

Accommodating interests and principles in the European Union: The case of the Eastern enlargement

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Over the past few years, the challenge of Eastern enlargement has opened up a very interesting theoretical and empirical debate. At the theoretical level, the discussion has focused on whether EU enlargement policies and decisions conform either to rationalist or constructivist theories of institutions. At the empirical level, the debate has concentrated on issues such as the decision to enlarge (when, how and why it was taken); the selection of the candidates for enlargement (which criteria were used and how they were agreed upon); the timing of the opening of accession negotiations with the candidate countries (whether it preceded or followed policy, budgetary and institutional reforms); and, last but not least, on the costs of enlargement (be they of an economic, security or institutional nature). Taken together, theoretical expectations and empirical evidence have led observers to describe Eastern enlargement as a theoretical puzzle. Since the available empirical evidence does not conform to either of the two theories, it has been argued (Schimmelfennig, 1999, 2001) that there is a need for finding some middle-ground between the two of them.

This chapter attempts to make progress in that direction: it proposes a model to explain how interests and principles are accommodated in the European Union and it seeks to explain how a policy can advance along a normative path (thus satisfying EU constitutive principles) and, at the same time, allow member states to safeguard their material interests. Rather than focusing on preference-change or socialisation mechanisms, this chapter seeks to combine explanations based on the strategic accommodation of costs with those based on the negotiation and subsequent institutionalisation of common principles or norms.

The argument of the chapter can be summarised as follows: faced with a strong normative orientation to enlarge eastwards, but with very high and asymmetrically distributed costs, EU member states have done two things: first, they have negotiated the distribution of costs among them and the candidates and, second, they have negotiated the rules of the game or normative framework under which enlargement will take place. Whereas costs have been dealt with by delaying enlargement eastwards, establishing side-payments to the most reluctant member states, and imposing some of the costs on the candidates, diverging preferences on enlargement have been dealt with by setting up of a normative framework comprising general principles such as the indivisibility and full applicability of the *acquis communautaire*, the non-discriminatory selection of candidates, and a strengthened political conditionality. By establishing general principles consistent with EU constitutive norms and general interests, this normative framework has had the effect of changing the enlargement game from one which was about ‘whether or not to enlarge’ to another one which was about ‘how and when to enlarge’. Developing a normative framework has thus proven very useful to confine EU member states’ enlargement preferences and thus to narrow the range of acceptable solutions of the enlargement game.

This chapter is structured as follows. The first section examines what empirical evidence on enlargement would look like from the perspective of competing theories of institutions. In the second, it examines in detail the four elements which constitute the empirical and theoretical puzzle of Eastern enlargement. In the third, it proposes a model which can help us to understand how principles and interests have been accommodated in the case of Eastern enlargement. In the fourth, this model of accommodation is submitted to an empirical test. The last section concludes with some theoretical and empirical observations on EU institutions and their capacity to accommodate principles and interests.

Theoretical expectations and empirical findings

Having reached the waters of European integration, the debate between rationalists and social constructivists has also touched the shores of EU enlargement policies and, more precisely, the fundamental challenge of Eastern enlargement which the EU has been facing since the Berlin Wall collapsed in 1989. For reasons which have to do with the extraordinary combination and visibility, throughout the whole enlargement process, of material interests (both at the economic, political and security levels) and EU principles, constitutive norms and shared identity, Eastern enlargement has become an ideal field to test, refine or falsify competing rationalist and constructivist hypotheses (Fierke and Wiener, 1999; Friis, 1998b; Friis and Murphy, 1999, 2000; Schimmelfennig, 1999, 2001; Schimmelfennig and Sedelmeier, 2002; Sedelmeier, 1999, 2000, 2002).

The core assumptions and tenets of both rationalist and constructivist approaches to institutions are clear enough so as to structure our expectations about the kind of phenomena we should observe when carrying out particular case studies (Aspinwall and Schneider, 2001; Checkel and Moravcsik, 2001; Christiansen *et al*, 1999; DiMaggio and Powell, 1991; Hall and Taylor, 1996, 1998; Hay and Wincott, 1998; March and Olsen, 1989; Moravcsik, 1999; North, 1990; Thelen and Steinmo, 1992).

At one extreme (rational institutionalism), preferences would be stable, exogenous and transitive, and an actor's behaviour would be of the strategic and interest-maximisation type. At the other extreme (constructivism or sociological institutionalism), preferences would be endogenous, i.e. they would emerge from the process of interaction between actors, and each actor's behaviour would be dominated by a logic of appropriateness. If we were to systematically organise our expectations about what enlargement policy would look like from the perspective of either rationalist or constructivist hypotheses, we should arrive at something like Table 1.

Table 1: Competing expectations about enlargement policy

	Rationalist	Constructivist
Dominant logic	Interest-oriented negotiation	Principle-oriented deliberation
Dominant actors	Actors with decision-making and institutional power (agenda-setting, coalition-building, veto)	Norm and principle entrepreneurs, actors having widely recognised moral authority
Accommodation mechanism	Strategic negotiation about costs, side-payments, etc.	Socialisation processes and preference changes

Expectations about what we should be observing in reality are clear. According to the rationalist account, we should see a group of instrumentally-oriented national governments negotiating enlargement issues in terms of the relative costs and benefits which each government expects for its country. In other words, EU member states would behave as utility-maximisers and do what was most beneficial for their interests. In contrast, from a constructivist perspective, EU governments would rather be embarked in a collective endeavour to discover, by way of deliberation and with the aid of norm entrepreneurs like the European Commission or other actors, which enlargement policy would best fit their constitutive norms, general principles or shared identity. In other words, faced with the possibility of enlargement, they would follow a logic of appropriateness and do what they had to do. The hypotheses which we could derive from these two models are specified in Table 2.

According to rational institutionalism, the heterogeneity of national interests concerning Eastern enlargement could go a long way to explain how the process of enlargement would work: the higher and more asymmetrically distributed the enlargement costs (if some member states benefited a lot from enlargement, while others incurred large costs), the more likely a controversial decision to enlarge would

be, as well as a cost-oriented accession criteria, a slow enlargement process, and the transference of as many costs as possible to the accession candidates.

Table 2: Hypotheses about enlargement policy

	Rationalist	Constructivist
Independent variable	Size and distribution of enlargement costs	Social interaction Shared identity Constitutive norms
Decision to enlarge	Controversial, reluctant and delayed	Consensual, eager and speedy
Accession criteria	Discriminatory and cost-oriented	Non-discriminatory and principle-oriented
Timing	Distribution of costs precedes enlargement, enlargement proceeds slowly and/or in stages	Deliberation on principles precedes enlargement, enlargement proceeds fastly
Allocation of costs	Costs are exchanged or imposed on the candidates	Member states accept the costs
Ultimate impact on enlargement policy	National interests prevail	Constitutive norms prevail

At the other extreme, according to constructivist accounts, the higher the feelings of shared identity, the stronger the constitutive norms of the EU, and the more intense the degree of social interaction was, the more likely that preferences would converge as a result of social interaction, and that the process of enlargement would be consensual and deliberative. The decision to enlarge would then be reached with eagerness, accession criteria would be principle-oriented and non-discriminatory, and member states would naturally accept the economic, political and security costs of embracing the Eastern candidates as new members.

Having briefly introduced the theoretical debate and the hypotheses, attention is placed now on the available empirical evidence. First, concerning the *decision to enlarge* eastwards, researchers have been puzzled by the difficulty of identifying the exact moment when this decision was taken. Though it was at the European Council meeting in Copenhagen in June 1993 when the 'Twelve' formally offered membership to all the Central and Eastern European Countries that had signed association agreements with the EU, and laid the conditions which candidate countries should meet in order to be admitted into the EU, the absence of any debate on the topic of enlargement at the Council meeting itself indicates that the issue had already been agreed upon. The agendas of the preceding European Council meetings in Lisbon (June 1992), Birmingham (October 1992) and Edinburgh (December 1992), and the documents prepared by the European Commission all along 1992 and 1993 show a similar pattern: although it had not yet been formally announced, enlargement was taken for granted (Torreblanca, 2001: 306, 314).

