania and Bulgaria), the former Soviet members of Armenia, Azerbaijan, Georgia, Ukraine, Belarus, and Moldova, and the outliers Russia and Turkey to the east and southeast and Iceland to the northwest— a much larger stretch than the European Union has chosen and is able to accept at this current time. The EU has followed much of this map with candidates and potential members with Croatia, FYR Macedonia, Montenegro, Turkey, and Iceland currently labeled as candidates and Serbia, Albania, and Bosnia-Herzegovina labeled as potential members. The EU has also expressed interest in

²⁵ Council of Europe: 2011.

deepening integration with Ukraine and Georgia, opening up numerous trade agreements with these states.

Cultural Determination of Europe and Europeanization

However, while geographically all of these states could be concluded to be part of Europe depending on each individual's viewpoint of the Eurasian continent, what is actually part of Europe culturally is a Pandora's box – and also establishes the theoretical split between the ideas of functionalist David Mitrany and other integration theorists. Before looking at Article 49, it could be said that any democratic state would be able to apply for membership. It is the wording within Article 49 stating “any European state” that actually begins to limit the scope of possible members. This has its pros and cons as overviewed by some of the earliest founders of integration theory – Ernst Haas and David Mitrany. Mitrany's concerns about regional integration come to the forefront of the fight of European enlargement and the determining of if and where borders should be drawn for the European Community. Mitrany saw this idea of “Europeanness” as Europe's cutting of one's own throat. While he agreed that integration was essential in order to keep peace, he also argued within his work “A Working Peace System” that he greatly opposed regional integration due to the fact that groups were drawing lines or borders that would not necessarily outline who would be members of the community, but who would be left out. Mitrany saw the issue of regional integration leading down the road to more conflict between the periphery and the core or “insiders” than it would benefit them, or more succinctly “peace will not be secured if we organize the world by what divides it.”²⁶ However, when viewing European Union, the members have chosen to do just that – establish boundaries needed to be part of the in-crowd

²⁶ Mitrany, 1966: 96.

Figure 5a: Countries designated by Janos as the Borderlands of Eastern Europe



Source: University of Texas: 2011.

starting by this obscure idea of “what is it to be European”. Culturally, defining Europe is a task in which scholars could spend years. Numerous academics including Andrew Janos have looked at the cultural and geographical divide of Europe based on historical legacy. Some of the easiest splits to observe when looking at divisions between what are considered Europe, non-Europe, and the “borderlands” as Janos refers to Central and Eastern Europe. The largest divisions in these areas date back to the Holy Roman Empire and the Byzantines. While this division does give scholars of the borders of Western Europe, it does not necessarily give us an idea of what parts of the borderlands would later be considered to be part of Europe. The same could be said for the division of Europe following World War II. Very similar if not exact borders were drawn by the Holy Roman Empire as was drawn in 1945, showing Greece and Turkey as Western states. Taking this part into

consideration would align Turkey geographically with Europe. However, when taking historical legacy, culture, and religion it seems that the borders differ. This is the problem when drawing borders as Mitrany describes. Inevitably, the EU is forced to choose some version of these borders to solidify “what is Europe” meaning that whichever state is left out of the Union is not necessarily going to be based on geography alone. It will be based on prior experiences – what Janos describes as the geographical proximity to major events such as the Renaissance, Enlightenment, and the Industrial Revolution to name a few. However, even with looking at these events, there is no clear-cut division between what is Europe and what is not; these divisions show where the borderlands exist for Europe, but not exactly their true ends unless a scholar assumes that all of the borderlands of Europe should be distinguished as being part of Europe, which going by the current expansion of the European Union seems to hold true. Each of these borderland states has been distinguished either as a member, candidate, or future member of the EU. However as discussed later in the next section, the combination of geography and the cultural values exerted in these countries may play a role in a state’s ability to meet EU criteria as well as determining their chances for membership.

6. Quantitative Analysis of Copenhagen Criteria

Explanation of Cases

After viewing some of the more recent events in European enlargement, it is possible to bring attention to areas that do not meet possible Copenhagen Criteria as set by the EU Commission however, some states were allowed to complete the process. While it can be qualitatively reached that these criteria are not the only areas that are affecting EU membership, a more sound argument could be derived if the lack for Copenhagen Criteria as the sole priority of membership could be tested quantitatively through regression analysis. The cases that will be used in this analysis were determined by the states which have been deemed by the European Union to be at least a potential EU candidate. Therefore included in this analysis are the Baltic states of Estonia, Latvia, and Lithuania, the Eastern bloc countries of Hungary, the Czech Republic, Slovakia, and Poland, the Eastern Balkan state of Romania, and Bulgaria and the former Yugoslav states of Slovenia, Croatia, Serbia, Albania, Montenegro, and FYR Macedonia. Bosnia-Herzegovina will be included in this model, as while its government may be supervised by international organizations, it is still geographically part of Yugoslavia and therefore part of Europe and while its membership will not be in the near future due to this involvement, the state has existed independently since the beginning of the researched data (1996) giving this study the ability to still take into effect its full range of years for each independent variable. The EU has also formalized the opportunity for Bosnia-Herzegovina to some day be a member of the EU through Stabilization and Accession Plans (SAPs) therefore showing that while their membership may be questionable currently, international involvement aside, it should still be figured into the model. Turkey and Iceland, while not coming from the same

transitioning period will also be used in this study as they are both considered EU candidates. Kosovo will be omitted from this model due to its more recent calls of independence²⁷ and lack of agreement between EU members on its independence. While this group of countries does pose the problems that accompany small-n cases, it is important to limit the study to these countries to get a proper view of those variables that are affecting membership of only those states which the EU sees as future members. Due to the use of a small-n study, the most conservative pseudo r-square measure, McFadden's r^2 ²⁸ will be used in comparing percent of dependent variable explanation.

Measure of the Dependent Variable

While looking at the above policy areas, this analysis will take these proxy measures and base them according to each state's level of membership obtained at any given year over a time frame of pre-2004 accession negotiations to as current as the data will allow (1996-2009). In this analysis the dependent variable, level of European Union Membership will be measured in an ordinal fashion taking into consideration the steps taken from non-member to candidate to full member. After a review of the EU accession process of states who have reached full membership or are currently in the process of EU accession, it feels necessary to look at the progression between these stages of membership, therefore ordinal regression analysis will be used in order to determine the ability of the created model in determining the progression from non-member to member. At first, it seemed pertinent to only have the membership brackets encasing non-member, candidate, and full member, however after review of the literature and EU documents, there seems to be significant

²⁷ Montenegro declared its independence from the federation of Serbia and Montenegro after public referendum in 2006, while Kosovo declared its independence in 2008. Kosovo's independence is also not recognized fully by all members of the European Union.

²⁸ Due to the small-n used in this study, McFadden's r^2 was used as the appropriate r^2 due to its level of conservatism in percentage of explanation.

reasoning to separate when a country is deemed a “candidate country” and when that state actually opens negotiation chapters with the EU enlargement commission. Two separate test were constructed: In the first test, states were assigned levels of EU membership based solely as to their level of membership based on a given year – non-members (1), candidates (2), full members (3). In the second test, the levels of membership are made a little more complex by separating out when a state was deemed “a candidate” by the European Commission (2) and when that candidate actually opened negotiations (3) with the other two areas non-member and full-member being represented as 1 and 4. In these analyses, it would seem plausible that if the Copenhagen Criteria are acting as the primary sources for determining EU membership, there would a fairly high r-square when a regression analysis is completed in either of these two tests. Along with this, it would be expected that a Chi-square model fit test, or the ability for a model to be fit to a set of observations should also come back significant. However, after the research conducted on the above case studies of Eastern European states and enlargements, it does not seem that this may be the case. With the admittance of Romania and Bulgaria even though their criteria were questionable, while other states have at times met criteria, but have not made the progressive steps towards membership, the more fitting hypothesis seems to be that while the Copenhagen political and economic criteria do serve some purpose for establishing membership, it does alone decide a state’s acceptance for membership.

