

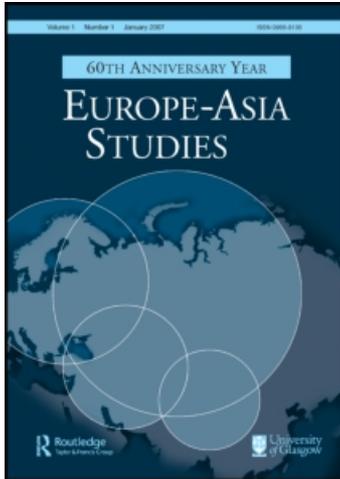
This article was downloaded by: [The University of Manchester]

On: 15 June 2010

Access details: Access Details: [subscription number 915545541]

Publisher Routledge

Informa Ltd Registered in England and Wales Registered Number: 1072954 Registered office: Mortimer House, 37-41 Mortimer Street, London W1T 3JH, UK



Europe-Asia Studies

Publication details, including instructions for authors and subscription information:

<http://www.informaworld.com/smpp/title~content=t713414944>

Europeanisation Before and After Accession: Conditionality, Legacies and Compliance

Arista Maria Cirtautas^a; Frank Schimmelfennig^b

^a University of Washington, ^b Center for Comparative and International Studies (CIS), ETH, Zurich

Online publication date: 13 April 2010

To cite this Article Cirtautas, Arista Maria and Schimmelfennig, Frank(2010) 'Europeanisation Before and After Accession: Conditionality, Legacies and Compliance', *Europe-Asia Studies*, 62: 3, 421 – 441

To link to this Article: DOI: 10.1080/09668131003647812

URL: <http://dx.doi.org/10.1080/09668131003647812>

PLEASE SCROLL DOWN FOR ARTICLE

Full terms and conditions of use: <http://www.informaworld.com/terms-and-conditions-of-access.pdf>

This article may be used for research, teaching and private study purposes. Any substantial or systematic reproduction, re-distribution, re-selling, loan or sub-licensing, systematic supply or distribution in any form to anyone is expressly forbidden.

The publisher does not give any warranty express or implied or make any representation that the contents will be complete or accurate or up to date. The accuracy of any instructions, formulae and drug doses should be independently verified with primary sources. The publisher shall not be liable for any loss, actions, claims, proceedings, demand or costs or damages whatsoever or howsoever caused arising directly or indirectly in connection with or arising out of the use of this material.

Special Section The European Union and Post-Communist Eastern Europe: Conditionality, Legacies and Europeanisation

Europeanisation Before and After Accession: Conditionality, Legacies and Compliance

ARISTA MARIA CIRTAUTAS &
FRANK SCHIMMELFENNIG

Abstract

This introductory essay reviews the literature on historical legacies in the post-communist area and relates it to the study of enlargement and Europeanisation. The authors develop a framework for the special section, specify various ways in which historical legacies can be conceived of affecting conditionality and compliance, give an overview of the contributions and summarise the findings.

THE EASTERN ENLARGEMENT OF THE EUROPEAN UNION (EU) IN 2004 AND 2007 is often referred to, by practitioners and analysts alike, as the EU's greatest foreign policy success to date. Ten new member states from post-communist Eastern Europe have been integrated into the structures and decision-making processes of the EU, without major upheaval, after years of pre-accession reforms and accession negotiations during which the candidates were routinely vetted for their democratic credentials, monitored in their compliance with the *acquis communautaire*¹ and supported in the transition to functioning market economies with expertise, aid and foreign investments. East European countries are now formally a part of Europe with the security and economic benefits that inclusion in Western organisations entails.

The authors would like to thank the participants and organisers of 'The European Union after Enlargement: Policies and Politics in a New Context' Workshop held at the University of Washington, May 2008, and the reviewers for their careful and critical scrutiny of the essays in this collection.

¹The *acquis communautaire* refers to the entire body of European laws, all 80,000 pages of it, that includes all the treaties plus legislation passed by the European institutions.

With the attainment of EU membership their process of democratic consolidation is also deemed complete.

A mushrooming literature in EU studies has accompanied this process. One strand of the literature focuses on the enlargement policy of the EU and tries to explain why the EU expanded to the east and why it selected some East European countries rather than others as candidates and new members.² The other main focus has been on the ‘Europeanisation’ of Eastern Europe, including the transfer of EU norms and rules to the accession countries, and the conditions under which they have adopted and complied with these norms and rules (Schimmelfennig & Sedelmeier 2007; Sedelmeier 2006).

A common feature of this literature is the little attention that it paid to historical legacies—both of the accession countries and the relationship between East and West. Rather, it has almost exclusively focused on contemporary structures, institutions and actor dispositions such as power asymmetries between the EU and the candidates, the size and credibility of EU incentives for reform, the state of democratisation, the composition of East European governments and the constellation of veto players in their political systems. This neglect is even more striking as the comparativist and transition literature had firmly established legacies as indispensable for a thorough understanding and explanation of post-communist politics and political development (Ekiert & Hanson 2003a; Kopstein 2003).

In this collection, we make the case for addressing and filling this research gap. At a time when accession was in full swing and the EU appeared like an overwhelming force dominating the politics and policies of the accession countries, the focus on contemporary international and domestic constellations and conditions may have been understandable and justified. However, for a number of reasons, now is a good time to reconsider the impact of legacies.

First, Eastern enlargement has lost its momentum. After the accession of Bulgaria and Romania in 2007, the EU has been reluctant to engage in new commitments, for instance in the case of Ukraine. In addition, in the Western Balkans, where countries have an offer of membership from the EU, the accession process has markedly slowed down, with Croatia likely to complete negotiations in the near future but none of the other countries even having started negotiations. The contrast between the positive trajectory of reform in the Central and East European post-communist countries and the much slower progress made in the former Yugoslavia is obvious. In the former case, domestic conditions and international factors, specifically, the EU’s externally imposed reform conditionality, interacted in mutually reinforcing ways to produce beneficial outcomes for both sides. The seeming inability to replicate this mutually beneficial reform trajectory in the EU’s new ‘near abroad’ raises the question of whether successful EU enlargement, as well as its limits, have been conditioned by historical legacies both in the East European countries and in East–West relations.

Second, in the new member states, the impact of the EU has been ‘normalised’ in the post-accession phase. Gone are the days in which EU membership was the overriding political goal and policy making in the accession countries was predominantly oriented towards adopting the *acquis communautaire* in order to conclude the accession treaty and join the Union. In the current situation it can be expected that ‘Europeanisation’ will increasingly be informed by domestic political structures and resource endowments that

²For an overview, see Schimmelfennig and Sedelmeier (2005b).

have been shaped by legacies. Greater variation of outcomes across policy domains is to be expected, as the new member states respond to EU initiatives according to their uniquely configured institutional and socio-cultural capacities. Explaining these variations will, inevitably, turn our attention to historical legacies and their differential impact on post-entry policy making and implementation.

For example, although evidence to date indicates that the new member states, as a whole, have continued their pattern of compliance with EU mandates and directives (Epstein & Sedelmeier 2008), concerns have been expressed over the policy implementation capacities of the new member states (Falkner & Treib 2008) and the extent to which social actors can play a role in monitoring government compliance with EU directives and with European rights and normative standards (Jacoby 2004; Sedelmeier 2008). Local civil societies and domestic administrative and technical capacities may simply not be up to the task of achieving compliance that goes beyond formal, legal transposition into national law. Clearly, domestic factors such as budgetary constraints, administrative capacities and levels of societal mobilisation, all factors that can be linked to historic legacies, matter for compliance in the post-accession period (Sedelmeier 2008). Even during the accession process, analysts noted that domestic factors, often rooted in legacies, produced variation in the timing, spirit and form of compliance in specific policy domains, even as candidate countries remained committed to a framework of overarching compliance with EU conditionality (Jacoby 2004; Grabbe 2006).