Leaving aside the promises of membership uttered by Thatcher, Kohl and Major all along 1990-1992, the body of 'hard' evidence concerning the enlargement decision is very limited: it just comprises, first, the agreement on a policy of neither publicly endorsing nor publicly rejecting the membership aspirations of the candidate countries, which the 'Twelve' reached in November 1990 in the Council Group on Eastern Europe; second, the commitment which Germany and France included in the bilateral treaties they reached with Poland, Hungary and Czechoslovakia in 1991 to support the membership aspirations of these three countries; third, the Franco-German summit meeting in Weimar in May 1991 where, reportedly, France and Germany discussed how to manage the prospect of future accession of Central and Eastern Europe; and fourth, the discussions on the timing and content of the membership perspective held by a High Level Group of European Political Cooperation (EPC) Political Directors in May 1993 (Torreblanca, 2001: 105, 150, 151, 318-20, respectively). Eastern enlargement therefore looks like a typical 'non-decision': something which just happened because nobody opposed it and about which we can find very little evidence¹.

Evidence on this account would then confirm constructivist claims: enlargement would not be the outcome of a negotiation among actors seeking to maximise their particular interests, but rather the natural consequence of a process whereby norms and codes of conduct which have previously been internalised are routinely applied to a new event. Instead of negotiating the issue of enlargement in terms of their particular interests, member states would have behaved in accordance with what they were and just did what they knew they had to do. Rather than maximising their interests by way of a strategic negotiation, they would have satisfied their collective identity, constitutive norms, and founding principles. A logic of consequentiality would thus have been displaced in favour of a logic of appropriateness (March and Olsen, 1989: 162).

The criteria used by the EU to select the candidates for enlargement has also been used to stress the presence of the logic of appropriateness typical of sociological institutionalism or constructivism, in detriment of more strictly rationalist accounts. As is well known, the European Council meetings in Madrid in December 1995, Luxembourg in December 1997, and Helsinki in December 1999, first adopted and then implemented a non-discriminatory and transparent approach to the process of enlargement. By discarding a process of enlargement by stages, or 'waves', in favour of a 'regatta' approach by which accession would depend exclusively on the merits of the candidates, the EU would have adopted a principle or norm-oriented behaviour and put aside the geopolitical or economic interests of some member states (Friis, 1998b).

In a similar vein, with regard to 'the timing of negotiations', the fact that the opening of accession negotiation in March 1998 with five candidate countries preceded rather than followed the negotiation among EU member states about the distribution of the costs of enlargement has led some analysts to argue that EU member states did what they had to do following a logic of appropriateness (Friis, 1998b). Given the likely impact of enlargement on each member state's share of the institutional, budgetary, and policy-making power, one would have expected member states to negotiate these costs *before* and not *after* negotiations had started.

Then there is the issue of *costs*. Since the costs of enlargement seem to exceed its benefits, it has been argued that enlargement cannot be explained by rationalist accounts of international politics (Schimmelfennig, 1999, 2001; Sedelmeier, 1999, 2000; Sjursen, 2000).

From the economic perspective, a look at the average per capita GDP of the 13 candidate countries of Central and Eastern Europe and the Mediterranean (Eurostat, 2000) clearly reveals that enlargement might not be the wisest task the EU could undertake if it only cared about its economic interests.

From the institutional point of view, each enlargement reduces the number of coalitions in which each member state is pivotal, increases the heterogeneity of preferences, and makes the provision of public goods more difficult (Alesina *et al*, 2002; Baldwin *et al*, 2000). Also, the need to safeguard decision-making efficiency has traditionally meant that, with each enlargement process, the list of matters which are decided by qualified majority and the powers of the European Parliament have been increased at the expense of the veto rights of EU member states. As Schimmelfennig (1999, 2001) has pointed out, since any increase in the number of members of an organisation results in a reduction of the relative quota of power available to each one of them, enlargement can only be considered beneficial if the new members provide some sort of public or collective good which makes existing member states better-off in absolute terms.

Finally, the benefits of enlargement in terms of security have also been questioned (Sjursen, 1998, 2000). Though it is true that enlargement completes the process of stabilisation of Central and Eastern Europe, there are several arguments which question whether it will contribute to strengthen European security as a whole. Firstly, the enlarged Union will have to deal with a very complex security agenda, both in the Mediterranean, with the problematic Greek-Cypriot-Turkish triangle, and eastwards of the new borders, by having to manage its frontier with Ukraine, Belarus and Russia. Second, and most importantly, the consolidation of both a Common Foreign and Security Policy and a European Security and Defence Identity will undoubtedly be more problematic with twenty-seven rather than fifteen members.

Theoretical puzzles

This set of empirical findings has led to a common diagnosis concerning the empirical and theoretical problem that lies behind Eastern enlargement (Schimmelfennig, 1999). *Grosso modo*, the argument is the following: first, the costs of enlargement are superior to its benefits, be they in economic, security, institutional or political terms. Second, the strategy adopted by the EU (enlargement to all candidates) is costlier, and thus suboptimal, compared to alternative strategies like the association agreements or a limited enlargement. Third, though the material interests of EU member states have been very visible throughout the policy-making process, the presence of elements such as rhetoric, principles, norms and identities has also been noticeable. Therefore, if the EU has accommodated the preferences of the candidate countries further than its own material interests dictated, studies have concluded that this has occurred because norms, identities or principles, taken individually or combined, have played a role in producing this outcome.

Subsequent research has thus focused on the mechanisms which have intervened in transforming the strategies of the actors and the outcomes of the policy process from a game of interest-maximising into a game of norm-, principle- or identity-satisfying. Different mechanisms have been proposed and discussed. Starting off from Wittgenstein's theories on the constitutive character of language, Fierke and Wiener (1999) have referred to the power of 'speech acts'. Focusing also on rhetoric but adopting a different strategy, Schimmelfennig (1999, 2001) has argued in favour of studying how arguments about political legitimacy can have an impact on the outcome of a negotiation (a mechanism labeled 'rhetorical action'). Others have focused on the impact of changing policy paradigms (Sedelmeier, 1999), but also on the capacity of collective identities (Sedelmeier, 2000) or norm entrepreneurs (Friis, 1998b) to modify the way policy debates are framed and, thus, to change the range of likely policy outcomes. Finally, some have preferred to look at how participation in EU institutions can change the identities and preferences of member states (Smith, 1999) while in his own research, this author has explored which institutions and practices,

such as the visibility of European Council meetings, favour principle-oriented policies and which, such as the opacity of Council Group negotiations, favour horse-trading and interest-oriented behaviour (Torreblanca, 2001).

However, questioning the capacity of rationalist theories to explain EU enlargement policy does not automatically establish the validity of constructivist accounts. Let us look back at the four elements which were mentioned before, in order to see this point more clearly.

First, regarding the *decision to enlarge*: collective identity or norms would explain EU decision to enlarge only if this decision would have been taken rapidly, without negotiations and without controversy. However, empirical evidence does not easily lend itself to support this interpretation. In order to conclude that a logic of appropriateness had prevailed, the promise of membership would have had to be clearly on the table by 1990, when the first free elections were held in Poland, Hungary and Czechoslovakia, or even before, when Mazowiecki took office in Poland in August 1989, not in 1993, three years later. But, as we know, throughout the whole of 1990, 1991 and 1992, EC leaders refused to endorse, even in a non-binding way, the membership aspirations of these countries².

This refusal to offer a membership perspective stood in open contradiction with EC constitutive norms (such as EEC article 237, which stated that any European country could apply for membership), with the shared identity of the Twelve (as enshrined in the rhetoric of Preamble of the Treaty of Rome calling for a “closer union of the peoples of Europe”), and with some well established precedents (such as the Birkelbach Report declaring democracy to be a necessary condition for membership) and the Mediterranean enlargement (which had made clear that relative wealth was not a condition for membership). In fact, the topic of Eastern enlargement was hardly consensual: throughout 1990 and 1991, an ample majority of EC member states refused to endorse the membership aspirations of Hungary, Poland and Czechoslovakia. The result was that the preamble of the association agreements signed in December 1991 only made reference to the wish of the candidate countries to become members in the future, but not to the EC’s acceptance of this goal as a

shared one. This was all the more strange if one takes into account that the EC membership clause had been a standard clause in past association agreements with Greece, Turkey, Malta and Cyprus.