Measure of Independent Variables as Proxies for the Criteria

After analyzing the historical timeline and current positions of both accepted new members and those possessing candidate or potential member status, this paper looks into a quantitative measure of the Copenhagen Criteria and its ability to properly

explain whether a country can and will make the transition from non-member, to candidate, to full member. As explained earlier through the history of enlargement criteria, the two main areas that are highlighted by EU treaties as to membership accession within Maastricht (1992) and Copenhagen (1993) are the possession of a democratic state and a market economy. By dissecting these areas, it seems possible to locate proxies that can be used as measures for these policy areas. In order to best suit this model, in-depth research was needed in determining what existing variables would be the best proxies for testing the necessity of the Criteria. Concerning the political criteria, the World Governance Indicator²⁹, published by the World Bank from 1996-2009 is one of the most comprehensive measures used today. The measure incorporates numerous other democracy indexes and freedom's indices readily used in today's research. Using over 30 different data sources, the measure breaks down scores into six areas – Voice and Accountability, Political Stability without Violence, Government Effectiveness, Regulatory Quality, Rule of Law and Control of Corruption³⁰. The scores are then determined based on factor scores ranging from -2.5 (lowest level of governance) to 2.5 (highest level of governance)³¹. This measure addresses the main areas of the Copenhagen political criteria as well as areas that bridge both the economic and political criteria – namely the Control of Corruption and Government Effectiveness as corruption and lack of administration would not only affect a governments ability to function, it would also affect its ability to use funding properly. This also has an effect on the third area discussed under Copenhagen with the Aquis Communautaire. These areas are also needed in order to ensure proper legislation as well as the ability to implement such legislation.

²⁹ World Bank – World Governance Indicators: 2011.

³⁰ An explanation of the methodology of the WGI and the individual parts of the aggregated score is available at http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1424591.

When looking at the economic criteria outlined by Copenhagen this paper uses The Heritage Foundation's Index of Economic Freedoms as a starting point. The Heritage Foundations index measures each state based on ten areas including Fiscal, Investment, Monetary Freedoms, Government Spending, and Property Rights – areas which are needed for prospective EU states to maintain a stable market economy able to withstand the pressures of the Union. One of the concerns with this data and the prior World Governance Indicators however, is the fact that the data sources are primarily based on survey research and expert testimony – meaning that the data is left up to interpretation. While this is mainstream in many analyses in the democratic realm of political science, it is not necessarily the best fitting model in political economy. To cover both areas, this analysis will also include current account balances of each state with respect to percentage of GDP (Acct_Bal). This variable is solely comprised of raw economic data from the International Monetary Fund for the same corresponding years as the WGI and Economic Freedom Index (1996-2009). While there exists an exponential number of variables that could be used to represent market economy, it seems that account balances are one of the strongest candidates for being a proper proxy. While it could be argued that measures such as Gross Domestic Product, Per Capita GDP, or foreign direct investment (FDI) could be used as proxies for functioning market economies, net account balances take each of these into consideration. As the International Monetary Fund outline in their balance of payments manual: “Conceptually, balance of payments accounts and related data on the international investment position are closely linked to a broader system of national accounts that provides a comprehensive and systematic framework for the collection and presentation of the

economic statistics of an economy.”³² Using account balances enables this analysis to look at all of these areas in the simplest and most comprehensive way possible to measure raw data of an economy. From these two variables, the model for the ordinal regression appears as below with full membership (3) acting as the reference point: $\text{Log}(Y_{\text{mem}}) = (\alpha_1 + \alpha_2 + \beta_{\text{dem}} + \beta_{\text{Acct_Bal}} + \epsilon)$. Before beginning ordinal logistic

Table 6.1: Correlation Data for Set 1 of Independent Variables

	Overall_Dem	OverallEco	Acct_Bal
Overall_Dem	1	.623**	.110
OverallEco	.623**	1	.262**
Acct_Bal	.110	.262**	1

Source: SPSS

Table 6.2: Levels of VIF Collinearity and Cronbach’s Alpha

Model	B	Std. Error	T	Sig.	Collinearity Statistics		Cronbach’s Alpha
					Tolerance	VIF	
1 (Constant)	1.158	.176	6.590	.000			
Overall_Dem	.834	.089	9.387	.000	.612	1.633	.969
OverallEco	.011	.003	3.247	.001	.612	1.633	.948

Source: SPSS

regression of these measures, both variables were tested by way of bivariate correlation to check for multi-collinearity. Looking at correlation results, the democratic independent variable Overall_Dem and the economic freedoms independent variable OverallEco were highly correlated and significant to the $p < 0.001$ level. However, to avoid the danger of multi-collinearity between these variables, a collinearity test was completed through regression analysis. Researchers from the University of Kentucky show that when interpreting collinearity results, if the values of the VIF, or Variance Inflation Factor exceed 10 then they are often

³² IMF Account Balance Manual, 1993: 10.

regarded as indicating multi-collinearity, but in weaker models, which are often the case in logistic regression, values above 2.5 may be a cause for concern³³. Since this model is using logistic regression it would of concern if these two variables showed a VIF of greater than 2.5. However, when this test was completed, the results did not warrant VIFs that were high enough to cause concern of collinearity as the variables were presented under the 2.5 threshold. Following the test of collinearity it was also imperative to run tests of Cronbach’s Alpha for both the World Bank’s World Governance Indicators (Overall_Dem) and the Heritage Foundation’s Economic Freedom Dataset (OverallEco), as both variables were aggregated scores created from separate subvariables of the measure. Cronbach’s Alpha allows the researcher to ensure that the variables that are combined into the measure are done so in a way that still represents a high proportionality of the individual measures. For both of the above independent variables, the Cronbach’s Alpha scores were recorded as above 0.900 showing highly acceptable readings for combining the individual variables into respective aggregated scores.

Ordinal Regression Analysis Results for Economic and Political Criteria

Once solidifying the use of the above variables, a ordinal logistic regression was ran on the data to determine whether the model was an acceptable representation of EU membership levels both at the non-member, candidate, member groupings as well as when the candidacy category was divided according to formal statement of candidacy and the opening of negotiations. According to the tables below, the model

Table 6.3: Ordinal Logistic Regression Analysis of Political and Economic Criteria without Candidacy Status Division

	-2 Log Likelihood	Chi-Square	Sig.	-2 Log Likelihood
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³³ University of Kentucky, 2011.

Model Fit	232.034	158.402	.000	232.034
McFadden's pseudo r ²	.384			
Parameters				
	Estimate	SE	Wald	Sig.
EU_Memb = 1	6.332	1.796	12.430	.000
EU_Memb = 2	9.979	1.925	26.861	.000
Overall_Dem	2.819	.512	30.310	.000
Acct_Bal	.015	.033	.223	.636
OverallEco	.126	.032	15.036	.000

Link Function: Logit. Reference Category: 3 Full Membership
Source: SPSS

Table 6.4: Ordinal Logistic Regression Analysis of Political and Economic Criteria with Candidacy Status Division

		-2 Log Likelihood	Chi-square	Sig.
Model Fit		307.295	158.402	.000
McFadden's pseudo r ²	.340			
Parameters				
	Estimate	SE	Wald	Sig.
EU_Negot =1	5.347	1.658	10.403	.001
EU_Negot =2	6.600	1.677	15.493	.000
EU_Negot =3	8.963	1.756	26.069	.000
Overall_Dem	3.062	.474	41.720	.000
Acct_Bal	.006	.030	.042	.838
OverallEco	.106	.030	12.622	.000

Link Function: Logit. Reference Category: 4 Full Membership
Source: SPSS

is a proper fit for the tested hypothesis of the effect of political and economic criteria on EU membership levels for both EU_Memb and EU_Negot, taking the ordering of the dependent variables into consideration. According to McFadden's pseudo r², the measures of Overall_Dem, OverallEco, and Acct_Bal account for 38.4% of EU

membership levels without division of candidacy; Overall_Dem and OverallEco are both significant at the $p < 0.001$ level. When interpreting data using the EU_Negot dependent variable, the McFadden's pseudo r^2 does decrease to 34 percent, showing that while these variables still comprise a large portion of the dependent variable EU_Negot, its explanation ability does decrease when taking the division of candidacy status into consideration. While the political and economic criteria do seem to be significant in determining levels of EU membership, they hardly explain a majority of the dependent variable. For this reason, this paper tests whether the cultural identity of these future EU members has also had an effect as to their levels of membership.