In this introductory article, we will first briefly review the literature on enlargement and Europeanisation in order to show that legacies have largely been neglected as explanatory factors. We will then turn to the Comparative Politics literature on the region and discuss which legacies have been emphasised there and how they have been theorised to matter. On this basis, we will propose several ways in which enlargement policy and Europeanisation interact with historical legacies. The article concludes with an overview of the contributions to this special section.

The study of enlargement: legacies disregarded

The literature on enlargement analyses the enlargement decisions and policies of the EU as well as the impact those decisions and policies have in the non-member states ('Europeanisation'). It is fair to say that legacies have not played a major explanatory role in either strand of this literature. Instead, the almost exclusive focus has been on contemporary structures, institutions and actor dispositions.

Explanations of EU Eastern enlargement come in roughly three varieties. Liberal inter-governmentalist explanations account for the EU's decision to expand to the East and the outcomes of the accession negotiations in terms of state preferences and bargaining power. The state preferences in question, however, are explained by perceived expectations of trade and budgetary costs and benefits from enlargement and international interdependencies of the 1990s rather than by traditional patterns of alignment and conflict between old and prospective new member states (Schimmelfennig 2001, pp. 49–56). In turn, according to both Moravcsik and Vachudova (2003) as well as Plümper and Schneider (2007), the outcomes of the accession negotiations may be attributed to contemporary domestic and policy-specific interests as well as to power relations between members and candidates. The geopolitical explanation of

enlargement, for example by Skålnes (2005), emphasises security rather than commercial and financial interests but again regards contemporary security problems such as the wars in Yugoslavia as the most important events.

Finally, ideational or constructivist explanations of enlargement focus on constructions of EU identity and EU norms. These explanations do indeed draw on legacies, but on legacies of EU policy (rather than on Central and Eastern European legacies) that created an obligation to admit ex-communist countries. This is true for the Western promise of inclusion and support for reform during the Cold War (Fierke & Wiener 1999), the ‘special responsibility’ (Sedelmeier 2000, 2005) and the ‘sense of “kinship-based duty”’ (Sjursen 2002, p. 508) of the EU to Central and Eastern Europe, as well as for the EU’s identity as a pan-European liberal-democratic community (Schimmelfennig 2001). In this view, the selection of new members from the Central and East European countries also depended on their current achievements in liberal democratic reform and consolidation rather than on their history.

Explanations of external democracy promotion and, more generally, the ‘Europeanisation’ of Central and Eastern Europe also focus on the interplay of contemporary international and domestic conditions. The ‘external incentives model’ that has been found to provide the best overall explanation for this process (Schimmelfennig & Sedelmeier 2004, 2005a) suggests that the adoption of democratic and human rights norms as well as EU legal norms depends on the size and credibility of tangible, material incentives provided by external actors as well as on the political costs that target governments occur when adopting and implementing these rules domestically (Vachudova 2005). In particular, it is the prospect of EU membership rather than communist or pre-communist legacies that motivates the behaviour of Central and Eastern European governments. To what extent the membership perspective is positively used by these governments depends in turn on the preferences of the major parties and party coalitions and the power of veto players.

Alternative explanations of Europeanisation emphasise social learning processes and conditions such as collective identities and the legitimacy and resonance of European or Western rules (Schimmelfennig & Sedelmeier 2005a). Here again, the focus is on the perceived legitimacy of current international norms and rules and the contemporary identification of the governments and societies of the region with the Western international community. In this perspective, the ‘return to Europe’ is a reaction to the end of communism and Soviet hegemony and an expression of normative realignment in a changed political environment.

Overall, explanations of enlargement and Europeanisation are in line with those theories and explanations of post-communist liberalisation and democratisation that focus on contemporary constellations of conditions and that question the relevance of legacies. From the perspective of democratisation theories, as Crawford and Lijphart (1997) point out, political elites, as rationally motivated actors, will respond first and foremost to the incentives and cues of their immediate environment; an environment that, in the post-communist context, was characterised by an institutional vacuum filled by new liberal capitalist institutions, the hegemony of liberal democratic norms and international pressures for compliance with those norms. Elite behaviour and institutional outcomes, it is argued, follow from the combined influence of these factors, not from proximate or deep legacy factors. In general, new institutions, by

affecting the distribution of resources, by empowering reform-oriented actors while constraining opponents, 'can structure preferences and constrain choices in ways that create new political and economic cultures' conducive to liberalisation and democratisation (Crawford & Lijphart 1997, p. 9). Most importantly, the new liberal democratic institutions that constitute 'a competitive political system' facilitate the emergence of opposition elites capable of undermining the power of communist era elites and vested interests.

Recent analyses have elaborated on the explanatory potential of political competition in general and political party configurations in particular as generalisable causal factors able to address and explain diverse post-communist outcomes, thereby obviating the need for specifically tailored, historical legacy-based explanations. Beyer and Wielgoths (2001), for example, find that changes in post-communist privatisation strategies are only 'weakly constrained' by the logic of path dependency as laid out by Stark (1991). Rather than policy choices made early in the transition becoming locked in,³ privatisation policies have been changed routinely, largely as a result of 'major changes in the political composition of the government' (Beyer & Wielgoths 2001, p. 381). For Grzymala-Busse (2007, p. 21), as well, the '[h]istorical legacies of state development mattered less than the immediate competitive context' in determining 'the variation in post-communist state exploitation'.

Nonetheless, as Pop-Eleches (2007a, p. 147) points out, for peaceful electoral change to take place and, one might add, for political competition to become meaningful, a 'minimal degree of prior democracy is required' which leads logically to the question of under what conditions this minimal degree of democracy takes hold. This question then returns us to the structural, institutional and cultural legacies differentially enabling and constraining the transmission of liberal democratic norms, practices and institutions. Simply bracketing the past and beginning causal analysis with the dynamics of electoral competition and the strategic choices of actors in the immediate political context, still leaves open 'the origins of the power configurations' that the analysis is based upon. In spite of such caveats, the enlargement literature is, as we have seen, by and large dominated by approaches favouring proximate explanatory factors over deeper historical legacies. Given the prevailing focus on the present, can legacies usefully be incorporated into this literature?

How, for example, might the deeper structural legacies inherited from both the communist and pre-communist eras, such as socio-economic levels of development, state-building and nation-building processes and cultural patterns, have an impact on the general responsiveness of political elites to EU incentives? In this context, the EU's more difficult interactions with the countries of the former Yugoslavia have prompted analysts to consider the deeper structural 'prerequisites for using EU conditionality to transform a country' (Grabbe 2007, p. 120). In terms of *acquis* conditionality, how might specific policy legacies and social legacies such as the presence or absence of social actors and economic interest groups from the communist period affect compliance efforts (Jacoby 2004)? Additionally, how might political actors interpret and 'construct' historical memories and legacies to foster or challenge the legitimacy of EU membership? While legacies are most often conceived of in structural terms as

³These choices are themselves a reflection of the legacy of the 'mode of extrication' which, in turn, is related to the legacies of Leninist rule.

constraints on action, 'tradition', as Hobsbawm and Ranger (1983) have pointed out, can be opportunistically invented to enable action as well.