Explanations based on the power of norms or shared identities are hardly compatible either with the efforts that the Twelve made throughout 1990 and 1991 to avoid being dragged by the candidates into a membership debate and, more generally, with the level of contestation which the mere idea of Eastern enlargement aroused within the EC before, and even after, the Copenhagen Council. Empirical evidence shows that only a few countries (Germany, Britain and Denmark) unambiguously supported the membership issue from the beginning and that, even a few weeks before the Copenhagen Council, a considerable number of member states were showing no sympathy for the offer they were going to make (Torreblanca, 2001: 319-320). After all, the inclusion in the accession criteria list drawn up in Copenhagen of a final condition which had nothing to do with the candidates (that the Twelve were ready to accept them and maintain the momentum of European integration), together with the attitudes of a good number of governments (France, Spain and Belgium, above all) reveals a threatened rather than a shared identity. Therefore, if anything, the empirical evidence displays the EU's reluctance or difficulties to do what was considered appropriate and the high level of contestation which has surrounded the whole process of enlargement. This therefore shows that the Community has never viewed Preamble or Article 237 of the Treaty of Rome as a norm which confers upon other European countries *a right* to become members of the EU, but rather an opportunity to join *if* they met certain conditions which EU member states defined and *when* EU member states found the adequate distribution of enlargement costs.

As in the previous case, empirical evidence concerning the *criteria for enlargement* places some obstacles in the journey from interest-maximisation to norm-, identity- or principle-satisfaction. Firstly, the adoption of a non-discriminatory approach in Madrid 1995 or Luxembourg 1997 can also be seen as the only equilibrium point of a situation in which all actors had veto power over the selection of candidates, rather than as a process of deliberation about which actions would best

fit EU identity or constitutive norms. Secondly, as Friis (1998b) herself shows, negotiations were also characterised by member states' attempts to disguise their geopolitical interests under a discourse of general interests and abstract principles. Clearly, the starting point was one in which each country or group of countries had genuine geopolitical interests in the matter: Germany wanted a fast enlargement to Poland, Hungary and the Czech Republic; Scandinavian countries were rather interested in bringing the Baltic Republics in; and France and other Southern European countries were balancing Germany by promoting the candidatures of South-eastern Europe and the Mediterranean. The case of NATO expansion provides some important clues: where these types of institutional constraints were absent (France and the Scandinavian countries were marginal in the candidate selection process and Germany had the support of the US), Germany promoted and obtained a limited, discriminatory and interest-maximising process of enlargement, not a norm or identity-oriented one.

Once again, for sociological institutionalism or constructivism to prevail in the case of Eastern enlargement, we should have witnessed a process of collective deliberation in which member states argued about which actions best matched EU existing principles, not a strategic negotiation in which national interests and institutional constraints played a crucial role in configuring the outcome. It is true that the outcome (a non-discriminatory process of enlargement) was quite normative or principle-oriented and, therefore, theoretically relevant. However, the case may rather serve to highlight how EU institutions help member states to identify and pursue collective interests by way of the institutionalisation of common principles, than to put aside rationalist explanations of member states' interactions and negotiations.

Neither does empirical evidence fully support the idea of appropriateness when it comes both to the 'timing of negotiations', as well as to the distributions of costs: it is true that the enlargement process was launched in March 1998 without having closed the negotiations on the institutional chapter, but even though the Amsterdam Treaty was a fiasco in terms of institutional reforms, all member states

had recognised the fact that the over-representation of the smallest member states had to be corrected³.

Equally, though the financial perspectives for 2000-2006 had not yet been formally approved when the accession negotiations started, all EU member states had already agreed in the Agenda 2000 document of June 1997 (European Commission, 1997) on the general orientation of EU finances, including the budgetary costs of enlargement and the reform of the EU's main policies, in order to make them compatible with enlargement (concentration of structural expenditure and completing the passage of agricultural policy from price to income support).

In fact, this way of approaching costs seems to be a pattern in EU processes of enlargement: in the first, second or third enlargements, accession negotiations always started without waiting for all the related institutional and policy implications among the members to be cleared up. Rather, it has been the need and pressure to conclude accession negotiations which has forced EU member states to agree on these institutional and policy reforms (e.g. enlargement negotiations with Spain and Portugal started in 1979, but the costs of Iberian enlargement were accommodated in the Fontainebleau Summit of 1984). Clearly, both the asymmetry of power between the EC/EU and accession candidates, as well as the principle of the indivisibility of the *acquis communautaire*, have traditionally meant that accession negotiations are the least relevant negotiations of enlargement processes, and that the costs of enlargement for EC/EU member states can always be accommodated and diluted through long transitional periods for the most delicate chapters of the negotiations (agricultural transfers, structural funds and free movement of labour). Therefore, it could be argued that since enlargement is ruled by unanimity at all levels (with regard to when enlargement negotiations are opened or closed), member states must feel relatively safe to open negotiations prior to having calculated or negotiated exactly how much it is going to cost them and how are they going to distribute the costs.

Finally, there is the issue of *costs*. Although, in general terms, the argument about the costs of enlargement makes a lot of sense, attention must be drawn to the fact that these are estimations rather than calculations and thus may not, at least at

this stage, be settled empirically. Therefore, the argument about costs confirming constructivist hypotheses holds only to the extent that we can prove that not enlarging would always be a cheaper option than enlarging. However, this is a rather controversial statement: the balance of previous enlargements suggests that we must look at the costs and benefits of enlargement not from the narrow angle of short-term adjustment costs, but rather in terms of the contribution of enlargement dynamics to the overall growth of the European economy, through the combined effects of market creation and the more efficient allocation of production resources. Once again, the experience of EU Southern enlargement in the eighties is illustrative in this respect: increases in the *absolute* size of the pie have more than compensated the adjustments of *relative* costs derived of the need to raise the budget to deal with increases in redistributive expenditure⁴.

These economic gains (together with the assumption that member states care more about absolute than about relative gains) might well explain why the member states have always been willing to accept a decrease in their share of institutional power: as the acceptance by the member states of qualified majority voting for single market matters proves, the loss of autonomy in decision-making, the increase in per capita disparities, and the increase of contributions to the budget might well be compensated by the economic gains derived of the creation and expansion of a single market. In other words, economic benefits might simply outweigh institutional costs. Otherwise, we would be unable to explain not only this enlargement, but any of the preceding ones or, for that matter, the supranational features of the process of European integration (why would member states give up sovereignty in any given policy area?). Therefore, although it is true that there were cheaper alternatives to enlargement, this does not necessarily imply that enlargement is a suboptimal policy from the economic point of view and those collective identities, shared principles, or constitutive norms lie behind member states' acceptance of enlargement costs.

A dynamic model of (negotiated) accommodation

So far, four pieces of empirical evidence have been examined (the decision to enlarge, the selection of accession candidates, the timing of the opening of accession negotiations, and the costs of enlargement). In each one of them, we have seen elements pointing to the fact that both decision-makers and policy outcomes have combined interest-maximisation and some sort of norm-, identity- or principle-satisfying behaviour. Therefore, we need a model that is able to integrate both logics and a set of mechanisms explaining how actors balance instrumental and normative interests and move from one logic to the other.

The model is based on three assumptions. The first is that EU member states have two types of preferences: instrumental and normative. In other words, EU member states seek to maximise their individual interests but, at the same time, there are some general principles or constitutive norms they would want to see satisfied. Therefore, EU member states' actions can follow two logics: a logic of consequentiality and a logic of appropriateness⁵.