Areas outside of Political and Economic Criteria Affecting Candidacy or Membership: European Cultural Identity

Returning back to the ideas of Andrew Janos from earlier, geographically there is no real way to discern what parts or states of the Eurasian subcontinent are actually parts of Europe. If going by the territorial borders established either by the Holy Roman Empire or the Iron Curtain, Turkey would be considered a Western state while everyone to the east of Western Germany would have possibly been removed from European ties. Surely, this is not what has happened, showing that the drawing

Figure 6a: Religious Divisions Within Europe



Source: BBC

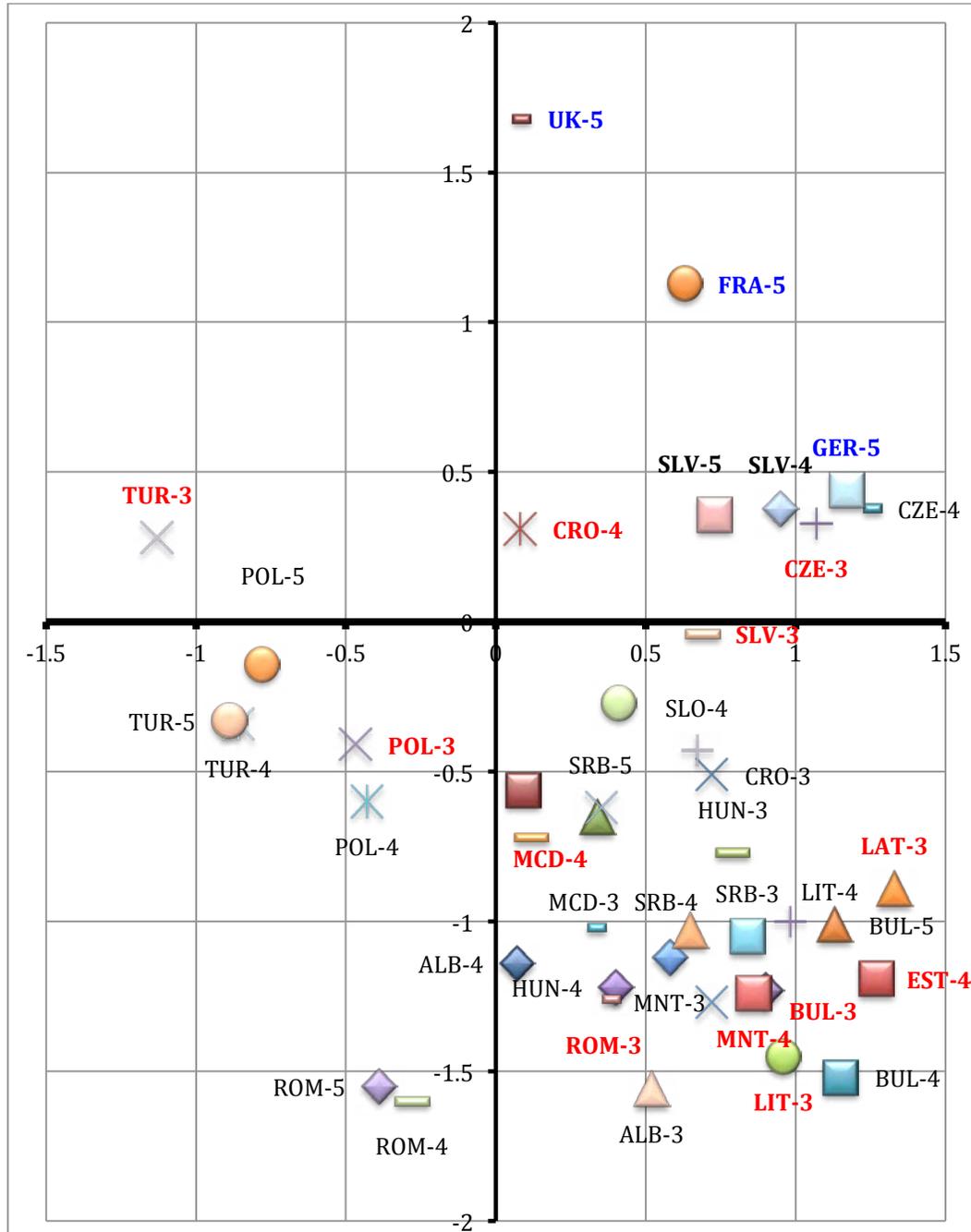
of geographical borders based on conflicts or settled border disputes does not necessarily answer the problem of defining Europe. However, when looking at Europe as a whole, the easiest line to draw culturally is the split between religions: Catholicism and Western Christianity, Eastern Orthodoxy, and Islam. This is where the geographical proximity to historical events collides with culture. The World Value Surveys include studies from 1990-2010 of measurements of degrees of similarity between states in two areas: One in which looks at the traditional-secular levels of society in which values are based on differences in societies reflecting religious principles. States that score on the traditional side of the plane would be

expected to have traditional family values,³⁴ more conservative moral views,³⁵ and usually more nationalistic tendencies. The second dimension of the Inglehart-Welzel study looks at levels of survivalist tendencies in contrast to values of self-expression. Those states that have been able to move away from the focus of strictly survival with a shift in priorities towards not just life, but standard of living and self-expression are located further to the self-expression side of the spectrum, while those states that have not had enough time removed from either conflict or forced governance have a tendency to slide toward the more survivalist spectrum. The previous page shows the image of cultural values created when comparing the new members, candidates, and potential members to the major players in the EU – France, Germany, and the United Kingdom. When looking at societies, it is elementary to expect those states of the European Union would have similar cultural values. However, it would be expected that the eastern European transitioning states would have different levels of values than members of pre-2004 enlargements, especially in the area of survivalist/self-expressionist category. Overall through this study, Inglehart and Welzel have also discovered a relationship between the shift in cultural values toward secularism is also accompanied by a shift in cultural values towards a more self-expressionist outlook. In the study by Inglehart and Welzel, these dimensions of cultural similarities accounts for more than 70 percent of cross-

³⁴ Traditional family values include parent-child relationships as well as the level of patriarchal figure within the family.

³⁵ Moral values consist of opposition in areas such as divorce, death penalty, and abortion. Source: World Values Survey: 2010.

Figure 6b: Welzel and Inglehart's Cultural Map of Central and Eastern European States



Source: Figure compiled from World Values Survey Data and Welzel and Inglehart's Cultural Map: 2011. Labels in red and bold represent dates closest to that country's gaining of EU candidacy.

national variance. The importance of this study is that it takes into consideration areas in which are not considered by strictly democratic or governance indicators or economic proxies. While levels of self-expression have been linked to levels of democracy, this study explains more than just level of democracy. It also exhibits a shift in civic attitudes from communist to post-communist values which are extremely difficult to shift in societies with low civil society as will be overviewed in a coming section. However, understanding the transitions occurring during the communist period not only with democratic tendencies and economic development but also with the reemergence of civil society and cultural identity, it could be expected that the Eastern European countries could perform equally high in areas of secularism to advanced societies or at least be transitioning in that direction, however the shift for self-expression may be delayed. Taking the information provided by Welzel and Inglehart, a cultural map of the ECE states has been constructed in comparison to those states which are the most economically advanced within the EU: France, Germany, and the United Kingdom (UK). When viewing this map, it seems that the ECE states are focused in the areas in which the Traditional-Secular values are rated at either neutral or positively toward a more secular standpoint. Taking this into consideration, this information was added to the SPSS regression analysis in order to see if these cultural values of differences in cultural values have an impact on levels of EU membership in addition to the political and economic criteria outlined by Copenhagen.

Table 6.5: Ordinal Logistic Regression Analysis of Political and Economic Criteria with Cultural Values – No Candidacy Division

		Chi-Square	Sig.	-2 Log Likelihood
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Model Fit		169.362	.000	202.130
McFadden's pseudo r ²	.456			
Parameters				
Parameters	Estimate	SE	Wald	Sig.
EU_Memb = 1	6.374	2.027	9.886	.002
EU_Memb = 2	10.705	2.224	23.162	.000
Overall_Dem	3.454	.596	33.623	.000
Acct_Bal	-.030	.038	.618	.432
OverallEco	.160	.038	17.869	.000
SelfSurv_EU	-.192	.320	.361	.548
TradSec_EU	2.541	.534	22.672	.000

Link Function: Logit. Reference Category: 3 Full Membership
Source: SPSS

Table 6.6: Ordinal Logistic Regression Analysis of Political and Economic Criteria with Cultural Values: Candidacy Status Division

		Chi-Square	Sig.	-2 Log Likelihood
Model Fit		183.088	.000	277.397
McFadden's pseudo r ²	.398			
Parameters				
Parameters	Estimate	SE	Wald	Sig.
EU_Negot = 1	4.578	1.766	6.723	.010
EU_Negot = 2	6.187	1.783	12.040	.001
EU_Negot = 3	8.815	1.884	21.897	.000
Overall_Dem	3.954	.559	50.003	.000
Acct_Bal	-.030	.033	.782	.376
OverallEco	.119	.032	13.793	.000
SelfSurv_EU	.106	.289	.134	.714
TradSec_EU	2.307	.469	24.152	.000

Link Function: Logit. Reference Category: 4 Full Membership
Source: SPSS

Results for Ordinal Regression of Data Including Measures of Cultural Values

When comparing results of the inclusion of cultural values to those of political and economic criteria, it is acceptable to take cultural values, particularly levels of Secularism into consideration when creating a model for levels of EU membership.