As the concluding overview of the contributions to this special section demonstrates, there are indeed a number of insightful and intriguing ways in which the subject of legacies can be approached in the study of EU enlargement. Taken together, these contributions underscore the analytical importance of legacies across a broad set of explanatory undertakings. At the same time, however, different legacies are identified as mattering in different ways, suggesting that there is no readily generalisable conceptualisation of legacies and their causal impact that can work across multiple issue areas in the study of Europeanisation in Central and Eastern Europe. Elegantly simple formulations, such as those linking Leninist legacies to shared negative outcomes impeding democratisation, or those linking pre-communist patterns of political development to particular outcomes in individual countries, do not, therefore, exhaust the myriad ways in which domestic legacies might interact with external influences and actors. Accordingly, incorporating legacies into explanatory frameworks may be a much 'messier' and eclectic process than some might like, but it is also arguably a necessary undertaking in the pursuit of more nuanced theoretical approaches to complex interactions.

*Comparative politics and the study of post-communist political development:
debating the 'relevant past'*

Although legacies have been deployed analytically in multifaceted ways, they are not identified or deployed randomly as analysts, including our contributors, must consider and select from the range of legacy conceptualisations that have been articulated and refined in pivotal debates in the field of comparative post-communist studies. Reviewing these debates, therefore, provides a useful context or backdrop against which to place their work. Indeed, one can argue that as the analytical use of legacies becomes increasingly eclectic, it is important to recognise the extent to which these myriad uses are in fact rooted in deeper intellectual traditions and disputes. Moreover, the range of these disputes, and the variety of legacy-based analyses thereby generated, may itself be responsible for the turn to eclecticism in the deployment of legacy-based variables in EU enlargement studies.

While legacies can be defined, at the broadest level, as the inherited aspects of the past relevant to the present, and while a high degree of correlation can be established between legacies such as religion, levels of socio-economic development and interwar political traditions and contemporary post-communist outcomes (Janos 2001; Pop-Eleches 2005, 2007a, 2007b), exactly which aspects of the past might hold explanatory value and how exactly they might be causally connected to outcomes have been subject to vigorous contestation. Specifically, questions have arisen over which past matters the most, the shared Leninist past of the region or the uniquely configured past histories of individual countries. Secondly, the degree to which legacies operate as structural constraints or enabling conditions, or as discursively constructed or situationally activated factors has also been addressed. Perhaps not surprisingly, our studies reflect and replicate these debates by attempting to weigh the causal significance of variables derived from various pasts (communist and pre-communist), or by choosing to work with either structural or constructed legacies.

In general, legacy-based explanations maintain

that resource endowments and institutions that precede the choice of democratic institutions must have a distinct impact on the observable political process under the new democratic regime. Moreover, such explanations claim that democratic institutions themselves depend on legacies because they are endogenously chosen by political actors emerging from the old pre-democratic systems. (Kitschelt *et al.* 1999, p. 11)

Legacy-based explanations differ, however, in terms of which legacies have most impact on the structuring of choices and incentives for political actors in the post-communist environment: the shared Leninist legacies across the region that ‘explain post-Communist transformation as a function of the social, cultural, and institutional structures created under Leninist regimes and Soviet domination in Eastern Europe that persist in the present period’ (Crawford & Lijphart 1997, p. 2), or the varied legacies associated with the entire history of a given case or set of cases. For this latter perspective, the past unfolds in a sequence of temporal periods that can be linked either more proximately or more deeply to contemporary outcomes. As Kopstein (2003, p. 233) summarises,

the relevant past has been identified as the policy choices in the initial post communist years that have been influenced by the path of extrication from Communism, whether roundtables or revolutions, that have in turn been determined by the types of Communist regime that are themselves the product of the types of precommunist state and society, which ultimately reflect the level of modernization at the time of national independence after World War I.

Hence, analysts can focus either on linking the immediate policy choices following from the mode of extrication to subsequent developments, as in Stark and Bruszt (1998), or they can locate the ‘relevant past’ in the pre-communist era and, for example, trace how contemporary political party system formation is conditioned by the initial timing of bureaucratisation and the expansion of democratic suffrage (Kitschelt *et al.* 1999) which subsequently determined the type of communist regime which, in turn, determined the particular cleavages and the general structuring of party competition in the aftermath of 1989 (Kopstein 2003).

Although the communist period is significant to both legacy approaches, the ‘Leninist legacy’ argument, as articulated most forcefully by Ken Jowitt (1992), focuses exclusively on the Leninist past and places far greater analytical weight on the shared negative consequences of communist (mis)rule, given the extent to which these regimes were characterised by distinctive formal institutions and informal practices that decisively shaped consciousness and conduct across the region and, more or less, uniformly produced states that were ‘long separated from the West; they had little experience with markets, the rule of law, liberal citizenship norms, and the workings of civil society’ (Crawford & Lijphart 1997, p. 2). Extrapolating from Jowitt’s work, Crawford and Lijphart (1997, pp. 11–12, 35) identify seven key Leninist legacies that may ‘cast a long shadow on the present’, ultimately undermining democratisation efforts: a cultural legacy which reinforced a ‘history of backwardness, victimization and intolerance’; a social legacy characterised by ‘the absence of an established successor elite’ and autonomously organised social interests; a political legacy of communist party monopoly rule leaving behind ‘weak party systems with shallow

roots in society'; an institutional legacy of surviving Leninist institutions and personnel; an administrative legacy of centralised states; an economic legacy of command economies and 'vertically integrated conglomerates' that produced a very specific socioeconomic division of labour and patterns of distribution in which firms 'doubled as the marketplace, becoming the only focus of social life'; and, finally, a national legacy of 'interrupted' nation building.

While the contributions to Crawford and Lijphart's edited volume do not uniformly support the dynamics and outcomes predicted by the Leninist legacies approach, namely that the legacies of Leninism will individually and cumulatively block liberalisation by structuring the choices and incentives of elites in ways that impede reforms, the editors admit that the 'legacy of incomplete nation-building is perhaps the most important threat to the project of economic and political liberalization' (1997, p. 25), given the extent to which communism may have increased the intensity of ethnic mobilisation, and concede the continued power of the 'centralized state' (1997, p. 30) as statism remains an enduringly important feature of political development across the region. Other analysts agree that common problems remain acute across the post-communist region that can be directly linked to Leninist legacies. These include problems such as 'low and declining state legitimacy'; impeded or contested economic reforms; disparities between formal institutions and informal norms and practices (Chen & Sil 2006, p. 12); and continued problematic democratisation as weak political parties, weakly organised labour interests, weak civil societies, high levels of electoral volatility and public mistrust of democratic governance and the public good have all prevented the hoped-for convergence with Western democratic practices and standards (Howard 2003; Pop-Eleches 2005). Accordingly, 'the persistence across the post communist space of xenophobic, ethnocratic, authoritarian, and often violent subcultures and movements', combined with 'a regional portrait of eroding governmental stability and efficacy, and an impoverished democratic culture' (Seleny 2007, p. 156) suggest the continued viability of the Leninist legacies argument.

In spite of these commonalities, very different national trajectories of post-communist development have emerged since the collapse of communist regimes across the region. Some polities have, in fact, been characterised more by continuities with the Leninist past than discontinuities while others seem to have escaped the 'long shadow of the past', initiating successful democratisation and market liberalisation reforms culminating in European Union membership. In other words, while the behavioural and attitudinal consequences of problematic Leninist legacies are still sufficient to characterise the region as 'post-communist' (Chen & Sil 2006; Pop-Eleches 2005), defining and bounding that region in comparison to other regions such as Western Europe or Latin America, these legacies do not carry equal weight across the region. In some cases, they appear to be determinate of institutional development, while in other cases they have not substantially impeded the evolution of liberal democratic institutions even if they might have an impact on the quality of these institutions.