The second assumption is that the set of general principles or constitutive norms which guide EU member states' normative or principle-oriented preferences is *not*: a) *completely stable*, which means that these values and normative orientations (slowly) emerge and are refined or developed over time as a product of both deliberation and negotiation; b) *precise enough*, which means that there can be conflicts about exactly what type of behaviour they prescribe (e.g. a fast or a slow enlargement process, a costly or cheap one); c) *entirely coherent*, which means that there can be tensions among different principles (the deepening versus widening debate is probably the best example of this); d) *strongly institutionalised* (or, from a different angle, 'constitutionalised' enough), which means that there is no superior authority for resolving conflicts among them. Enlargement is probably the best illustration of this problem concerning how an extremely vague constitutive norm (that the process of European integration is open to all European countries) has been progressively developed and institutionalised so as to end up being quite precise about the particular

characteristics which candidates should meet (democratic countries with a market economy which respect minorities and fully accept the *acquis communautaire*).

The third assumption refers to the existence within the EU of a ‘culture of consensus’ in which each member state is committed to do its utmost to accommodate other member states’ national interests; in which no member state can oppose a decision without clearly explaining why it is opposed and what it would take for it to lift its opposition; and in which all member states are committed to negotiate endlessly until a compromise solution is found⁶.

Taken together, the implication of these three assumptions is that EU member states are simultaneously negotiating how to best advance or maximise their particular economic, security or institutional interests and, at the same, time, negotiating among them how to adapt, further develop, and institutionalise the general principles and constitutive norms which they share. Therefore, in some cases we may need to hold structure constant and look at how agents negotiate or accommodate their interests while, in other cases, we need to pay attention to how norms change as a result of the negotiations between actors and how they impact on actors’ preferences.

How would actors’ preferences look if we supposed that EU member states had, on the one hand, material interests they wanted to maximise, but, on the other hand, a set of principles or values which they shared with the other member states and which they wished to see fulfilled in practice? Applied to the case of enlargement, this would mean that, according to the first logic, their negotiating position would be a direct expression of their balance of economic, institutional or security costs and benefits: the more they benefited from enlargement, the more they would support it, and vice versa. However, according to the second logic, they would be aware of the fact that Eastern enlargement is both a moral and historic imperative congruent with their understanding of the EU as a liberal democratic project and would not only support it, but also accept to pay a price for it.

If member states adopted an instrumental logic, their preferences should be established as follows: first, costs being higher than benefits, they should reject

enlargement and adopt a NAFTA-like strategy. In other words, they would not go beyond the association agreements, which allow the EU to reap the benefits of extending its economic and legal boundaries eastwards without paying the institutional or budgetary costs implied by enlargement: in fact, as Friis and Murphy (1999) have pointed out, both the association agreements and the European Economic Area (EEA) can be understood as strategies which the EU designed to extend its rules without extending its boundaries (or budget).

The second option would then be to delay enlargement as much as possible, so as to dilute its impact on the EU and give it time to adapt its policies and institutions and negotiate the internal distribution of costs. If and when enlargement proved inevitable, the logical option would be to admit first the less costly candidates and leave the costliest for a later moment. Clearly, if the member states cared only about themselves, admitting all candidates at once or at an early moment would be the worst option. Therefore, the order of preferences, and the relative pay-offs, would be: (+4) not to enlarge, (+3) to delay enlargement, (+2) a limited enlargement, (+1) a full or fast enlargement.

What if member states adopted a principle-, norm- or identity-oriented logic? Their preferences would be established in the following order. Clearly, they would first prefer to enlarge to all candidates which met the basic accession criteria, and do it rapidly. But then what? What would be the remaining options? Can we think of any way in which member states, despite wholeheartedly supporting enlargement, would be forced to limit the number of candidates or delay it? Indeed, we can, if we consider enlargement as one amongst the constitutive norms of the EU, not the only one, and we anticipate that there can be conflicts between them. In all the preceding enlargement rounds, member states have been fully aware of the fact that for enlargement to be a success, the main institutions, policies or finances had to be reformed⁷.

Since the EU would collapse without these institutional and policy reforms, preferences on enlargement will be dependent on how fast and how efficiently those reforms will be enforced and whether member states expect the outcome to be

congruent with their understanding of the constitutive norms, general principles, or shared identity behind the process of European integration. According to this perspective, the EU could first enlarge only to a limited number of candidates or temporarily delay enlargement (and still conform to a logic of appropriateness), if it felt that it needed more time, resources or institutional reforms to digest the impact of enlargement. We could even find a situation in which the EU would refuse to enlarge not because it would be costly in material terms but, much as De Gaulle did when he vetoed the British application, because the EU would feel completely unable to incorporate new members and maintain its collective project, shared identity or *finalité politique*. In any case, if the EU was to behave according to a logic of appropriateness, its preferences would be the following: (+4) a full or fast enlargement, (+3) a limited enlargement, (+2) to temporarily delay enlargement, (+1) not to enlarge.

The result is shown in Table 3. Both types of behaviour are fully rational: preferences are transitive, complete and coherent. In the first case, actors are maximising economic, security or institutional goals; in the second case, they are satisfying some sort of principle, identity or constitutive norm. Assuming that member states have preferences on two levels, at the level of principles and at the level of interests, for any of the options chosen by the EU in Table 3, the utility obtained is the same one (+5).

Table 3: Principles, interests and preferences in EU Eastern enlargement

	Not to enlarge	To delay enlargement	A limited enlargement	A full enlargement
Interests	+4	+3	+2	+1
Principles	+1	+2	+3	+4

Had the EU decided to go along with the NAFTA-like strategy and maintain the association agreements, it would have enjoyed the benefits of trade liberalisation

and the opportunities of foreign investment without having to extend its agricultural or cohesion policies to the region or without letting the Central and Eastern European countries participate in its decision-making processes. Though member states might have credibly argued that EU institutions, budgets or policies could never work efficiently with twenty-seven members or, more cynically, established a wealth criteria for membership, they would have to live with the accusations of not having done enough or not having lived up to their promises they formulated throughout the Cold War⁸.

At the other extreme, the EU could have reacted to the collapse of the Wall and the liberation of Eastern Europe by immediately doubling its budget, thoroughly reforming its main policies and courageously reforming its institutions to move on to widespread majority-voting. In return for a diminished quota power and increased budget contributions, EU member states would have had the satisfaction of having restored the shame of Yalta and having done what they knew they had to do.

Whether the policy game started closer to interests than to principles (Table 3, column 1) and was dominated by widespread reluctance to enlarge (+4, +1), this had to do with the structure of costs. Why? First, while the benefits of enlargement spread over the long-term, its costs have tended to concentrate on the short-term, which has meant that the temporal horizon has always been adverse for the adoption of decisions complying with norms or principles. Second, the cashing in of those long-term benefits depends on enlargement having a positive impact on the EU and the European integration process. Given that such an outcome cannot be taken for granted *a priori*, enlargement decisions have always been dominated by uncertainty, which has meant that the optimal level of financial aid, trade liberalisation, and political support has been difficult to find. Third, given that enlargement costs are being asymmetrically distributed amongst different countries, regions, and economic sectors, preferences concerning enlargement have not been homogeneous either across or within EU member states, which has led enlargement policy to be dominated more by cost-adjustment and coalition-building concerns than by normative orientations. In the case of Eastern enlargement, with all the elements set

up for decisions to lay closer to interests than to principles, we should naturally expect that there will be pressures to sacrifice the optimal enlargement policy (a full and fast enlargement) for a second-best one which accommodates member states' interests.

Testing the model

The model helps to explain why there has been accommodation between interests and principles and how it has taken place. If the EU abandoned its reluctant approach to enlargement, and gradually came to first accept and later implement an enlargement strategy, it was because a series of side-payments and compensations were agreed upon among EU member states and, also, because EU member states were able to define a normative framework which, as explained in the introduction, helped to change the policy game and narrowed member states' preferences. Let me first examine how the accommodation of enlargement costs has proceeded by way of reassurances, side-payments and compensations, and then look at changes in the normative framework.