When comparing data from the earlier analysis, for EU_Memb which does not divide

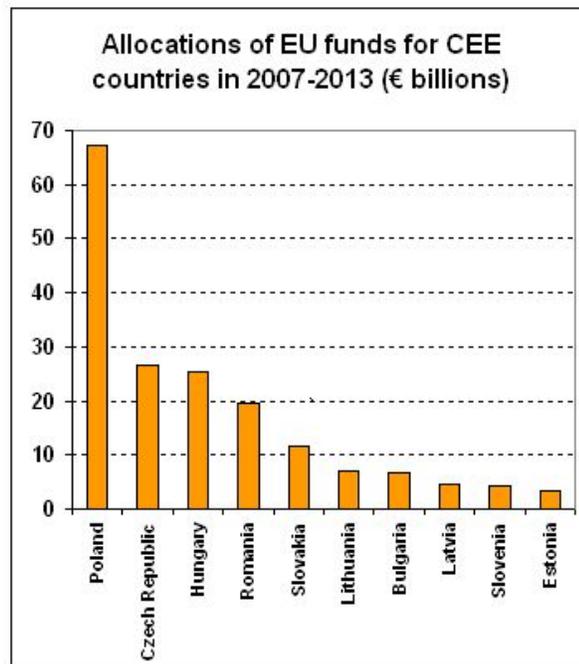
levels of the candidate section and increase in the McFadden's r^2 is observed with values increasing from .384 to .456, an approximately seven percent increase in the explanation of EU levels of membership. Similar results were seen when comparing values of the dependent variable EU_Negot which divides candidacy status. McFadden's r^2 increases by approximately five percent from .340 to .398 when adding in the independent variables for levels of Secularism (TradSec_EU) and Self-Expression (SelfSurv_EU). While this may not seem to be a large change in values, it is significant. In both cases, the results of TradSec_EU are significant at the $p < 0.001$ level. However, SelfSurv_EU in both cases does not show up as being significant in levels of EU membership levels, reflecting the hypothesis created from the Inglehart-Welzel cultural data. The level of explanation increases slightly as well for TradSec_EU when limiting the variable to those states in which hold at least a 0 rating or higher for the variable, increasing the McFadden's r^2 to .479 for EU_Memb and .424 for EU_Negot. These factors seem to hint at the fact that a state that has a more secular set of cultural values, especially those who fall above the 0 threshold for secularism accompanied with the democratic and economic values of the criteria do stand a stronger chance to gain levels of EU membership over those which may meet political and economic criteria alone.

7. Areas outside Quantitative Measures

Romanian and Bulgarian Impact on Enlargement

The EU's confidence of enlarging in southeastern Europe has not been aided by the lack of administration in the Eastern Balkans. While the EU seemed to hope that the stability that seemed to follow many of the 2004 enlargement countries would also be transferred to Romania and Bulgaria, but this has not been the case. While improvements have been made in both states, it does not mean they are the prime examples for future enlargements – more so the exact opposite. With the levels of corruption, smuggling, and lack of administration the EU has been forced to take extreme steps with Bulgaria and Romania is not far behind. With the stumbling of these newest EU members, Croatia and Turkey have found themselves to be facing the penalty – most recently Croatia since their negotiations are in the finishing rounds. The much stricter criteria which Croatia has been held to in negotiations (and has also held Turkey out of negotiations) have served as major sticking points for Croatia, and a credibility check for the EU. The EU now seems to view Croatia as the new example for future potential members in light of Romania and Bulgaria's reversion. This would also mean that Croatia would be setting the bar for members to follow, meaning that even Turkey could be held to the same stringent criteria that Croatia is – and that's without figuring in the issues of culture and ability for absorption. Along with the renewal of stringent criteria, the EU has also introduced a system of benchmarking – areas of policy in which a country must meet in order to continue further in the negotiation process. This means a much longer and more

Figure 7a: EU Funding for Central and Eastern European States



Bankwatch.org: 2011.

complex process for beginning negotiations as well as closing chapters of the Acquis.

Euroskepticism: Enlargement Fatigue and the Lisbon Roadblock

With the combination of economic strain from two previous enlargements, the backsliding of Romania and Bulgaria, and the lack of institutions to accommodate such a large group of states both representatively and efficiently, the question of EU enlargement fatigue seems to be a real threat. According to the EU budget, approximately 347 billion Euros have been allocated for structural funding from 2007-2013. Over fifty percent of those funds currently are made available to the ten post-communist members of the 2004 and 2007 enlargements. The issue of EU institutions has been a developing problem since the EU decided to bring the Eastern states on as candidates. The Union has lacked the ability to pass legislation to

change amend the current institutions from 15 members to 27. As Jurgen Habermas points out:

“By setting an accession date for East European states, the EU has put itself under pressure to reform since expanding the Union by twelve economically and socially relatively heterogeneous countries increases the complexity of regulation and voting requirements which cannot be overcome without further integration or “absorption.” And the conference in Nice did nothing to ease the backlog of reforms either. Attempts to use the current problems involving expansion as a means of tackling more deep-seated structural problems have been unsuccessful..”³⁶

The EU seemed to hope that with enlargement, the need for keeping efficiency within the European institutions would make reforms and deepening of policy between EU members more mainstream. However, this was not the case as even in 2001 before the fifth enlargement, the EU was not able to make the proper reforms through the treaty of Nice in order to allow for changes to voting and legislative bodies to accommodate 27 instead of 12 members. The only effect that the Treaty of Nice had concerning enlargement was stating that after the Union reached 27 members, enlargement would be paused until the necessary reforms could be made. The EU also failed in the passing of the EU Constitution in 2005. The Constitution included numerous changes to voting majorities and representative numbers within the EU parliament as well as rotating seats. However, the Constitution was shelved following the failure of France and the Netherlands to pass the bill. With the freezing of the Constitution, many EU member states including Chancellor Angela Merkel of Germany, Nicolas Sarkozy of France, and EU Commissioner Jose Manuel Barroso all agreed that no further enlargements would be made following the 2007 enlargement of Bulgaria and Romania until the necessary institutional reforms were made to incorporate the newest EU members: "After the completion of this fifth enlargement with the accession of Bulgaria and Romania, I believe that an

³⁶ Habermas, 2002: 59.

institutional settlement should precede any future enlargement...This is the way to ensure that our enlarged union will function in an efficient and harmonious way."³⁷ Again, comes the problem of Europeanization. It is much easier for EU members to push conditionality on states whose domestic costs of implementing EU legislation is less than the benefits they will reap from membership. However, when looking at the reverse Europeanization in a bottom-up approach, it is much more difficult to get members who already share these benefits to make concessions. The larger the group becomes, the more complex policies have to be in order to incorporate each state's interests and therefore makes it extremely difficult to pass the needed legislation and reforms to keep both representation and efficiency. With the 2004 and 2007 enlargements, the EU began to see these problems, therefore resulting in "enlargement fatigue". The combination of the failures of the 2007 enlargement along with the enlargement fatigue created following the economic recession, 2004 enlargement, and lack of institutional reform have resulted in the EU taking a more reserved approach toward further enlargements, even though some current candidates were candidates before the 2004 and 2007 enlargements were completed. As the EU Commission on Enlargement expressed: "No country will join the European Union before being 100% ready to do so. Equally, we must make sure that the European Union is 100% ready before it enlarges to include new countries."³⁸ This has also not stopped the EU from bringing on more candidates on board or other potential members from submitting applications for membership. Even with the enlargement freeze, the EU still approved the candidacy status of FYR Macedonia in 2005, the opening of Turkey's negotiations in 2008, and Montenegro's candidacy in

³⁷ European Union @ United Nations, *Speech given by EU Commissioner Jose Manuel Barroso: 2006.*

³⁸ European Union @ United Nations, *Press points on Enlargement Package with EU Commissioner Fiile: 2010.*

late 2010. Serbia has also submitted its application and is expecting an advisory opinion in 2011. However, this does not mean that EU candidacy status or even the opening of negotiations will result in quick turnover for membership.

