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# Europeanisation in new member and candidate states

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## Abstract

The Europeanisation of candidate countries and new members is a rather recent research area that has grown strongly since the early 2000s. Research in this area has developed primarily in the context of the EU's eastern enlargement. A small number of theoretically informed book-length studies of the EU's influence on the Central and Eastern European candidate countries have provided a generalisable conceptual framework for this research area, drawing on the debate between rationalist institutionalist and constructivist institutionalist approaches in International Relations and Comparative Politics. This framework makes these studies highly compatible with analyses of the Europeanisation of member states, with which they also share one key empirical finding, namely that the impact of the EU on candidate countries is differential across countries and issue areas. At the same time, the theoretical implications of these findings appear more clear-cut than in the case of the Europeanisation of member states: rationalist institutionalism, with its focus on the external incentives underpinning EU conditionality and the material costs incurred by domestic veto players, appears well-suited to explaining variation in the patterns of Europeanisation in candidate countries. A very recent development within this research agenda is the focus on the Europeanisation of new member states. While the study of the EU's impact during the early years of membership was hitherto primarily a subfield of analyses of the Europeanisation of member states, it has now become an extension of studies of candidate countries by analysing the impact of accession on the dynamics of pre-accession Europeanisation and how durable and distinctive the patterns of candidate Europeanisation are in the post-accession stage.

**Keywords:** *acquis communautaire*, Central and Eastern Europe, Copenhagen criteria, democratisation, enlargement, Europeanisation, implementation, political opportunity structure, post-Communism

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**12 February 2011:** This Living Review has been extensively rewritten and restructured to take account of a number of significant developments in the literature, particularly with regard to the post-accession experience of the new member states that joined the EU in 2004 and 2007. All sections have been comprehensively updated and partly restructured and significantly expanded. Sections 5 and 6.3 are entirely new. The number of references has increased from 175 to 298.

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## 1 Introduction

The Europeanisation of candidate countries has emerged only recently as a separate research area. The study of Europeanisation has long been confined to analyses of the member states of the European Union (EU). However, what the literature usually considers as ‘Europeanisation’ is not confined to the member states. While there is considerable debate about how to define ‘Europeanisation’ (see e.g. Börzel 2005; Börzel and Risse 2003, 2007; Cowles *et al.* 2001; Falkner 2003; Featherstone and Radaelli 2003; Ladrech 2010; Mair 2004; Radaelli 2003), the literature generally uses the term as shorthand for ‘influence of the EU’ or ‘domestic impact of the EU’. Of course, this conflation of ‘Europe’ with the EU is problematic, but this review retains the customary use of the term. The dominant focus of the literature on national responses to top-down adjustment pressures emanating from the EU also limits the scope of analysis – and hence of this review – significantly (as I will discuss below). Yet these restrictions notwithstanding, the domestic impact of the EU is certainly not confined to the EU’s members. The narrow focus of the Europeanisation literature on membership may therefore appear surprising, since throughout the EU’s history its impact extended beyond its borders and outsiders have undertaken various forms of unilateral adjustment.

Two principal reasons account for the long neglect of such adjustments by the Europeanisation literature. One reason is fairly straightforward: the research agenda on Europeanisation is relatively recent. Only after the mid-1990s did the term Europeanisation come to denote a distinctive research area in EU studies. Earlier analyses of the adjustment of outsiders, candidates and new members therefore did not use the term Europeanisation as a label to denote a common research area, or to provide a focal point for a coherent framework of analysis.

A more substantive reason is that while the adjustment of outsiders has been a longstanding phenomenon of European integration, these adjustments were generally a response to various negative externalities of European integration. Adjustments to the EU in non-member states were thus highly selective and did not result from deliberate attempts by the EU to induce an alignment with its rules. Analysts therefore did not consider such adjustments comparable to the EU’s impact on member states – and hence as cases of Europeanisation.

A qualitative change in the EU’s impact on outsiders occurred in the 1990s with regard to two groups of countries whose adjustment was much more comprehensive and much more directly influenced by the EU. The first group of countries were the members of the European Free Trade Association (EFTA). In 1992, most EFTA members entered into the European Economic Area (EEA) agreement with the EU, which provided for their unilateral adoption of the EU’s rules and regulations – the *acquis communautaire* (except for agriculture). This adjustment allowed the EFTA countries to participate in the EU’s internal market and most of their governments regarded the EEA as a first step towards full membership.

The second group of countries that has become subject to direct and explicit attempts by the EU to exercise comprehensive influence on domestic developments are the post-communist Central and Eastern European countries (CEECs) that declared their intention to join the EU after the regime changes of 1989. In the history of EU enlargement, a key novelty in the eastern enlargements is that these candidates were at various stages of a transition towards market economies and liberal democracies, and not yet ready to enforce the *acquis communautaire* (although doubts about the latter had also been raised in the case of Greece). The EU therefore became engaged to an unprecedented extent in a regular monitoring and assessment of the adjustment efforts of the candidate countries. Moreover, the EU’s adjustment requirements did not only focus on the adoption of the *acquis communautaire* – its standard demand for new members. In addition, the EU used the attractiveness of its membership incentive for the post-communist countries in order to pursue broader political goals through its enlargement policy. Its membership conditions also focused on a broad range of political and economic criteria, covering many rules for which

EU institutions have no legal competences vis-à-vis full member states (such as democracy and minority rights).