It would appear, then, that the assumptions underlying the Leninist legacies approach need to be revised to take these varied outcomes into consideration. In contrast to Jowitt's expectation of substantial continuities and universally problematic liberalisation based on the relatively uniform cultural and institutional experiences

under communism, varied outcomes suggest that the period of communist rule needs to be disaggregated to trace the effects of variable communist era legacies. Accordingly, Ekiert and Hanson (2003a, p. 29) propose considering how ‘the types of communist takeovers; the degrees of enforcement and institutionalization of Marxist ideology, Leninist party rule, and Stalinist economics; modalities of transition to a post-totalitarian regime; and modes of deconstruction in the final years of state socialism’, may differentially affect the impact of Leninist legacies. Seleny’s work (2007, pp. 156–57) on informal political institutions in East-Central Europe is similarly predicated on the assumption that ‘state–society relations varied across countries even during the communist period, which has left in its wake a variety of institutional, political, and socioeconomic endowments across the region’. These variously configured endowments interact as informal ‘practices, networks and incentive structures’ (Seleny 2007, p. 157) with formal democratic institutions to produce different forms of political contestation.⁴ Nor are these varied endowments or legacies necessarily all negative in their impact. As Ekiert and Hanson (2003a) point out, the legacies of state socialism such as urbanisation, education, status and income equality need to be differentiated from the legacies of Leninist party rule. In this context, Kopstein (2003, p. 246) observes that ‘it is difficult to deny that there is a greater affinity between democracy and Polish and Hungarian society today than seventy years ago’, given the communist era achievement of creating ‘a rough and ready material and status equality and, therefore, the basis for democracy of the sort that could not have possibly existed in the interwar societies’.

Alternatively, perhaps the best way to explain varied outcomes across the region is to minimise the explanatory primacy of the communist past, especially given the extent to which the varieties of communist rule have themselves been conditioned by different pre-communist historical trajectories, which can indeed produce either negative or positive legacies. Consequently, broader conceptualisations of legacies have been formulated that encompass temporal periods both prior to and after communist rule (Kitschelt *et al.* 1999; Linz & Stepan 1996; Elster *et al.* 1998; Ekiert & Hanson 2003a). Here the general focus is on the ‘specific ways in which history provides very different resources for and constraints on political and economic development in different places’, which, in turn, entails analytical sensitivity to the ‘quite specific historical experiences’ of individual countries (Ekiert & Hanson 2003a, p. 30). As proposed by Ekiert and Hanson (2003a, p. 20), historical legacies can usefully be broken down into structural, institutional and interactional levels of analysis, each comprising a different temporal dimension. At the deepest, structural level, factors such as ‘semi-peripheral economic status, religion, patterns of foreign domination and state formation and cultural habitus’, matter most. At the intermediate, institutional level, the focus is on ‘regularized patterns of social action enforced by the institutional characteristics of particular regimes’, while the most immediate, interactional level, traces the ‘contingent events, choices and decisions engendering processes of increasing returns and reactive sequences’.

⁴See also Böröcz (2001).

Debating legacies: predetermined destiny or malleable 'tool kit'?

Whereas most analysts conceptualise historical legacies in terms of path-dependent processes,⁵ the scope for political actors to appropriate, reject or construct historical legacies may be greater than commonly assumed. From a different, more agency-oriented perspective, actors do have an innate ability to respond consciously to their environment by reconfiguring their legacies or cultural 'tool kits', even if the successful capacity of actors to reconstruct and reinvent their past histories or geographical space will be determined by the prevailing 'structural constraints and historical circumstances' (Swidler 1986, p. 280).

In particular, the context of rapid social change may actually promote the successful 'invention of tradition' whereby selected aspects of the past are either adapted or newly constructed to suit changing circumstances (Hobsbawm 1983, pp. 4–5; Swidler 1986, pp. 277–78). This insight is echoed by Elster *et al.* (1998, p. 62) who find that under the unique post-communist circumstances of 'rebuilding the ship at sea', the past can, in fact, be consciously and selectively used by political elites as guiding templates for institutional change or as authoritative reference points legitimating specific institutions and political agendas. The specific, immediate context of post-communist transition characterised by 'new institutions, hegemonic norms and international imperatives', also leads Crawford and Lijphart (1997, p. 31) to suggest that these conditions will determine 'which past legacies become politically central' and which will increasingly become irrelevant. They, as well, point out that 'among elites, cultural legacies of passivity and intolerance seem to be losing their power in the political process', and hence these elites are fully capable of becoming, as Kubik notes (2003, p. 343) 'cultural-political entrepreneurs' constructing 'discourses about the past' from the cultural legacies of state socialism.

In the case of post-communist Europe, discursive battles have indeed been fought over national identity wherein all sides involved have 'invented' different narratives of historical continuity to justify and legitimate their respective visions of the nation state. While the construction of such narratives is 'constrained by specific cultural and rhetorical legacies that frame the discursive field on the nation, as well as by specific political and institutional arrangements' (Zubrzycki 2001, p. 631), their specific content cannot be 'read' directly from these legacies and fixed arrangements, since narratives evolve and take shape in response to the changing circumstances in the field of political contestation as well. In this context, Linz and Stepan (1996, p. 409) observe that the evolution of an exclusionary nationalist discourse in post-independence Latvia and Estonia was driven not just by the demographic legacies of Soviet imperial rule but also by the conditions of political contestation where 'mutually destructive accusations' over which political groups were better suited to advance national interests pushed elites initially supportive of inclusionary policies to the 'exclusionary nationalist option'.⁶ Conversely, Bulgarian

⁵Once set in motion by contingent choices or critical junctures particular patterns of institutional or cultural development will logically reproduce themselves beyond the control or intervention of individual actors.

⁶See also Kubik (2003, p. 341) on Poland.

political elites have largely beaten negative, legacy-based expectations that national identity issues would be framed in ways to exclude the Turkish minority (Vassilev 2002). In another positive example of how post-communist national identity can be constructed in terms more favourable to integration with West European norms and standards, Šabič and Brglez (2002) find that Slovenian cultural-political entrepreneurs appear to have, for the most part, constructed a national identity compatible with EU membership; one in which, surprisingly and contrary to expectations, the ‘smallness’ and hence vulnerability of the Slovenian state to more powerful external actors, has not been mobilised as a factor justifying resistance to European integration. These examples suggest that political actors can construct ‘usable’ pasts deployable for various purposes, including legitimating or challenging the ‘return to Europe’.

Clearly, as this overview of the comparative politics literature demonstrates, historical legacies have not just informed research on post-communist political development but have also given rise to a lively series of debates over which legacies matter most (deep or proximate legacies; structural or constructed legacies) and in what ways (with direct causal effects or mediated through interaction with contemporary political actors and institutions). These debates have inevitably produced a certain eclecticism in how legacies are used analytically in the field’s ongoing efforts to explain post-communist outcomes.

What role for legacies?