The Consensus Vote

One of the last areas in which this paper analyzes areas outside of quantifiable measures for membership is that of the need for unanimous vote of each member state in order for an accession treaty to be ratified. Even with the few changes that did accompany Nice and Lisbon, one of the areas in which the voting process was not changed was that of accession. Whether under the European Economic Community of the 1970's with nine members or the European Union in 2007 with twenty-seven members, every potential member's accession treaty must be approved by qualified majority of the houses of legislature within the EU – the Parliament and

Council, as well as each and every member's approval. This means that if one country has any doubt as to the readiness of a state, the membership can be frozen, and this is also the case for finalization of accession chapters. At any time, a member state that has vendetta with a possible candidate could choose to derail the opening or closing of chapters due to the given conflict. Currently, Croatia, Turkey, FYR Macedonia, and Serbia each have historical legacies, border disputes, or policy issues that have either caused a delay or have frozen their ability to move forward in this process. Croatia faced the freezing of numerous chapters of accession by Slovenia concerning a border and territorial waters dispute which served as Slovenia's only avenue to the sea. While this dispute was finally moved to arbitration to allow for the opening of eight more chapters of negotiations for Croatia, it is not the only issue that could affect the timing of Croatia's membership. One of the very obscure issues that are also part of Turkey's accession is that of the Czech Republic. In 2009, when the Lisbon Treaty was finally passed by a second Irish referendum, Poland and the Czech Republic had withdrawn their approvals. Poland would later reestablish their approval however the Czechs still had reservations concerning some areas of the treaty. However, the problem was that if the EU made the necessary amendments to the treaty that the Republic wanted, the treaty would have needed to go through a third referendum in Ireland, an issue that the EU was not in a hurry to relive with the chance of another failure. In order to resolve this discrepancy, the offer was made to the Czech Republic that the changes that they wished to be made to Lisbon would be part of a treaty package that would be attached to Croatia's accession treaty. When Croatia became a full member of the EU, these changes would also go into effect. While it would be guessed that this would increase the Czech Republic's lobbying for Croatia as it did, it also leaves the

ability for Ireland or another country who is not in favor of the amendments to deny Croatia's accession on the grounds of treaty amendments which have nothing to do with their fulfillment of accession requirements.

Effects on Current Negotiating Candidates: Croatia and Turkey

Croatia along with all other Western Balkans states also face the chance of retaliation from Romania or Bulgaria concerning this issue of CVMs that were placed on the two states due to their questionable fulfillment of requirements. The Romanian foreign minister at the time spoke that Romania would not approve of any state joining the Union unless they were faced with these same mechanisms, even though Croatia has already been punished by these two states with stricter policies. While the Romanian Prime Minister denies these claims, the possibility of a Romanian denial still exists for Croatia and all of those who follow. Turkey is plagued both by its decline to open trade relations with Cyprus along with allowing Cyprus to take part in EU-NATO operations, as well as issues with its candidacy status and foundational member France. Following Croatia's accession, a change to France's ratification process will occur, revising the way in which they approve of new member states. Any new member state following Croatia will have to pass at least three-fifths of the houses of French Parliament³⁹ or pass a majority referendum in order to obtain France's vote. This is a crucial hit to Turkey as it has strained relations with France as it is, because if Turkey would become an EU member, it would be one of the most populous as well as holding one of the largest GDPs in the organization which would give Turkey a large number of votes within the EU, something that France is not willing to give. France also faces issues of

³⁹ EurActiv, *French Parliament Strikes Blow to Turkish EU Bid*: 2008.

secularization as well as the fear of migrant workers, much to the same fears as Germany.

Effects on other Candidates and Potential Members

FYR Macedonia also has not been able to open negotiations due to a name dispute with Greece. Greece disputes the name of the state for the fact that it lays claim to an area within the Greek peninsula. Serbia, with its atrocities from the Yugoslav wars, more specifically the Srebrenica Massacre in which almost 8,000 Bosnian men and boys were killed still haunts their possibility of EU membership. EU foundation member the Netherlands was the state that supplied security to that safe zone during the war. They hold large amounts of guilt for what occurred in Srebrenica and for no reason has been willing to budge on the issue of EU membership status for Serbia until at least all criteria have been met concerning cooperation with the Yugoslav tribunals.

Social and Political Culture and Historical Legacies

While it is clear that the need for a democratic state and a market economy are prerequisites for EU membership, as discussed earlier in the paper, this does not necessarily explain why specific countries within Eastern Europe were able to make the transitions easier to its new regimes, nor does it explain whether a state considered a European state, or what level of membership it would be able to achieve. While looking at areas that will affect the ability for a state to receive EU membership, one of the last questions to ask is what other variables could effect each of these variables or the ability for a state to be considered a proper member state. “Candidate countries have to demonstrate that they will be able to play their part fully as members - something which requires wide support among their citizens, as well as political, legal and technical compliance with the EU's demanding standards

and norms.”⁴⁰ While the governments of the states that apply for EU membership are the shepherds for fulfilling the proper requirements, they cannot do it alone. As with any democratic state, no representative or government official can fulfill their positions without the confidence of their populations. Not only do the voters determine at the end whether a state accepts the EU accession treaty, but they also must deal with the strenuous and tiring changes both economically and politically that the state must go through to make the transition to EU satisfactory policies. However, this also means that not only does the population have to deal with the repercussions of the transition, but they also have to be willing to make changes to their everyday lives in order to accept these changes. Civil society and civic culture as Gabriel Almond and Sidney Verba discuss in “The Civic Culture Revisited” and Karen Dawisha reiterates in “Politics of Southeastern Europe”, is something that is extremely important to the ability of states to achieve essential elements of democracy, market economy, implementation of legislation, as well as the willingness of a population to withstand the reversions of standard of living that usually accompany the early transitions in these areas. Civic culture is a combination of numerous elements, but critical parts include the historical legacies that shape the way in which a population is forced to live and survive. The effects of communism on civil society are complex and vary at different degrees by country. While civic culture was preserved in dissident groups within Poland through the trade union group Solidarity, and the Czech Republic through Charter 77, other states found it progressively difficult to discern the culture that existed before communism and during communism. This became especially difficult for states that were removed from the USSR and cultivated their own hybrid forms of communist-

⁴⁰ European Commission on Enlargement: 2011.

socialist regimes. Some of the most difficult areas included the Western Balkans. Dissident classes within the federation were almost non-existent and for the small ones that did exist, they were extremely disorganized, much in the same cases as the Eastern Balkans (i.e. Romania and Bulgaria). However, within both sets of states, especially within those countries that were faced with war following the Yugoslav dissolution, the black market, organized crime, and corruption became engrained in everyday life as a way of survival. Due to the lack of dissidents and the creation of the mentality that these practices are acceptable, even after democracy began to evolve in Croatia for example after 2000, civic culture and civil society organizations have remained weak, allowing for corruption on some level to survive, whether it is part of the actual government administrations or within private business. These sentiments have also caused doubts in the minds of some Western Balkans citizens as to their readiness or ability to join the EU. While the EU with the Stabilization Agreements (SAAs) and financial assistance programs, have tried to show credibility and ensure confidence within these populations, unless the populations are educated to the detriment of these practices and also reap the benefits of EU membership, it will be difficult for any candidate or potential member to receive positive marks in these areas. There have been promising signs towards EU membership with the backing of current EU members. According to the 2008 Euro Barometer⁴¹, EU member states were in favor of eventual accession of four of the five Western Balkan states, with Albania being the only state lagging behind with 41 percent in favor of membership in contrast to 44 percent opposed.

⁴¹ European Commission – EuroBarometer: 2008.

8. Future Implications: What Does This Mean for Candidates and Potential Members?

Croatia

Croatia, even though facing fatigue and arguably, a more difficult road based on the failure of Romania and Bulgaria, will become an EU member; the larger question for Croatia will be when. As seen from the data, both democratically and economically, Croatia stands at a point higher than Romania, and in some areas Bulgaria when they acceded in 2007. The country has shown promise since 2000 and the ousting of then questionable leader Franjo Tudjman, taking a stronger democratic road and leading to the lifting of EU suspensions of financial aid. Croatia could have some bad luck in his desires to join the European area. Although, it is better prepared than Romania and Bulgaria, it missed the 2007 integration due to historical causes. The European institutions insufficiently effective and low popularity, Brussels does not seem willing today to accepting other members, or at least in the short term, regardless of their performance.