These have been, first, the delay of the opening of EC markets to Central and Eastern European products, especially concerning the so-called 'sensitive' products (steel, coal, agriculture and textile); second, the strengthening of both EU institutions and the German commitment to the process of European integration through the Maastricht Treaty; third, the increase of subsidies for the less developed EU member states (Delors II Package, 1993-1999); fourth, the strengthening of political conditionality clauses for Central and Eastern Europe (the Stability Pact launched by Balladur in 1993); fifth, the upgrading of EU policies, strategies, and financial commitments for the Mediterranean area (the Cannes Barcelona Process launched in 1995); sixth, the maintenance of high levels of agricultural expenditure prior to enlargement (as agreed in Berlin 1999); and seventh, the increase of the institutional weight of the largest EU member states (candidates are predominantly small in terms of population). Let us analyse this in greater detail.

Both the Europe (association) agreements, the Maastricht Treaty, and the approval of the 1993-1999 financial perspectives were crucial to allow the transition from Stage I (not to enlarge) to Stage II (accept the principle of enlargement, but make no commitment about dates). First, by way of the association agreements, member states sheltered their most sensitive sectors (agriculture, textile and coal, and steel) from the process of trade liberalisation between the two halves of Europe. Second, the Maastricht Treaty provided a clear indication that changes in the East would not, like Thatcher wished, undermine the EU but strengthen it. Third, having been able to constitutionalise the principle of territorial cohesion in the Maastricht Treaty negotiations, the less wealthy member states obtained almost a doubling of the structural funds for the 1993-1999 period and the setting up of a special cohesion fund to help laggard member states catch up with the wealthier EU members. Obviously, these three elements, combined with the tight membership clauses agreed upon at Copenhagen and the refusal to put any date in front of Central and Eastern Europe membership aspirations, made the arguments of countries reluctant to enlargement completely spurious.

A similar process was witnessed once the membership perspective was given. Once the principle of enlargement was agreed upon in Copenhagen in June 1993, the most activist countries and institutions (Germany and the Commission) started to prepare the candidates for membership (through both the pre-accession strategy launched in Essen in December 1994 and the approval in 1995 of a White Paper on the implementation of the internal market *acquis* in the candidate countries). Obviously, since these moves were fully congruent with the principles adopted in Copenhagen, no member state could object.

The side-payment of this pre-accession strategy was the new Mediterranean policy agreed upon at Cannes in June 1995. By raising EU financial commitment with the Mediterranean and by upgrading relations with its southern neighbours to the status of association, a further obstacle to enlargement was removed: after the success of the Euro-Mediterranean conference held in Barcelona and the financial decisions adopted in Cannes, no one could credibly argue that Eastern enlargement was being

carried out at the expense of a much-needed Mediterranean policy. Moreover, by setting up a Stability Pact (after a French initiative) to safeguard the rights of national minorities in candidate countries and prevent new ethnic conflicts from developing in post-communist countries, those reluctant member states made sure that the EU would not import instability⁹.

Finally, the setting up in 1995 of a Reflection Group to examine the policy and institutional reforms which the EU should undertake in order to prepare for membership, and the entry of three wealthy countries (Austria, Finland and Sweden) into the EU raised hopes that the EU could adequately confront the challenge of Eastern enlargement¹⁰.

The European Council meeting in Madrid in December 1995 could therefore refer to an enlargement calendar for the first time (including an important ‘if’ condition linking enlargement and institutional reform): accession negotiations could start six months *after* the satisfactory conclusion of the intergovernmental conference to reform the treaties. Once again, there were few arguments available for anyone to oppose: once member states had agreed on the institutional reforms necessary to accommodate the candidates and preserve EU institutional efficiency, there would be few grounds to oppose to enlargement. The remaining misgivings were removed in June 1997, when the Commission presented its Agenda 2000 document (“For a Stronger and Wider Union”), making clear that the EU would maintain its levels of agricultural as well as structural and cohesion spending unchanged. Consequently, after Treaty reforms were (partly) agreed upon in Amsterdam in October 1997, negotiations could start in March 1998 with a first group of candidates¹¹.

The last cluster of pay-offs and compensations which has made enlargement possible has been the Berlin agreement on the 2000-2006 financial perspectives, which distributed the first set of costs of enlargement, maintained the Cohesion Fund unchanged, and rejected co-financing mechanisms for the Common Agriculture Policy; the Nice Treaty, with its redistribution of institutional power between large and small countries (and with the preservation of unanimity in some key matters); and the lengthy transitional periods agreed upon for the application of the benefits of EU

policies to the candidate countries once they become members (especially in the fields of agricultural policy, structural funds, and the free movement of workers).

Therefore, throughout the whole enlargement process, we have observed how EU institutions have allowed member states to trade their particular interests off one another, impose the costs on the candidates, or dilute them in time. The result is enlargement by 2004, eleven years after the promise was given and fifteen after the Berlin wall collapsed. Even though, the lengthy transitional periods agreed on ensure that full membership will take even longer to become a reality: most probably, by the time the Eastern candidates qualify for agricultural and structural funds, these will have been so thoroughly transformed that the financial impact of enlargement will be very moderate.

In fact, a similar pattern of cost-adjustment, package dealing, and side-payments can be observed when we look at previous enlargement processes (Preston, 1997). So far, it seems that the EU has dealt with and solved enlargement processes because of the extraordinary capacity of EU institutions to help member states build 'enlargement packages' comprising five elements. First, negative integration or market creation, as was the case with the completion of the customs union and the launching of the EMS in the seventies, but also with the SEA and EMU in the eighties and nineties, which were clearly linked to the perspective of EU successive enlargements. Second, positive integration or market correction, as was the case when the first enlargement gave birth to regional policy, the second to structural and cohesion policies and the third to a renewed emphasis on environmental and equal rights issues. Third, increases in supranational decision-making capacity and authority, as was the case with the first enlargement, which resulted in direct elections to the European Parliament, and the second and third enlargements, which led to an increase not only of the powers of the Parliament (from assent to co-operation and then on to co-decision), but also of the number of areas subject to qualified majority voting (QMV). Fourth, increases of budgetary spending, with the addition of the third and fourth resources (VAT and GNP, respectively) to finance the needs of an enlarged Union. Fifth, a strengthening of EC/EU foreign policy capacity, as was the case with the

Davignon Report which gave birth to European Political Co-operation in 1970, its constitutionalisation in the Single European Act (1985), and its further development in the Maastricht Treaty (1992). Therefore, from a historical perspective, EU enlargement policy has always been characterised by the capacity of EU institutions to allow EU member states and sectoral policy coalitions to negotiate and implement ‘enlargement packages’.

However, processes of EU enlargement are not and have never been only about cost-distribution but also, very evidently, about the development, institutionalisation, and refinement of a normative framework establishing who can be candidates for entry and on which grounds EU member can states accept or reject their applications. Empirical evidence shows that EU member states have negotiated, developed, and institutionalised a body of norms to deal with enlargement processes, and that these norms have slowly emerged and changed as a result of each enlargement process.

When the UK applied for membership, the body of EU constitutive norms or general principles merely established that any European country could apply for membership and that applications would be dealt with by unanimity (EEC Treaty article 237). However, as is well known, the fact that the UK did not share the *finalité politique* of the European integration process was considered a legitimate argument for De Gaulle to veto the British application. Actually, considering how uncomfortable the EEC felt with the British application, it makes sense to retrospectively interpret EEC Treaty vagueness with respect to enlargement as a proof of the EEC founding fathers’ belief in the idea that the EEC project could only work with small numbers.

In any case, the British application made evident that the normative orientation to enlargement was very limited in the original EEC, even to a point where enlargement could be considered incompatible with EEC constitutive goals or shared identity and thus rejected, no matter what the Treaty established. The first enlargement (1973), however, proved that a change in the normative framework had taken place: the process of European integration was open to countries that did not share the *finalité politique* of the EU, but were willing to adopt the *acquis communautaire*.

In other words, it was established that EEC member states could not reject the application of any European country which agreed to adopt, implement, and enforce the *acquis* in the terms offered by the EEC member states and institutions.