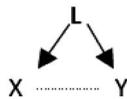
Whereas there is also considerable debate about the relative merits of the different explanations of enlargement and Europeanisation, the main debate is about the explanatory power of contemporary conditions and processes. This includes questions of the relative importance of economic and ideational factors as well as questions of the respective roles of hard bargaining and argumentative persuasion in bringing about enlargement and Europeanisation processes. What role could we then envisage for legacies? Because explanations based on contemporary, post-communist conditions have been tested empirically on a wide range of cases and have gained broad acceptance, we will not argue that they should be completely replaced by alternative models featuring legacy effects. Rather, we will outline ways in which communist and pre-communist legacy effects may be conceived to complement and interact with post-communist conditions and their effects. Figure 1 gives an overview of such extended explanatory models.

Legacies as deep conditions

The first and probably most widespread way to introduce legacies into existing explanations is to conceive of post-communist conditions as being partly or to a large extent shaped by communist and pre-communist conditions. Complementing explanations of enlargement and Europeanisation in this way would not change these explanations but give them more historical and causal depth. In other words, post-communist conditions would attain the status of proximate causes or intermediate steps in the causal path from legacies to contemporary outcomes. In

(1) Legacies as deep conditions

$$L \rightarrow X \rightarrow Y$$

(2) Legacies as enduring conditions**(3) Legacies as encompassing conditions**

Note: For reasons of simplicity, let Y be any enlargement and Europeanisation outcome, X be a constellation or vector of contemporary, post-communist conditions, and L a legacy or a set of legacies.

FIGURE 1. LEGACY-BASED EXPLANATORY MODELS

principle, any contemporary constellation of actors, interests, ideas, power and institutions could be traced back to the communist and pre-communist periods.

For instance, the eligibility of countries for accession depends on the member states' perception of the borders of 'Europe', and these perceptions are to a large extent shaped by history. Countries located beyond these boundaries will not be treated as European countries and hence as potential candidates for EU membership even if their political, economic, or security situation is similar (to the enduring frustration of Ukrainian elites in particular). From the beginning of the 1990s, the EU has offered different kinds of institutional ties to groups of countries with diverse histories. Whereas it concluded Europe Agreements with the formally independent Warsaw Pact states and with the Baltic countries, which had been independent in the interwar period, the EU signed Partnership and Cooperation Agreements (PCAs) with the (other) successor states of the Soviet Union. Consistent with these different perceptions of 'European-ness' and potential 'EU-worthiness', the EU encoded strong conditionality in the Europe Agreements, as opposed to weak conditionality in the PCAs, thereby determining the incentive structures faced by different post-communist elites.

It is, however, the immediate domestic conditions of the Central and Eastern European countries that are particularly likely to be shaped by the past. Configurations of veto players, political parties and government coalitions are rooted in pre-communist cleavages and national political trajectories (O'Dwyer 2006, p. 229), and the resonance of EU rules usually has to do with how compatible they are with older domestic norms and political traditions in the candidate countries. Legacies thus may offer a historically deep explanation of the extent to which external incentive structures are effective in shaping domestic outcomes.

In his account of externally induced policy change in the Central and East European countries, Jacoby has come closest to explicitly including legacies in this way. He theorises the ‘national capacities and interests’ that condition the Central and East European countries’ responses to the demands of international organisations as being shaped by legacies such as ‘the density of policy sector actors evident at the end of communism’, the pre-existing ‘statutory basis and the public administration’, and the existence of societal actors with an interest in monitoring policy formulation and performance. Implementation capacities, in particular, will depend on ‘historical antecedents’ (Jacoby 2004, pp. 37, 34, 24).

In a similar vein, Janos (2001) highlights the inherent geopolitical vulnerability of Eastern Europe to external powers by comparing the impact of the Soviet empire and Western hegemony on the region. Both external powers impose ‘systems of imperative coordination’, and both are ‘likely to clash with local habits and interests that are hard to eradicate since they are deeply rooted in the local socio-economic structure, culture, and historical memories’. Specifically, Janos identifies three structural factors—pre-communist levels of economic development, political culture (especially ‘attitudes toward impersonal juridical norms’) and ethnic fragmentation—that will determine the degree to which domestic political actors are receptive to EU conditionality and institutionally capable of implementing both democratisation reforms in general and EU mandated reforms in particular. Janos’ analysis provides a firm basis upon which to conceptualise the structural prerequisites for a country to be transformed effectively by EU conditionality, as well as the conditions under which ‘the weak will have opportunities to frustrate or corrupt the externally imposed political agenda by simulation’ (Janos 2001, p. 223).

In addition to his focus on the ‘fixed’ structural legacies that affect how domestic actors respond to external influences, Janos also considers how constructed narratives about the past, particularly the WWII era, have had an impact on the accession process. In response to Western efforts to rank and divide candidate countries according to their virtuous, complicit or, in the case of the post-war expulsions of Germans, culpable behaviour, East European elites have pushed back:

From the West’s point of view, the ranking implicit in the hegemonic narratives has had some perverse effects, in that those most virtuous by western standards also tend to be the more self-righteous and less malleable toward the larger project than those who live under a cloud of past complicity. Thus Poles and Czechs have, on the whole, been tougher negotiating partners of the West, quicker to flaunt their sovereignty than Hungarians, Romanians, and Bulgarians. (Janos 2001, p. 245)

The interactions of these constructed historical narratives help to explain why structurally placed front runners for EU membership would also manifest contrary behaviour, preferring at times to challenge EU hegemony directly (behaviour that has continued since accession) rather than simply simulating compliance.

The other two ways in which legacies might matter build on this account of legacies as deep causes but provide two modifications. Whereas the concept of ‘legacies as enduring conditions’ adds temporal variation, the formulation of ‘legacies as encompassing conditions’ posits that EU policies and domestic conditions and outcomes in the Central and East European countries are shaped by the same legacies.

Legacies as enduring conditions

In addition to specifying legacies as deep conditions, we suggest that their relevance may also vary over time. Whereas at one point in time, the influence of legacies may be sidelined or overridden by other powerful short-term factors, it may well be felt increasingly in the longer run. At the apex of revolutions or periods of radical institutional transformation, states and societies appear to be reinvented from scratch and completely transformable. In addition, international orders based on new principles and alliances seem feasible. Over the years, however, deeply embedded practices will resurface and traditional political and social institutions and structures as well as geopolitical realities will reassert themselves.

At the end of the Cold War, it thus appeared possible to overcome the East–West division of the continent and traditional international conflicts and enmities. Old spheres of influence and balances of power were to be replaced by a new international order based on common norms and common security. Close relations and even membership in the EU appeared to offer a new perspective for the entire Central and East European region. In the meantime, however, structural legacies from the Soviet era such as resource dependency, trade routes and settlement patterns manifest themselves and harden into new dividing lines between a Russian-dominated ‘post-Soviet’ space and a zone of integration with the EU and NATO. This return of geopolitics limits both the interest and the capacity of the EU in extending its enlargement policy further east.

For those Central and East European countries firmly embedded in the EU integration zone, Schimmelfennig and Sedelmeier (2005a) find that accession conditionality has been a powerful short-term factor. Before the new member states had been granted a credible conditional membership perspective, they adopted EU rules in a patchy, selective and adaptive form only. In this period, legacies had a discernible impact on whether the Central and East European countries adopted external institutions and rules, and which ones they selected from a variety of offerings. Once they had this membership perspective, however, and in particular with the start of membership negotiations, EU conditionality trumped all alternative influences. Whereas legacies have in some cases made an impact on the amount of resistance the EU has had to overcome, in the end, all candidate countries accepted the EU’s *acquis* rules. However, as the overpowering, externally mandated influence of EU accession conditionality wanes after membership is attained, we can assume that legacies will regain causal relevance after accession determining, for example, when and where backsliding, non-compliance or even over-compliance will occur. Further democratic consolidation, political behaviour, policy making and administrative practices might be shaped by cleavages and cultures inherited from a more distant past than the ‘revolutionary’ period of EU enlargement and membership—at least in those areas that are not subject to continued EU monitoring and sanctioning.