Turkey

While numerous reforms have aided Turkey in some areas of European Criteria, progress has been sporadic in democratic governance an economic coordination with the EU within other trade organizations (i.e. World Trade Organization). However, with differing cultural values, its lack of movement on the situation with Cyprus, and the lack of meeting obligations from the EU concerning already created agreements (Ankara), Turkey stands little chance of making strides in negotiations:

“Currently, eight chapters remain frozen over Turkey’s refusal to extend the CU to Cyprus. These chapters are critical for highlighting some of the most critical policy areas necessary for accession: (1) Free movement of goods and services; (2) Freedom of movement for workers; (3) Financial services; (4) Agriculture and rural development; (5) Fisheries; (6) Transport policy; (7) Customs Union; and (8) External relations. Another five chapters are informally blocked by France with support from others opposed to Turkey's

bid. With this reality, the entire harmonization process risks grinding to a halt.⁴²

With fears and opposition coming from two of the EU's foundation members, France and Germany, Turkey is facing an uphill battle. While it would be expected that opening negotiations would eventually result in the closing of these areas, France and Germany are pushing for a privileged partnership for Turkey instead of full membership; this is not an area in which Turkey is willing to budge. As reviewed in concern to EU credibility with Turkey, this approach is strongly criticized and for no reason will Turkey accept this option – it is either all or nothing for Turkey's membership.

FYR Macedonia and Montenegro and Other Potentials

As discussed when looking at earlier, all candidates and potential members after Bulgaria and Romania will have a struggle when it comes to meeting the much stricter criteria that the EU is pressing for the Western Balkans. While the Western Balkans mostly meet similar cultural values with the rest of the EU's members and also much easier to be absorbed into the EU based on size, there will still be problems in meeting political and economic criteria. Even though the criteria do not decide enlargement alone, they still do play a sizable role on the path to accession. Croatia was considered with Slovenia to be the elites of the Western Balkans, and the problems and issues encountered by Croatia are highly visible to the rest of the Balkan states. While Serbia was close to the elite level within Yugoslavia, FYR Macedonia and Montenegro were not, and Albania is the poorest country in the region with large levels of corruption and lack of administration in combination with government instability. Projections from the EU Commission on Enlargement do not see these members receiving accession before 2014.

⁴² Yesilada, 2011: 60.

9. Effects on Credibility of the EU

Looking at the standings of current members, candidates, and potential members, it is crucial to look at both the effects EU membership could have on these individuals states, but also how the positions of these states could effect the credibility of the European Union as an organization and from a foreign policy standpoint. While democratic principles and market stability do seem to have a large impact on membership, it does not explain the entire story. As discussed in the former sections, areas such as culture or Europeanness also show significance in determining membership or candidacy. However, as also reviewed there are numerous other areas which become gray when debating the idea of membership. The two largest issues outside of quantitative measure are the role of EU enlargement fatigue and the pungency of the “unanimous vote for accession”.

Croatia and the Western Balkans

When viewing the positions of Romania and Bulgaria following their accession and thereafter, it is elementary to question the credibility of the EU’s Copenhagen Criteria. It is clear that both countries did not meet the same rankings in areas of democracy and economic stability as the previous 2004 members had. Corruption and organized crime within these countries has also led to questionable implementation of the Acquis, and also resulted in mechanisms being placed on these countries including the suspension of funds from Bulgaria. This was a proverbial “slap to the face” of the entire European Union, and unfortunately countries that are in place for accession or those who will be stepping into those shoes will face the repercussion of this. Not only will they be held to the same standards that the two eastern Balkans states were supposed to be held to, they will also be faced with filling more negotiation chapters, meeting stricter requirements,

and even showing implementation ahead of membership, instead of guaranteeing them based on future dates. Croatia and Turkey have both faced numerous speed bumps and long, drawn out processes of even opening negotiations, let alone meeting them satisfactorily and closing them. While Croatia nears accession, even though legally it may be even more prepared than Romania and Bulgaria, still has not been brought into the EU based on levels of corruption, minority rights, and cooperation with the International Criminal Tribunal for Yugoslavia (ICTY). The EU seems to almost invent excuses in order to prolong Croatia's accession to the EU even though each of these items listed previously have either been met⁴³ or are not new to eastern European member states⁴⁴. Fortunately for the EU as outlined by former Croatian Prime Minister Ivo Sanader, even though Croatia understands that they are going above and beyond what was required for the 2007 enlargement, they are up to the challenge and understand the benefits of membership as outweighing the costs of reform. Although, this does not mean that Croatia is willing to wait eons for membership. Protests in Zagreb have begun to increase as the EU continues to delay the closing of Croatian negotiations. The longer the EU waits to bring in Croatia as a member, the more chance they take of destabilizing arguably the most solid country in the Western Balkans – and there is no telling the repercussions on other states in the region if Croatia was to backslide into turmoil.

EU Credibility on the Line: Regionally and Internationally

The EU also has strong bets to hedge with the rest of the Western Balkan states. As Cameron outlines, the EU made the choice of bringing the former Yugoslav

⁴³ As of 2005, Carla del Ponte, prosecutor for the ICTY, stated that Croatia was fully cooperating with the ICTY.

⁴⁴ The Balkans countries, namely Estonia has dealt with major discrimination of their Russian minority and with citizenship rights, however this did not deem them unworthy of membership in 2004. Concerning corruption, Croatia has met and surpassed the controls of corruption levels of Romania and Bulgaria even before they were brought in as members.

countries on board when it became involved in peacekeeping missions in the region and also when it accepted Romania and Bulgaria as members which along with Slovenia, Hungary, Italy, and Greece, encase the group:

“The stability of the [Balkan] region is intrinsically linked to that of the EU. If Bulgaria and Romania join the EU as planned in 2007, the western Balkans will turn into an EU enclave on the Mediterranean. As Paddy Ashdown has stated, the EU will either succeed in absorbing this region successively into its own structures or risk importing instability...”⁴⁵

The western Balkans has a startling effect on EU stability both regionally as well as their ability to react internationally. Not only would a destabilizing situation in the area possibly affect other EU members, it would also deal a huge shock to the credibility of peacekeeping and foreign policy. This area is one of the last standing issue areas for the EU concerning the security of its borders. As stated above by Ashdown, it will either sink or swim with the Balkans. If conflict escalated, the EU would be forced to deal with the situation most likely, unilaterally. Conflict would endanger the borders of numerous members, as well as the EU’s ability to focus on areas outside its own scope such as issues areas of the Middle East or North Africa. With the current state of affairs as well with cases of Afghanistan, Iraq, and Libya, the United States and NATO now face many outside-of-area priorities – and do not have the interest nor the means to be as involved in this area as they were in the 1990’s, which would force the EU to either deal with the problem or face the consequences of ignoring it.

Turkey’s position for EU Membership: More important for Turkey or the EU

The story of Turkey and the EU is a mess when comparing it to meeting necessary criteria. As Yesilada and Akcapar point out, Turkey’s economy would serve as a

⁴⁵ Blitz, 2006: 108.

needed boost to the EU economy. It boasts one of the largest GDPs in the region which would be a welcome sight after the incorporating the last two enlargements and weathering the financial recession. If the EU is to maintain any kind of power within the international arena in comparison to East Asia, it needs the financial support of Turkey. Looking at the corresponding economic criteria, Turkey has met equivalent criteria to that of the 2004 enlargement stretching back to the late 1980s. There is no reason why this should even be questioned when debating Turkey's EU negotiations and membership. The larger question is dealing with Turkey's political criteria. As addressed earlier, in the late 1980's and early 1990s Turkey's levels of democracy as indicated by its Polity IV scores were just as high if not higher than most of the 2004 and 2007 enlargements, however it was not even extended the opportunity of opening negotiations. Going strictly by the EU Commission's statement that these criteria were to be a priority for pre-accession, this should have been enough for the EU to at least begin Turkey's negotiations. Whether Turkey would have been able to agree to the Acquis is debatable as no one knows the challenges that may have faced Turkey considering negotiations even to this day have barely been opened, however this does not negate the fact that the Copenhagen criteria alone should have established Turkey's opening of negotiations. Looking at the political position of Turkey following the early 1990s, it seems that the Turkey and the EU may have lost their chance. Currently looking at Polity IV scores and the aggregated World Governance Indicators, Turkey's democratic standing has significantly declined after the introduction of the AKP into power. While it still holds strong economic benefits for the EU and has weathered the recession quite soundly in comparison to the rest of the "new" EU states, the lack of these

democratic criteria is enough to keep Turkey from obtaining membership if the criteria are followed.