Earlier on, in 1962, the membership application of Spain had triggered the establishment of democratic rule as a condition for accession (the Birkelbach Report), but also for the conclusion of association agreements, which as the cases of Turkey, Greece, Malta and Cyprus show, were understood as anterooms of membership. Obviously, this clarification was fully coherent with the understanding of the EEC as a liberal-democratic project and thus unnecessary, but by showing General Franco's regime why Spain could not be member of the EEC (and later on, at the time of the Colonels' Coup in Greece, by suspending the EEC-Greece association agreement), it made clear that despite its past, Spain, or any other European country, could be member *once* it became democratic. In this fashion, the Birkelbach Report established a shared understanding of enlargement conditions which would later be used by newly democratising countries: both in the cases of Greece, Spain and Portugal, the first thing these countries did after having held their first free elections was to apply for EEC membership. Drawing on the same precedent, Polish, Czechoslovak and Hungarian negotiators asked EC leaders in December 1990 to use the 'Europe' association agreements they were negotiating with the EC to prepare their accession into the EC.

Furthermore, the Commission's opinions on the Greek, Portuguese, and Spanish membership contained another important clarification concerning the rules of the game of enlargement: the wealth differentials existing between the three candidates and the EEC 9 of the time or, for that matter, the poor economic conditions of the three Mediterranean candidates, would not be considered an insurmountable obstacle for membership (even though these were quite market: in 1986, Spain and Portugal were at 62 and 52% of EC-10 average per capita GDP, respectively). Thus, starting from the Mediterranean enlargement, EC members adopted a 'healthy rather than wealthy' criteria to judge the economic performance and potential of the accession candidates.

Therefore, as much as the Scandinavian countries drew on the precedent of the first enlargement to argue that despite not sharing the *finalité politique*, their acceptance in full of the *acquis communautaire* guaranteed that they would be loyal partners contributing to the European integration process, Central Eastern Europeans have successfully pointed to the second enlargement to highlight the rules of the game which should be applied: by 1991, the EU had already enlarged to new democracies with low levels of wealth and, at the same time, association agreements with European countries (Malta, Cyprus, Greece and Turkey) had previously been used to prepare particular countries for membership.

We can thus see that Eastern enlargement has not taken place in a vacuum: whereas enlargement *preferences* may have been shaped by the economic, security, or institutional interests of EU member states, enlargement *decisions* have been constrained by both preceding enlargement decisions and the set of rules which have been developed over time to deal with accession demands of different countries or groups of countries. As a result, by the time the Berlin wall fell, the *status quo* in the EC with regard to enlargement was ‘enlargement to all democratic European countries having a market economy and willing to adopt and enforce the *acquis*’. Thus, any member state who wished to close the door of the EU on Central and Eastern European candidates had only two options: the first was to try and change the rules of the game, a difficult option considering that these type of rule-making negotiations are always dealt with by unanimity; and the second was to question whether the candidates adjusted to the *status quo* definition of ideal candidates, or whether the European Union itself was ready or able to enlarge without threatening its existence.

However, in any of the these two latter cases, discussions were no longer about whether or not to enlarge, i.e. about the definition of principles or the setting up of normative frameworks, but rather about the discussion of practical conditions under which both the EU and the candidates would be ready for accession. Following this rationale, EC member states produced the Copenhagen catalogue of conditions which were to be applied to the new members: democracy was defined as including the stability of political institutions, the rule of law, free and fair elections, respect for

human and minority rights; a full functioning market economy was defined in terms of the “capacity to resist the competitive pressure of the EU market forces”; the proof of willingness to adopt the *acquis* was linked to satisfactory administrative capacity; and the contribution of the candidates to the process of European integration was expressed in terms of adherence to the goals of political, monetary and economic integration¹².

Therefore, negotiations among EU member states on the question of Eastern enlargement soon focused on how to settle two issues: firstly, how much prior ‘deepening’ did the ‘widening’ of the EU require and, second, how to make sure that the candidates met the definition which would grant them entry into the EU (being democratic, being a market economy, and being able to implement and enforce the *acquis*). In these debates (‘deepening versus widening’ and the selection of candidates), each member state position has tended to be closer to its particular interests in enlargement: those who benefited most from enlargement have shown to be less worried about ‘digestibility’ concerns and about the credentials of the candidates than those who had more to lose. In some cases, however, economic or security interests alone have not been able to explain the positions of individual countries: the historical experiences of Spain, Portugal, and Greece have led these countries both to support enlargement, despite having more to lose in economic terms than all the other member states. In some other cases, such as in the British case, preferences towards a fast enlargement process have been more dictated by an attempt to further block the federal road than by economic interests. Meanwhile, in other countries, such as in Germany or Austria, benefiting more than anyone else from Eastern enlargement has been compatible with a strong public opposition to enlargement (Eurobarometer 55, 2001).

Almost in all countries, as is typical of rule-making situations, there have been moments when observers of this negotiation about the principles which best fit the normative framework have been troubled by the difficulty of perceiving the difference between a conflicting but altogether sincere interpretation of what the prescribed normative framework was and self-serving tactics to advance one’s interests. As

Schmimelfennig (1999, 2001) has observed, on too many occasions, what initially was a deliberation about norms turned into a strategic game in which parties sought to weaken the policy positions of other parties, by questioning the legitimacy of the arguments and exposing the inconsistencies between rhetoric and actions.

Most often, however, the impossibility of having one's interests imposed on other member states as general principles has led to the consolidation of both the normative framework and the general principles which express it. This has been quite evident in how concerns about the democratic credentials of the Eastern candidates led in the Amsterdam Treaty (article F.1) to a strengthening of the set of democratic conditions which EU member states had to respect not only before, but also after accession. It has also been visible in how discussions about who should enter first have ended up establishing the precedent that all candidates will be treated equally and that accession will depend on the relative merits of each candidate and the degree of fulfillment of the Copenhagen conditions, not on the relative power of their sponsors within the EU. Finally, it has also been quite evident in how the questioning of the candidates' capacity to fully adopt, implement, and enforce the entire *acquis communautaire* has served to strengthen 'administrative capacity' as a core part of the normative framework which governs accession into the European Union.

Looking back at the Treaty of Rome, it is quite evident how this normative framework has evolved through both interest- and principle-oriented negotiations, and what its impact has been in shaping both enlargement processes and, if not preferences, enlargement decisions. Empirical evidence of how this normative framework has been defined, interpreted, and applied over time tells us that its power has been based more on its capacity to provide EU member states with some operational 'rules of the game', than with its legal or judicial contents. In other words, the vagueness of the Preamble of the Treaty of Rome and EEC article 237 concerning who (and when) could become members of the EU, together with the requirement of unanimity, made it impossible to establish the exact *obligations* of member states concerning membership applications from other European countries and, even less, to make enlargement decisions subject to judicial review (clearly, the EEC Treaty

never conferred those ‘European countries’ referred to in article 237 a *right* to become members). If EU member states have shown themselves to be acting out of obligation when dealing with enlargement, it has been in reference to those interpretations of the normative framework which they had previously agreed upon.

Conclusion

In this chapter, it has been argued this paper that a variety of EU institutions, understood as ‘rules of the game’ (North, 1990: 1-2), have allowed member states to satisfy their interests and, at the same time, to move enlargement policy along a normative path. The prevailing culture of consensus has facilitated the establishment of agreements which all member states would be bound by; a broad horizon of co-operation and the possibility of linking different policy areas has helped package-dealing and cost-adjustment strategies; and the need to set up a normative framework governing enlargement has resulted in the appearance and refinement of general principles which, in turn, have constrained both member states’ enlargement preferences and decisions.