We may thus expect that the causal relevance of legacies is increasing at present as EU incentives and conditionality are weakening. For Central and East European non-members, the reassertion of ‘geopolitical realities’ and structural dependencies in Eastern Europe reduce the capability and willingness of the EU to offer a conditional

membership perspective. For Central and East European member states, the strongest EU sanction—rejection of membership—is not a credible threat anymore.

Legacies as encompassing conditions

As Kitschelt (2003, p. 68) argues, causal accounts in which the explanatory factors are temporally quite proximate to the outcomes being explained risk formulating ‘excessively shallow explanations of post communist regime diversity’, especially given the very likely possibility that a ‘deeper’ factor may actually be causing both the proximate explanatory factor and the outcome. This is the most fundamental challenge to established explanations of enlargement and Europeanisation because it amounts to the conclusion that the assumed causal relationship between post-communist conditions and outcomes is spurious.

In this view, both enlargement and its ‘effects’ in the Central and East European region were conditioned by deeper historical legacies. Hence, the legacy of Austro-Hungarian, as opposed to Ottoman or Tsarist imperial rule, could be hypothesised as creating both the West European impetus to regard the Hapsburg lands as natural EU territory and the socio-economic, political and administrative traditions in particular Central and East European candidate countries conducive to EU membership and the adoption of EU rules. In principle, such legacies could have predicted as early as 1989 which countries would be democratically consolidated, economically liberalised and integrated into the European Community 15 years later. Whereas some countries were predetermined to succeed, others were doomed to fail or to experience highly problematic trajectories in their efforts to ‘return to Europe’ because of their very different legacies of socio-economic development, nation- and state-building. Enlargement conditionality in this context may not have been completely redundant but it was most of all a mechanism or trajectory through which structural legacies manifested themselves. Political and academic claims giving the EU’s accession process credit for the liberal democratic consolidation of Central and Eastern Europe would thus need to be toned down (Pop-Eleches 2007b).

According to Kopstein (2003), for example, the region’s unique receptivity to the hegemony of liberal norms is a product of specific historical circumstances, not of the EU’s external incentives and sanctions:

... important for liberalism’s attractiveness was the relentless cultural cold war waged by the West against the East for over a forty-year period that held up western Europe as a model that could be emulated in the East, if only it were not for Communism.

More broadly, the international environment faced by Eastern Europe, an environment dominated by the European Union, ‘is itself the product of the legacies of the past’ that have produced ‘a Europe of international institutions, of expanding political and economic inclusion that helps transform its most needy members’ and neighbours (Kopstein 2003, pp. 247, 248). Clearly, not just imperial legacies but also World War II and its aftermath can be seen as a critical juncture unleashing inter-related processes in both parts of the continent that ultimately converge in the wake of the revolutions of 1989, producing both the immediate post-communist conditions and the ultimate outcome of successful EU enlargement. Lasas (2008), for example,

describes the power of the ‘historical–psychological’ legacies derived from the World War II era that shaped both the EU’s engagement in the Central and East European countries, and the conviction in these countries that their destiny, heretofore brutally denied, irrevocably lies within the EU. Painful reforms could thereby be pursued and legitimated as consistent with the pursuit of that destiny. Therefore, World War II era ‘historical–psychological’ legacies may well represent ‘encompassing’ conditions that produced both the EU’s commitment to the eastern enlargement and its ‘effects’ in the Central and East European region.

While establishing convincing causal narratives will always be something of a challenge for deep, historically based explanations, these examples, as well as the continued embrace of legacy-based approaches by comparative politics experts, suggest the utility of incorporating legacies into the study of EU enlargement. Conversely, as Schimmelfennig and Sedelmeier observe (2005a, p. 223), legacy-based arguments could benefit from considering ‘the EU as part of the structural context’ for domestic political actors. It is the aim of this special section to contribute to this dialogue or ‘creative confrontation’ (Kitschelt 2003, p. 81) by exploring the causal relevance of legacies in the study of EU enlargement. Since both literatures are predominantly structural in orientation (albeit not exclusively as we have seen in the case of legacies), it should in theory be possible to identify the degree to which well-defined combinations are possible (Kitschelt 2003, p. 81).

Four principal sets of questions can be identified as crucial for this endeavour. First, do legacies in fact matter in the policy or issue area under investigation? Does the analysis support the prevailing enlargement literature’s neglect of legacy-based domestic conditions? If so, what explains the non-consequential nature of legacies? Second, if the answers to the above set of questions are negative, which legacies matter in the accession process or in the post-accession period? Are communist or pre-communist legacies relevant? Can we determine with some analytical precision which pre-communist legacies—religious, cultural, political, economic or administrative—have a systematic impact on enlargement and Europeanisation? Or can we only specify which legacies matter to particular policy or issue areas by tracing specific causal pathways? Third, how do legacies matter? Generally, communist legacies are most likely to explain post-communist commonalities and continuities in the region. By contrast, pre-communist legacies are most useful in accounting for divergences and differentiation in the region. Fourth, which causal mechanisms link historical legacies and Europeanisation outcomes? Legacy-based arguments can be criticised for tending ‘to rely on powerful correlations, rather than on clearly specified mechanisms by which the legacies of the past, for example, translate into outcomes decades later’ (Darden & Grzymala-Busse 2006, p. 87).

While these are justified concerns, analysts committed to deeper causal analyses that incorporate a region’s or country’s specific legacies have addressed the question of causal mechanisms directly in order to specify more clearly how the past operates on the present. Kitschelt (2003, p. 64), for example, observes that

[t]he search for causal mechanism and causal depth are mutually supportive but also mutually constraining criteria in the construction of satisfactory explanations. The requirement that causal mechanisms run through intentional action limits the spatiotemporal depth of explanations, while causal depth criteria militate against minimizing lags between cause and effect . . .

Considering the question of how exactly legacies might interact with EU enlargement and post-enlargement dynamics thereby raises several theoretical and methodological challenges: to identify the relevant legacies and specify the causal mechanisms that link them with post-communist development and outcomes; to specify and test the interaction between deep and proximate causes; to control for legacies when asserting the causal relevance of post-communist conditions; and to control for post-communist conditions when asserting the causal relevance of legacies. How have our contributors addressed the question of causality, specifically how have they met these theoretical and methodological challenges? In the first instance, relevant legacies have been clearly specified and linked to outcomes using both quantitative and qualitative methods. While the quantitative methods used by Schimmelfennig and Scholtz, and Bandelj are best positioned to isolate key indicators and to design models that control for various interactions, the qualitative case studies make equally strong plausible assertions about the relationship between legacies and conditionality using a variety of different methods, including interviews, public opinion polls, and textual and discursive analyses.

The study of enlargement: incorporating legacies

In reply to the first principal question raised above, namely do legacies matter, all of our contributors reach the conclusion that legacies in fact matter, albeit in different guises and with varied causal weights. For example, whereas Vermeersch highlights the significance of constructed legacies such as historical narratives and their role in shaping the turn to Euroscepticism in Poland, others like Schimmelfennig and Scholz focus on structural legacy effects such as those associated with ‘religious civilization’ or on the governance issues associated with weak institutional development (Levitz and Pop-Eleches). In terms of causal weight, the findings presented generally support the conclusion that historical legacies function predominately as deep conditions. Thus, in specific issue areas such as political party discourse (Vermeersch), state promotion of FDI (Bandelj), and post-accession compliance in Bulgaria and Romania (Levitz and Pop-Eleches), the interconnectedness of domestic legacy factors and external EU-driven factors is stressed. As Bandelj (p. 482) observes, ‘the EU integration effect worked in conjunction with specific country legacies that facilitated globalisation of the post-socialist region’.