Cost-benefit analysis for Turkey

While the cost-benefit analysis for the Eastern European states solidly tipped the scales in the favor of joining the European Union, the scale is not as decided for Turkey. Since the 1970s, Turkey has shown strong interest in aligning itself with the European community. However, there are two questions that come to mind when analyzing Turkey: First, is meeting the EU criteria worth the political turmoil that could affect Turkey, and secondly, who has more bargaining area – Turkey or the EU? While Turkey has made numerous shifts in reform to meet the EU criteria, it is questionable if it is enough or if it will matter. With the need for unanimous vote in order to gain membership, even one country could veto Turkey's accession proceedings if it were to reach that point, with one of the leading members in that standpoint being France. With the changes to France's voting procedures concerning membership, it would not be difficult for France to veto Turkey's membership. Unfortunately, when it comes to EU proceedings Turkey is the EU's puppet. Not only can the EU choose to not admit Turkey or settle on a "privileged partnership" instead of full membership, it can also choose to suspend Turkey's negotiations at any time if the country is deemed to take serious backslides in democracy, which it has began doing following the early 1990s. As Akcapar points out:

"If the EU deems that there is a serious and persistent breach in Turkey of the EU's fundamental democratic values and principles, the Commission by itself or on the request of one-third of the member states can recommend the suspension of negotiations. The decision to suspend would then be taken by a qualified majority among the EU member countries. Once suspended, the reopening of the negotiations would be a hefty affair requiring unanimity. In other words, the negotiations can be suspended by a majority but resumed only by a unanimous vote."⁴⁶

⁴⁶ Akcapar, 2007: 169.

This means that at any time the EU Commission sees fit, it could vote on suspending Turkey’s proceedings semi-permanently, and it would make it extremely difficult for Turkey to have the process restarted with the need of a unanimous vote.

Unfortunately for Turkey, it means floating a fine line with meeting enough of the political criteria to keep their hopes alive, even with the knowledge that many of their accession chapters remain frozen until Turkey opens trade with Cyprus. The

Figure 9a: Percent Share of GDP PPP with Current EU Members

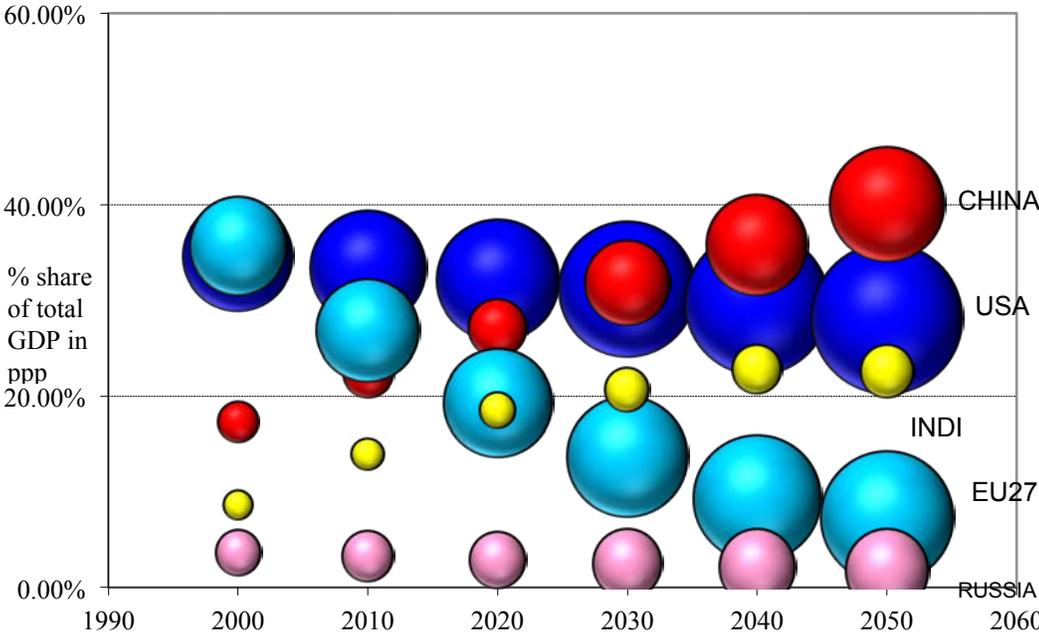
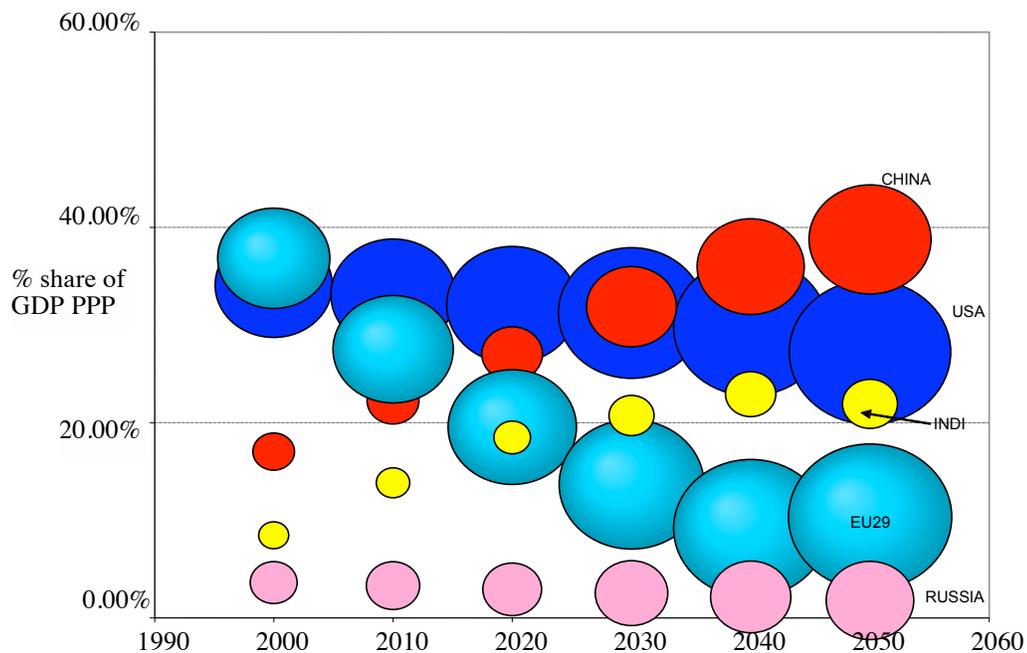


Figure 9b: Percent Share of GDP PPP with EU Members and Croatia/Turkey



Source for both figures: Yesilada, 2011.

longer that Turkey is drawn out in the membership process the less credibility Turkey will hold for the EU. While the EU does hold promising ties economically for Turkey along with copious amounts of financial assistance, Turkey is already tied to the EU in numerous trade partnerships. While there are benefits for Turkey in joining the EU, it is questionable as to whether the costs Turkey is enduring in this process is worthwhile for the state itself and more importantly what are the repercussions for the EU in either accepting Turkey or pushing it away. The EU has worries concerning the ability to absorb Turkey with its cultural values and population into the Union. While the Union's concerns are not misplaced, the benefits that Turkey gives the EU both in extension of trading lines outside of Europe as well as a GDP boost and energy provider. The longer that Turkey is drawn out in the membership process the less credibility Turkey will hold for the EU. While the EU does hold promising ties economically for Turkey along with

copious amounts of financial assistance, Turkey is already tied to the EU in numerous trade partnerships. While there are benefits for Turkey in joining the EU, it is questionable as to whether the costs Turkey is enduring in this process is worthwhile for the state itself and more importantly what are the repercussions for the EU in either accepting Turkey or pushing it away. The EU has worries concerning the ability to absorb Turkey with its cultural values and population into the Union. While the Union's concerns are not misplaced, the benefits that Turkey gives the EU both in extension of trading lines outside of Europe as well as a GDP boost and energy opportunities greatly outweighs the costs that the EU will have to shelter in the beginning, just as they did with the Eastern group. However, when compared to the ECE countries, Turkey has shown great promise in maintaining a GDP per capita that is acceptable for Eastern countries even with having the second largest population in all of Europe. As seen above from the figures showing the current position of the EU on the international economic scene, the EU will continue to lose prowess in the international arena in the years to come, unless Croatia and Turkey are added. These two countries would be enough, looking at projected numbers to level off the EU's declining position. However, the EU missed its main opportunity to open negotiations with Turkey when they did not open negotiations in the early 1990s when Turkey's political criteria were higher. It seems like after looking at the Inglehart-Wetzel chart it is possible to make the determination that Turkey was left out for cultural value reasons. Turkey even though secular, is a state with an Islamic majority population – something that the EU has yet been willing to deal with nor how to approach it. While there has never been a pronouncement of the EU as a Judeo-Christian community, member states such as Poland have voiced the importance of those beliefs inside the Union. After viewing the traditional-