The findings of this chapter a strong argument in favour of continuing research on the institutional mechanisms which have made this task of accommodation between principles and interests possible. In fact, there is already a consolidated body of evidence pointing to the importance which given EU institutions have played in allowing the EU to satisfy its rhetoric and principles, but also to maximise particular interests and, in some cases, to push interests and principles in contradictory directions. There is evidence, e.g. on the fact that the way EU institutions allow past, present, and future decisions to be linked has helped enlargement policy to advance, but it has also provided member states with some temptations to fall back on previous commitments at the implementation stage (Friis, 1998b; Friis and Murphy, 2000; Torreblanca, 2001). Also, it has been argued (Wennerlund, 2000), throughout all the successive processes of enlargement, EU institutions have shown to be biased in favor of the *status quo* and member states

interests, specially in what has to do with France and the Common Agricultural Policy. Equally, while association agreements have made it possible for the EU to combine political, economic, financial, and legal co-operation in one package, the requirement of unanimity has traditionally meant that trade concessions have been more modest than they would have been in standard trade negotiations under qualified majority voting (Sedelmeier, 1994; Torreblanca, 2001). In a similar way, it has been shown that both trade concessions and the extension of EU policies to the candidates have proved to be more difficult where the EU had deeply institutionalised policies, such as agriculture, than in those policy domains subject to policy and paradigm changes, such as steel (Sedelmeier, 2002). In other cases, policy was subject to contradictory pressures: while the collaboration between member states' foreign ministers, permanent representatives, and Commission officials in charge of external relations was able to control the definition of goals and the design of policies, cross-cutting coalitions of other policy-communities (like the agricultural one) had considerable leeway in defining the actual content of those policies. Similarly, while the taste for rhetoric of European Council meetings has helped policy to advance, opacity in Group negotiations has tended to undermine the integrity of enlargement and association policy (Torreblanca, 2001).

Empirical evidence therefore shows that EU enlargement policy has been subjected to contradictory pressures: while some EU institutions have pushed it towards the satisfaction of its constitutive goals or principles, others have promoted the maximisation of sectoral interests. The combination of cross-cutting coalitions and overlapping policy-games within a non-hierarchical and very decentralised network of governance has resulted in a cycle of policy instability which has been very difficult to capture, and particularly complicated to predict. The complexity of enlargement policy and its linkages with many other policy areas has thus prevented EU member states from governing EU enlargement policy in a kind of authoritative and exclusivist way, and has made the tracking of enlargement policy decisions very difficult.

Yet, as it has been shown, though enlargement decisions are still to be fully uncovered and explained, it seems evident that there are observable patterns of accommodation of principles and interests, both in terms of ‘package-dealing’ and in terms of the setting up of a normative framework. Theoretical and empirical optimism is thus justified: we know that suboptimal decisions are a frequent product of institutional decision-making in EU (Scharpf, 1988) and that almost all policy domains in the EU are characterised by the need to balance normative issues against the material interests of the participants in the policy-making process. We also know that member states’ preferences are shaped not only by instrumental interests, but also by normative orientations and constrained by previous decisions. Equally, we are aware of the fact that policy outcomes in the EU, while they do not fully satisfy EU member states’ collective interests, can often depart from least common denominator outcomes (Garret and Tsebelis, 1995). Also, we are aware of the fact that conflicts of interests are often solved by institutionalising common principles or creating new norms (Closa, 1995; Olsen, 1999). Enlargement, this chapter shows, does not deviate much from these general patterns of policy-making in the EU. In fact, the examination of how the EU’s successive processes of enlargement have developed, together with the particular evolution of Eastern enlargement policy, offers a strong case for viewing the process of European integration as a process of institutionalising member states’ diverging interests into common norms and a shared normative framework.

Notes

¹ “When the dominant values, the accepted rules of the game, the existing power relations among groups and the instruments of force, singly or in combination, effectively prevent certain grievances from developing into full-fledged issues which call for decisions, it can be said that a non-decision making situation exists” (Bachrach and Baratz 1963: 641).

² Not to mention the lack of consistency between EU rhetoric and practices concerning trade liberalisation witnessed during the process of negotiation and implementation of the

association agreements (Friis 1998a; Sedelmeier 1994; Sedelmeier and Wallace 2000; Torreblanca 2001).

³ Something which became already evident in the Ioannina Compromise of 1994 by which Spain and the UK sought to safeguard their voting power in the enlarged EU (Official Journal / C-105 of 14 April and C-1 of 1 January 1995; Treaty of Amsterdam Amending the Treaty of the European Union, the Treaties Establishing the European Communities and Certain Related Acts. Amsterdam, 2 October 1997. Protocol on the Institutions with the Prospect of Enlargement of the European Union, Art. 1-2, pp. TA/P/en 58-59; Declaration Relating to the Protocol on the Institutions with the Prospect of Enlargement of the European Union, p. AF/TA/en 71; Declaration by Belgium, France and Italy on the Protocol on the Protocol on the Institutions with the Prospect of Enlargement of the European Union, p. AF/TA/en 79.

⁴ In fact, none of the previous enlargements has increased the per capita wealth of the EC/EU: the first (1973) and third enlargements (1995) meant a per capita change in EC/EU GDP of minus 3%, and the second enlargement (1981-1986) of minus 6%. Taken together, these figures mean that EU 15 is at 89% of EEC 6 wealth and that, according to the projections, EU 26 will be at 75% of EEC 6 in per capita GDP (European Commission 1997/II: 22, 86).

⁵ This distinction would conform to Max Weber's distinction between *Zweckrationalität* (instrumental rationality) and *Wertrationalität* (value rationality). See (Sjursen 2000) for a discussion, but also Elster (1983), March and Olsen (1988) and Yee (1997) for a discussion of different types of rational behavior).

⁶ On these type of dynamics within the Council, and specially the COREPER, see Hayes-Renshaw and Wallace (1997), Lewis (2000) and Torreblanca (2001).

⁷ As quantitative analyses have shown, the 'passage probability' of any single measure falls from 24% to 2.5% when the EEC 6 decision-making rules are applied unchanged to the EU-27 (Baldwin et al, 2000).

⁸ This outcome would not be unusual at all: as Kovrig (1973) showed in his book *The Myth of Liberation*, the US and Western European countries did actually do very little to promote freedom in Eastern Europe during the Cold War. A similar outcome was observed by Haus (1991), who noted how the EEC failed to live up to the promises of trade liberalisation it made to Eastern Europe during détente. Actually, EC policies towards Central Eastern Europe during the Cold War were always dominated by this type of contradiction (Ham, 1993).

⁹ The French proposal was first examined by the European Council meeting in Copenhagen in June 1993. The Conference of the Stability Pact finally met in Paris on 21-22 March 1995. See the Presidency Conclusions of the European Council meeting in Cannes, 26-27 June 1995, SN 211/95, Part A, II, p.9. See also the "Synthesis Report on the Stability Pact" submitted to European Council meeting in Brussels on 10-11 December 1993, document SN 373/93

¹⁰ See also: IGC 1996, Report of the Reflection Group, "Improving the functioning of the European Union". Brussels, 5 December 1995; Conference of the Representatives of the Governments of the Member States, "The European Union Today and Tomorrow, Adapting the European Union for the Benefit of Its Peoples and Preparing for the Future: A General Outline for a Draft Revision of the Treaties" (Dublin II). CONF 2500/96, Brussels, 5 December 1996, Part A, Section IV – The Union's Institutions, pp. 90-126

¹¹ European Council meeting in Madrid, 15-16 December 1995, Presidency Conclusions. Document SN 400/95, Part A, III, Enlargement; European Council meeting in Luxembourg, 12 and 13 December 1997, Presidency conclusions. Document IP 97/24, European Union Enlargement.