These issue-specific case studies, therefore, substantiate the expectation that the compatibility or incompatibility of structural and constructed legacies with EU rules and policy objectives will exert an impact on compliance outcomes. Accordingly, even if Poland’s recent turn to nationalist, Eurosceptical discourse is largely constructed in the context of domestic political competition, as claimed by Vermeersch, this discourse has long roots in Polish history, reaching back to the inter-war years, and is deeply incompatible with EU mandated norms, institutions and rules. Hence, persistent post-accession attacks on EU-oriented cosmopolitanism in general, and on sexual minority rights in particular, have been legitimated by this discourse and have produced unfortunate policy outcomes (O’Dwyer 2010). Given the degree to which compliance with EU rules was forthcoming during the accession process and is now eroding in

such issue areas as non-discrimination (Poland) and FDI promotion (Poland and Slovenia), we may, in these cases, be seeing the effects of legacies as ‘enduring conditions’ as weaker EU sanctioning capacities interact with resurgent conservative, nationalist political mobilisation.

In general, then, these studies, while not ruling out the significance of external factors such as EU conditionality, do substantiate the importance of addressing legacy-based domestic conditions. Therefore, we echo Pop-Eleches’ conclusion (2007b, p. 924)

that historical legacies need to be taken seriously not only because of their own intrinsic importance in post-communist democratisation but also because our understanding of alternative explanations has to be embedded in the complicated reality of the region’s intertwined historical legacies.

In terms of which legacies matter most, our findings are less conclusive and largely issue-dependent. For example, if the intent is to evaluate the determinants of democratisation in the region, Schimmelfennig and Scholtz find that ‘religious civilisation captures a relevant, enduring and systematic structural legacy effect’ (p. 456) that somewhat ‘reduces the strength and significance of the conditionality effects’ (p. 458) and overshadows other potentially significant legacy factors such as the period of independent statehood, Leninist or imperial legacies. They ‘therefore conclude that fundamental cultural predispositions play an important role in democratisation and, possibly, shape the relationship between neighbourhood countries and the EU as well’ (p. 457). Bandelj, in contrast, focuses on a mix of pre-communist legacies such as the history of state-sovereignty, communist legacies such as experience with economic reform, and immediate legacies such as post-communist privatisation strategies as relevant to her case study of FDI promotion, and finds that ‘[s]tate decision-making is significantly influenced by both EU conditionality and legacies, but legacies have more weight’ (pp. 494–95). She cautions, however, that

[t]his is not to say that for any policy outcome the relative weight of EU conditionality and legacies will be such. In fact, we should expect great variation across policy domains and the task for future research is to explain why EU conditionality matters more in certain policy domains or aspects of transformation but less in others.

And, one might add, why certain legacy configurations matter in certain policy domains and not in others.

In this context, it is important to note that Schimmelfennig and Scholtz (p. 458) stress that civilisational legacies, while facilitating or impeding the effectiveness of EU conditionality, ‘determines neither the use nor the success of EU democracy promotion’. Even with greater legacy-based obstacles to overcome in the Orthodox and Muslim world, conditionality should consequentially assist democratisation especially if the EU can fine-tune its conditionality strategy to address the greater challenges of Europeanisation in current and future candidate countries. While Levitz and Pop-Eleches are in agreement ‘that with the proper precautions, such as later accession dates and the use of appropriate safeguard clauses and post-accession monitoring, the EU can adjust to weaker legacies in aspiring member states’ (p. 477), as evidenced by their analysis of the influence of external factors in preventing

post-accession backsliding in Bulgaria and Romania, they stress that we should not 'conclude that the right external incentives can overcome any type of domestic economic and political legacies'.

Even as legacies are increasingly brought into the study of EU conditionality, Levitz and Pop-Eleches conclude that

we still do not have a clear understanding of the scope of the conditions under which EU conditionality can be genuinely effective, or about how the interaction between different types of domestic legacies affects the prospects for the types of political reforms required for successful European integration. (p. 477)

It follows from this that a uniform answer cannot be given to the question of how exactly specific legacies matter. Since particular outcomes such as FDI promotion or weak judiciaries and high levels of corruption are associated with a layering of legacies from several different eras,⁷ it is difficult, on the basis of our contributions, to sustain the generalisation that communist legacies explain commonalities and continuities while pre-communist legacies account for divergences and differentiation across the board. Legacies, in short, do matter but in a variety of complex ways that do not lend themselves to a single, dominant explanatory formula. This can, of course, be seen as a weakness of legacy-based approaches if a broadly generalisable framework is the primary objective. On the other hand, if richer, more nuanced and textured analyses of the interplay of EU conditionality with domestic conditions are desired, then legacies can, as our contributors demonstrate, be fruitfully incorporated into the study of enlargement and Europeanisation.

University of Washington

Center for Comparative and International Studies (CIS), ETH, Zurich

References

- Beyer, J. & Wielgoths, J. (2001) 'On the Limits of Path Dependency Approaches on Explaining Postsocialist Institution Building', *East European Politics & Societies*, 15, 2, March.
- Böröcz, J. (2001) 'Change Rules', *American Journal of Sociology*, 106, 4, January.
- Chen, C. & Sil, R. (2006) 'Expanding the Post Communist Universe without Conceptual Stretching: The Promise of Cross Regional Contextualized Comparison', unpublished paper.
- Crawford, B. & Lijphart, A. (1997) 'Old Legacies, New Institutions: Explaining Political and Economic Trajectories in Post-Communist Regimes', available at: <http://escholarship.org/uc/item/0ds5j5ss>, accessed 26 February 2010.
- Darden, K. & Grzymala-Busse, A. (2006) 'The Great Divide: Literacy, Nationalism, and the Communist Collapse', *World Politics*, 59, 1, October.
- Ekiert, G. & Hanson, S. (2003a) 'Time, Space and Institutional Change in Central and Eastern Europe', in Ekiert, G. & Hanson, S. (eds) (2003b).
- Ekiert, G. & Hanson, S. (eds) (2003b) *Capitalism and Democracy in Central and Eastern Europe: Assessing the Legacy of Communist Rule* (New York, Cambridge University Press).
- Elster, J., Offe, C. & Preuss, U.K. (1998) *Institutional Design in Post-Communist Societies: Rebuilding the Ship at Open Sea* (New York, Cambridge University Press).
- Epstein, R. & Sedelmeier, U. (2008) 'Beyond Conditionality: International Institutions in Post Communist Europe after Accession', *Journal of European Public Policy*, 15, 6, September.

⁷This includes, in the case of corruption, EU accession itself which, as Levitz and Pop-Eleches point out, has significantly increased the funds available for misuse.