secular views on cultural values, it seems that Europe is willing to make concessions in levels of self-expression, but for the most part in levels of secular society. For these reasons, Turkey is at a disadvantage. However as seen with both Poland and Romania, concessions can be made if the state holds enough interest of the EU for them to overlook the situation (i.e. cultural values for Poland and cultural values and criteria for Romania). The EU chose otherwise and is losing a key aid in both economic markets and also foreign policy by not bringing in Turkey. Eventually, as Turkey has expressed no interest in settling for any partnership with the EU short of full membership, there may come a time when Turkey decides to pull away from aligning with the EU and focus itself more towards its eastern borders and its position in the Middle East. With its population and GDP alone, not including its ability to project into the region, Turkey is one of the strongest states in the region (only challenged by Iran). Due to the fact that Turkey has focused itself to this point on EU integration, it has not taken a strong proactive stance in the Middle East. If the EU keeps prolonging the freezing of Turkey's negotiations, it would not be out of the question for Turkey to realign itself with the Middle East leaving Europe with a lack of an economic boost and could result in the EU losing a great amount of voice in international financial markets.

Conflict and EU Credibility: Croatia, Serbia, and Albania

Serbia and Albania pose an even greater puzzle to the EU mainly in the foreign policy department. While Albania's issues are mainly within its own borders, the issue of Kosovo is a critical ordeal for both states as well as FYR Macedonia which has a large Albanian minority. The more stable Kosovo becomes and the more that Serbia softens its policy with Kosovo, the easier it will be for tensions to ease and to keep nationalist tendencies from flaring in these states and regions. However, one

spark from Kosovo between minority Serbs and majority Albanians would heat the region up once more, with Albania possibly becoming involved or at least facing numerous refugees as it did back in 1999, having a detrimental effect on its economy. Even though FYR Macedonia reached an agreement with Albanian minorities in 2001, any sense of Albanian discrimination could also have an effect on its stability as the country shares its northern border with the province. While many of the countries within the Western Balkans have worked towards improving ties after 2000, the question still looms as to how deep nationalist sentiments run, and if conflict was to arise in the area again, which states would become involved. In 1999, Croatia was able to avoid being pulled into the Kosovo battle as they did not serve an interest in the area, but to this day they still serve a purpose in Bosnia-Herzegovina as part of the Muslim-Croat federation in contrast to the Serbian enclave of Republika Srpska. While it seems that candidacy status with the EU has kept Croatia and FYR Macedonia on the proper path to avoid turmoil, protests have begun to make themselves known in Zagreb, the capital of Croatia over the postponement of Croatia's EU status or lack thereof. Croatia holds enough cultural and historical ties to Europe that their values match fairly strongly with those of EU members, even more so than many of the 2004 and 2007 member states. While the EU fears a repeat of the problems of Bulgaria and Romania, the problems that could boil up in the Western Balkans far outweigh the fears. Croatia, economically cannot stand without strong ties to Europe – and where it stands currently votes well for them being accepted in late 2011 or 2012. Kosovo is not an open and shut case for Serbia, as its ties to the province run deep. Numerous political figures within Serbia have made it clear that they are not willing to budge on the idea of accepting Kosovo's independence, just as some states within the EU (including Spain and

Romania) have voiced. This leaves both Serbia and the EU in a poor position. The EU cannot as a whole, accept Kosovo as a state, meaning that it would either have to come into the Union in the future with Serbia, or it would have to wait for recognition from all the other Union members to be brought in. On the other hand, it could also have a large effect on EU membership for Serbia. Serbia's membership is already splintered with not fulfilling the ICTY's requirement of finding General Radko Mladic. The EU while this could questionably affect their credibility could choose to suspend EU candidacy status with Serbia until the situation with Kosovo is resolved. However, the latter option would seem unlikely as it would not be credible to enforce a ruling such as that since some EU members are not willing to recognize Kosovo's independence at this time.

10. Concluding Arguments

Following the end to the Cold War Era in Europe, each of the above case studies were faced with difficult transitions in order to realign with an international system that many of these states had not seen for decades. Due to the chance of instability, the European Union chose to take up a policy of enlargement that would double the size of the EU geographically and exponentially increase the levels of diversity within its borders. However, issues of Europeanization posed challenges to both European institutions to incorporate these new states while maintaining proper democratic and economic standards along with representation and efficiency. While the involvement of the EU in these states did allow for a sense of stabilization while transitions occurred along with the steep financial aid that the countries needed in order to make these shifts, the challenges to the EU itself resulted in the formal declarations from treaties including Maastricht, Copenhagen, and Madrid concerning the standards that these ECE countries would be held to in order to insure the EU's investments in these states as well as the ability to absorb these countries smoothly. The political and economic criteria outlined by Copenhagen along with the *Aquis Communautaire* set the only formal guidelines outlined by the EU Commission on Enlargement for prospective members. Throughout the 1980's and 1990's, the EU made numerous declarations for states to be future members of the EU: some such as Slovenia, the Czech Republic, Hungary, and Poland were some of the strongest in the region, but others such as Romania and Bulgaria posed greater challenges. Turkey was even included in the group of future EU members even before the Soviet Collapse. However, throughout times of recent enlargement history, there have been cases that have seemed questionable as to their readiness to join both as candidates. The EU has stated that these criteria needed to be fulfilled in order for a candidate to

accede into the Union. Bulgaria and Romania's accession of 2007 with the incorporation of mechanisms and benchmarks brought the EU's credibility on enlargement into question as both states before and after their accession have exhibited difficulties in enforcing European law, controlling corruption and organized crime, and appropriating EU funds. Candidate states following the 2007 enlargement including Croatia and Turkey are now subject to even more stringent EU criteria which now states that a candidate must meet the criteria before opening negotiations and also show implementation of EU law before accession will be ratified. This increase of strictness to the criteria stems from the failure of the 2007 enlargement, but also due to the lack of institutional foundations to incorporate the enlargements of 2004 and beyond. However, even plagued with these more stringent criteria, states which have met these criteria or are meeting these criteria are still facing other roadblocks to membership. When comparing quantitatively, while the political and economic criteria, represented by the World Bank's WGI, Freedom House Economic Freedoms Index, and Balance of Account Information from the International Monetary Fund to explain a sizeable portion of EU membership, these variables do not explain everything that goes into determining whether a state will accede. When exploring the idea of Europeanness through Welzel and Inglehart's cultural values constructed from World Values Survey data and applying these to the model for levels of EU membership, levels of secularism – in particular levels that cross the neutral threshold into more secularist beliefs, increases a chance of a potential EU state becoming a member if they already hold the Copenhagen Criteria. In short, culture or levels of "Europeanness" within a state does matter. Of course, political, economic, and cultural criteria still do not explain one hundred percent of the variance within EU membership. Other variables outside of these areas, such as

enlargement fatigue, absorption challenges, and consensus voting could all be playing a role as well as seen with the reluctance to bring in a state such as Croatia that meets equal indices if not exceeding them. These areas could also be detrimental to a number of potential candidates including Serbia, FYR Macedonia, and Turkey which either have open disputes with other EU members that could prohibit or at least delay candidacy, negotiations, or veto membership altogether. In the current time and near future, all of these potential states could affect the EU's credibility both within the Union itself and on the international platform. Turkey, who has been pushed and pulled by the EU for almost thirty years may actually inhibit the EU more if it decides to withdraw its request for membership than the challenges of absorption and cultural values that it could pose to member states. All of the countries within the former area of Yugoslavia all pose stability threats to the Union, especially now that the EU has encircle the region with the acceptance of Slovenia, Romania, and Bulgaria. The EU may balk at the past conflict in states such as Serbia, Bosnia-Herzegovina, Croatia, and FYR Macedonia, but the fact of the matter is that the EU will be forced to deal with confrontation in this region whether or not these states join as members. Either the EU can choose to bring these states into the EU in hopes of increasing stability much in the same way that it did with Poland and the Eastern Bloc during its transitioning period, or ignore them and live with the consequences that may result from this stance.

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