Bibliography

- Alesina, Alberto, Ignazio Angeloni, and Ludger Schuknecht (2002), "What Does the European Union Do?" *CEPS Discussion Paper* (3115).
- Aspinwall, M. and G. Schneider (2001). 'Institutional research in the European Union: mapping the field', in G. Schneider and M. Aspinwall *The Rules of Integration: Institutional Approaches to the Study of Europe*. Manchester: Manchester University Press, pp. 1-18.
- Bachrach, P. and Baratz, M. S. (1963) "Decisions and non-decisions: an analytical framework", *American Political Science Review*, 57 (3), 632-642.
- Baldwin, R., Berglöf, E., Giavazzi, F. and Widgrén, M. (2000) "The EU Reforms for Tomorrow's Europe", *CEPS Discussion Paper*, (2623).
- Checkel, J. T. and A. Moravcsik (2001). 'A Constructivist Research Program in EU Studies', *European Union Politics* 2 (2), 219-49.
- Christiansen, T., K. E. Jorgensen and A. Wiener (1999). 'The social construction of Europe', *Journal of European Public Policy*, 6 (4), 528-44.
- Closa, C. (1995) "National Interest and Convergence of Preferences: A Changing Role for Spain in the EU?" in Rhodes, C. and Mazy, S. (eds), *The State of the European Union (vol. 3): Building a European Polity?* Boulder, Co.: Lynner Rienner Publishers, pp. 295-316.
- DiMaggio, P. J. and Powell, W. W. (1991) "Introduction" in Powell, W. W. and DiMaggio, P. J. (eds), *The New Institutionalism in Organization Analysis*. Chicago: University of Chicago Press, pp. 1-37.
- Elster, J. (1983) *Sour grapes: studies in the subversion of rationality*. Cambridge: Cambridge University Press.
- Eurobarometer (2001). 'Standard Eurobarometer 55'.
<http://europa.eu.int/comm/public_opinion/archives/eb/eb55/eb55_en.htm.>
- European Commission (1997) "Agenda 2000: For a Stronger and Wider Union". Luxembourg: Office for Official Publications, Luxembourg.
- Eurostat (2000) "Per capita GDP in 41 out of 53 regions below 50% of the EU average in 1998", *Eurostat News Release*, 31 (15 March).
- Fierke, K. M. and Wiener, A. (1999) "Constructing institutional interests: EU and NATO enlargement", *Journal of European Public Policy*, 6 (5), 721-742.
- Friis, L. (1998a) "Approaching the Third Half of EU Grand Bargaining: the Post-negotiation Phase of the Europe Agreement Game", *Journal of European Public Policy*, 5 (2), 322-38.
- Friis, L. (1998b) "The End of the Beginning of Eastern enlargement: Luxembourg Summit and Agenda-setting", *European Integration Online Papers*, 2 (7).
- Friis, L. and Murphy, A. (1999) "The European Union and Central and Eastern Europe: Governance and Boundaries", *Journal of Common Market Studies*, 37 (2), 211-32.
- Friis, L. and Murphy, A. (2000) "An ever larger Union? Conceptualizing Enlargement" Paper presented at the conference: *Governance by Enlargement*. Darmstadt University of Technology 23-25 June
- Garret, G. and Tsebelis, G. (1996) "An institutionalist critique of intergovernmentalism", *International Organization*, 50 (2), 269-99.

-
- Hall, P. and Taylor, R. (1996) "Political Science and the Three New Institutionalisms", *Political Studies*, 44 (6), 936-57.
- Hall, P. and Taylor, R. (1998) "The Potential of Historical Institutionalism: A Response to Hay and Wincott", *Political Studies*, XLVI 958-962.
- Ham, P. v. (1993) *The EC, Eastern Europe and European unity: discord, collaboration, and integration since 1947*. New York: Pinter Publishers.
- Haus, L. (1991) "The East European countries and the GATT", *International Organization*, 45 (2), 163-82.
- Hay, C. and Wincott, D. (1998) "Structure, Agency and Historical Institutionalism", *Political Studies*, XLVI 951-957.
- Hayes-Renshaw, F. and Wallace, H. (1997) *The Council of Ministers*. New York: St. Martin's Press.
- Kovrig, B. (1973) *The Myth of Liberation: East-Central Europe in U.S. Diplomacy and Politics since 1941*. Baltimore: Johns Hopkins University Press.
- Lewis, J. (2000) "The methods of community in EU decision-making and administrative rivalry in the Council's infrastructure", *Journal of European Public Policy*, 7 (2), 261-289.
- March, J. and J. Olsen (1989). *Rediscovering Institutions: The Organization Basis of Politics*. New York: The Free Press.
- Moravcsik, A. (1999). 'Is something rotten in the state of Denmark?: Constructivism and European integration' *Journal of European Public Policy* 6 (4), 669-681.
- North, D. C. (1990) *Institutions, Institutional Change and Economic Performance*. Cambridge: Cambridge University Press.
- Olsen, J. (1999) "Organizing European Institutions of Governance" Paper presented at the conference: *DG XII: Workshop on Governance and Citizenship, 8/9 September*. Brussels
- Preston, C. (1997) *Enlargement and Integration in the European Union*. London: Routledge.
- Scharpf, F. W. (1988) "The Joint-Decision Trap: Lessons from German Federalism and European Integration", *Public Administration*, 66 (3), 239-78.
- Schimmelfennig, F. (1999) "The Double Puzzle of EU enlargement: Liberal Norms, Rhetorical Action, and the Decision to Expand to the East", *ARENA Working Papers*, 99/15.
- Schimmelfennig, F. (2001) "The Community Trap: Liberal Norms, Rhetorical Action and the Eastern enlargement of the European", *International Organization*, 55 (1), 47-80.
- Schimmelfennig, F. and Sedelmeier, U. (2002) "Theorizing Enlargement: Research Focus, Hypotheses and the State of Research", mimeo, forthcoming in *Journal of European Public Policy*, 9 (4), 500-28.
- Sedelmeier, U. (1994) "The European Union's Association Policy Towards Central Eastern Europe: Political and Economic Rationales in Conflict", *Working Papers in Contemporary European Studies, Sussex European Institute*, (7).
- Sedelmeier, U. (1999) "Accommodation Beyond Self-Interest: Identity, Policy Paradigms, and the Limits of a Rationalist Approach to EU Policy Towards Central Europe" Paper presented at the conference: *6th ECSA-USA Biennial International Conference*. Pittsburgh, PA 2-5 June.
- Sedelmeier, U. (2000) "Eastern enlargement: Risk, Rationality and Role-Compliance" in Green Cowles, M. and Smith, M. (eds), *The State of the European Union, Volume 5: Risk, Reform, Resistances and Revival*. Oxford: Oxford University Press, pp. 164-168.
- Sedelmeier, U. (2002) "Sectoral Dynamics and EU enlargement: Advocacy, Access and Alliances in a Composite Policy", *Journal of European Public Policy*, forthcoming.

-
- Sedelmeier, U. and Wallace, H. (2000) "Eastern enlargement: Strategy or Second Thoughts?" in Wallace, H. and Wallace, W. (eds), *Policy-making in the European Union*. Oxford England; New York N.Y. , U.S.: Oxford University Press, pp. 427-60.
- Sjursen, H. (1998) "Enlargement and the Common Foreign and Security Policy: Transforming the EU's External Policy", *ARENA Working Papers*, (18).
- Sjursen, H. (2000) "Why expand? The question of justification of EU's enlargement policy" Paper presented at the conference: *Governance by enlargement*. Darmstadt Technical University 23-25 June 2000
- Smith, K. E. (1999) *The making of EU foreign policy: the case of Eastern Europe*. New York: St. Martin's Press.
- Thelen, K. and Steinmo, S. (1992) "Historical institutionalism in comparative analysis" in Steinmo, S., Longstreth, K. and Thelen, K. (eds), *Structuring politics: historical institutionalism in comparative analyses*. Cambridge, Mass: Cambridge University Press, pp. 2-32.
- Torreblanca, J. I. (1998) "Overlapping Games and Cross-cutting coalitions in the European Union", *West European Politics*, 21 (2), 134-53.
- Torreblanca, J. I. (2001) *The Reuniting of Europe: promises, negotiations and compromises*. Aldershot: Ashgate.
- Wennerlund, K. (2000) "International Bargaining amid Institutions: Confronting the Distributive Stakes Raised when Europeans Join Europe" Paper presented at the conference: *Governance by Enlargement*. Darmstadt University of Technology 23-25 June 2000
- Yee, A. S. (1997) "Thick Rationality and the Missing 'Brute Fact': The Limits of Rationalist Incorporations of Norms and Ideas", *Journal of Politics*, 59 (4), 1001-39.