- Falkner, G. & Treib, O. (2008) 'Three Worlds of Compliance or Four? The EU-16 Compared to New Member States', *Journal of Common Market Studies*, 46, 2, March.
- Fierke, K.M. & Wiener, A. (1999) 'Constructing Institutional Interests: EU and NATO Enlargement', *Journal of European Public Policy*, 6, 5, December.
- Grabbe, H. (2006) *The EU's Transformative Power: Europeanization through Conditionality in Central and Eastern Europe* (New York, Palgrave Macmillan).
- Grabbe, H. (2007) 'Central and Eastern Europe and the EU', in White, S., Batt, J. & Lewis, P. (eds) (2007).
- Grzymala-Busse, A. (2007) *Rebuilding Leviathan: Party Competition and State Exploitation in Post-Communist Democracies* (Cambridge & New York, Cambridge University Press).
- Hobsbawm, E. (1983) 'Introduction: Inventing Traditions', in Hobsbawm, E. & Ranger, T. (eds) (1983).
- Hobsbawm, E. & Ranger, T. (eds) (1983) *The Invention of Tradition* (Cambridge & New York, Cambridge University Press).
- Howard, M.M. (2003) *The Weakness of Civil Society in Post-Communist Europe* (Cambridge & New York, Cambridge University Press).
- Jacoby, W. (2004) *The Enlargement of the European Union and NATO: Ordering from the Menu in Central Europe* (Cambridge & New York, Cambridge University Press).
- Janos, A. (2001) 'From Eastern Empire to Western Hegemony: East Central Europe under Two International Regimes', *East European Politics and Societies*, 15, 2, March.
- Jowitt, K. (1992) 'The Leninist Legacy', in Jowitt, K. (1992) *New World Disorder: The Leninist Extinction* (Berkeley, University of California Press).
- Kitschelt, H. (2003) 'Accounting for Outcomes of Postcommunist Regime Diversity: What Counts as a Good Cause?', in Ekiert, G. & Hanson, S. (eds) (2003b).
- Kitschelt, H., Mansfeldova, Z., Markowski, R. & Toka, G. (eds) (1999) *Post-Communist Party Systems: Competition, Representation, and Inter-Party Cooperation* (Cambridge & New York, Cambridge University Press).
- Kopstein, J. (2003) 'Review Essay: Postcommunist Democracy: Legacies and Outcomes', *Comparative Politics*, 35, 2, January.
- Kubik, J. (2003) 'Cultural Legacies of State Socialism: History Making and Cultural-Political Entrepreneurship in Post Communist Poland and Russia', in Ekiert, G. & Hanson, S. (eds) (2003b).
- Lasas, A. (2008) 'Members versus Neighbours: Historical-Psychological Legacies of the European Union's Eastern Enlargement', Paper delivered at the workshop on *The European Union after Enlargement: Policies and Politics in a New Context*, University of Washington, May.
- Linz, J. & Stepan, A. (1996) *Problems of Democratic Transition and Consolidation: Southern Europe, South America, and Post-Communist Eastern Europe* (Baltimore, Johns Hopkins University Press).
- Moravcsik, A. & Vachudova, M.A. (2003) 'National Interests, State Power, and EU Enlargement', *East European Politics and Societies*, 17, 1, February.
- O'Dwyer, C. (2006) 'Reforming Regional Governance in East Central Europe: Europeanization or Domestic Politics as Usual?', *East European Politics and Societies*, 20, 2, May.
- O'Dwyer, C. (2010) 'From Conditionality to Persuasion? Europeanization, Cultural Legacies and the Rights of Sexual Minorities in Post-Accession Poland', *Journal of European Integration*, 32, 2.
- Plümper, T. & Schneider, C. (2007) 'Discriminatory European Membership and the Redistribution of Enlargement Gains', *Journal of Conflict Resolution*, 51, 1, February.
- Pop-Eleches, G. (2005) 'Which Past Matters? Communist and Pre-Communist Legacies and Post-Communist Regime Changes', Paper delivered at the *Annual Meeting of the American Political Science Association*, Washington, DC, 1-4 September.
- Pop-Eleches, G. (2007a) 'Between Historical Legacies and the Promise of Western Integration: Democratic Conditionality after Communism', *East European Politics and Societies*, 21, 1, February.
- Pop-Eleches, G. (2007b) 'Historical Legacies and Post-Communist Regime Change', *Journal of Politics*, 69, 4, October.
- Šabič, Z. & Brglez, M. (2002) 'The National Identity of Post-Communist Small States in the Process of Accession to the European Union: The Case of Slovenia', *Communist and Post-Communist Studies*, 35, 1, March.
- Schimmelfennig, F. (2001) 'The Community Trap: Liberal Norms, Rhetorical Action and the Eastern Enlargement of the European Union', *International Organization*, 55, 1, February.
- Schimmelfennig, F. & Sedelmeier, U. (2004) 'Governance by Conditionality: EU Rule Transfer to the Candidate Countries of Central and Eastern Europe', *Journal of European Public Policy*, 11, 4, August.

- Schimmelfennig, F. & Sedelmeier, U. (eds) (2005a) *The Europeanization of Central and Eastern Europe* (Ithaca & London, Cornell University Press).
- Schimmelfennig, F. & Sedelmeier, U. (eds) (2005b) *The Politics of European Union Enlargement: Theoretical Approaches* (London, Routledge).
- Schimmelfennig, F. & Sedelmeier, U. (2007) 'Candidate Countries and Conditionality', in Graziano, P. & Vink, M. (eds) (2007) *Europeanization: New Research Agendas* (Basingstoke, Palgrave Macmillan).
- Sedelmeier, U. (2000) 'Eastern Enlargement: Risk, Rationality, and Role-Compliance', in Green Cowles, M. & Smith, M. (eds) (2000) *Risks, Reforms, Resistance and Revival* (Oxford, Oxford University Press).
- Sedelmeier, U. (2005) *Constructing the Path to Eastern Enlargement: The Uneven Policy Impact of EU Identity* (Manchester, Manchester University Press).
- Sedelmeier, U. (2006) 'Europeanisation in New Member and Candidate States', *Living Reviews in European Governance*, 1, 3, available at: <http://www.livingreviews.org/lreg-2006-3>, accessed 10 December 2009.
- Sedelmeier, U. (2008) 'After Conditionality: Post-Accession Compliance with EU Law in East Central Europe', *Journal of European Public Policy*, 15, 6, September.
- Seleny, A. (2007) 'Communism's Many Legacies in East-Central Europe', *Journal of Democracy*, 18, 3, July.
- Sjursen, H. (2002) 'Why Expand? The Question of Legitimacy and Justification in the EU's Enlargement Policy', *Journal of Common Market Studies*, 40, 3, September.
- Skålnes, L.S. (2005) 'Geopolitics and the Eastern Enlargement of the European Union', in Schimmelfennig, F. & Sedelmeier, U. (eds) (2005b).
- Stark, D. (1991) 'Path Dependence and Privatization Strategies in East Central Europe', *East European Societies and Politics*, 6, 1, December.
- Stark, D. & Bruszt, L. (1998) *Postsocialist Pathways: Transforming Politics and Property in East Central Europe* (Cambridge, MA, Cambridge University Press).
- Swidler, A. (1986) 'Culture in Action: Symbols and Strategies', *American Sociological Review*, 51, 2, April.
- Vachudova, M.A. (2005) *Europe Undivided: Democracy, Leverage, and Integration after Communism* (Oxford, Oxford University Press).
- Vassilev, R. (2002) 'Bulgaria's Ethnic Problems', *East European Quarterly*, 36, 1, March.
- White, S., Batt, J. & Lewis, P.G. (2007) *Developments in Central and East European Politics 4* (Durham, NC, Duke University Press).
- Zubrzycki, G. (2001) "'We, the Polish Nation": Ethnic and Civic Visions of Nationhood in Post-Communist Constitutional Debates', *Theory and Society*, 30, 5, October.