The study of the EU's conditionality in the context of eastern enlargement has started to frame the analysis in terms of 'Europeanisation' of candidate countries (see e.g. Bauer *et al.* 2007; Hughes *et al.* 2004; Grabbe 2001, 2006; Schimmelfennig and Sedelmeier 2005b). These studies thus started to broaden the focus of Europeanisation and to establish the Europeanisation of applicant states as a separate sub-field of this broader research agenda.

Two key characteristics of the adjustment of the EFTA countries and the CEECs are similar to the impact of the EU on member states, and hence suggest that it indeed makes sense to study the impact of the EU on candidate countries in terms of 'Europeanisation': the significant extent to which EU institutions direct and enforce the adjustment process (even if the instruments differ), and the comprehensive nature of adjustment that covers the entirety of the *acquis*. Yet at the same time, the Europeanisation of candidate countries has distinctive characteristics that make it a particular sub-field of Europeanisation research. First, the status of candidates as non-members has implications for the instruments used by EU institutions to influence the adjustment process. EU institutions cannot rely on treaty-based sanctions, but must use softer instruments including conditional positive incentives, normative pressure, and persuasion. Concurrently, monitoring compliance is much more intrusive and direct than in full member states. Second, as non-member states, the candidates had no voice in the making of the rules that they must adopt, and the power asymmetry vis-à-vis the incumbents has led to a top-down process of rule transfer, with no scope for 'uploading' their own preferences to the EU level.

Moreover, the distinctive characteristics of candidate Europeanisation were more prominent in the case of the eastern enlargement than in the 1995 enlargement. The adjustment pressures for candidates differed with regard to the EEA and the eastern enlargement process. Although the EEA entailed a unilateral adjustment by the EFTA countries, the adjustment pressures were moderate. The EFTA countries had longstanding free trade agreements with the EU, much experience with regulatory regimes, and many of their governments considered the adoption of the *acquis* of intrinsic value to change national regulatory practices (Smith 1999). By contrast, the adaptational pressures for the CEECs were far higher: the legacy of post-communism created high adjustment costs, and the main rationale for adopting the *acquis* was the benefits of full EU membership rather than the intrinsic benefits of EU models in the various policy areas. Moreover, only in the context of the CEECs did the EU spell out, and regularly monitor, an explicit pre-accession conditionality that subsequently became a regular feature of EU enlargement policy for all candidates, including Malta, Cyprus, Turkey, and the countries of southeastern Europe.

Similar to the recent nature of the focus on candidate country Europeanisation, the Europeanisation of new members as a distinctive sub-field of Europeanisation studies is very new (see also Pridham 2006: 3–4). It might seem odd to include new members in the study of the Europeanisation of candidates rather than in the general literature on the Europeanisation of full members. After accession, the instruments that EU institutions can use to induce adjustments and the issue areas in which they can exert such adjustment pressures clearly differ from candidate countries. Yet what makes the Europeanisation of new members more similar to candidates, rather than longer-standing members, is that the adjustment pressures of membership are different for states that did not participate in the making of the rules. Moreover, the distinctive nature of candidate country Europeanisation – the EU's attempt to influence domestic adjustment prior to accession – raises the question of how durable the adjustment patterns and the EU's pre-accession influence are. More broadly, the question is not only how effective Europeanisation through conditionality is, but also whether post-conditionality Europeanisation remains – also in the longer run – qualitatively different from other member states that have not experienced pre-accession conditionality. In this sense the study of the Europeanisation of new members can be seen as a temporal extension of the analysis of candidate Europeanisation.

Thus, while some research explicitly studying the impact of membership on newcomers started to emerge in the context of the EFTA enlargement (see e.g. Falkner 2000, 2001), it is more similar to member states Europeanisation studies. In the aftermath of the 2004/2007 eastern enlargement, a few studies of new members have emerged that analyse how the distinctiveness of candidate country Europeanisation relates to Europeanisation dynamics in the post-accession period. Given the short time span since these enlargement rounds, such studies are still rare, but they point towards the emergence of a promising new research agenda. This research agenda serves not only as a test of the effectiveness of the mechanisms that the EU used to ‘Europeanise’ these countries prior to accession, but also provides an opportunity to reassess some of the conceptual insights of the study of candidate country Europeanisation (Epstein and Sedelmeier 2008).

**Table 1:** Article search by ‘Topic’, Social Sciences Citation Index (SSCI), 1956-present (December 2010) (since individual articles may be counted in multiple rows, the final row is not the sum of the above rows)

Keywords	–1999	2000–02	2003–05	2006–08	2009 & 10	total
Europeani*ation AND candidate*	0	4	3	5	13	<b>25</b>
Europeani*ation AND enlargement	0	5	14	17	20	<b>56</b>
Europeani*ation AND new member*	5	6	8	19	21	<b>59</b>
Europeani*ation AND accession	2	4	14	15	34	<b>69</b>
Europeani*ation AND East* Europe*	5	10	17	33	30	<b>95</b>
Europeani*ation AND Central Europe*	6	10	23	41	36	<b>116</b>
<b>All of the above combinations</b> (‘or’; excluding multiple hits)	<b>11</b>	<b>23</b>	<b>43</b>	<b>72</b>	<b>87</b>	<b>236</b>

Table 1 summarises the results of a keyword search of the Social Science Citation Index. It confirms the Europeanisation of applicant states as a fast-growing research area, particularly since 2003. This result is not so much reflected in direct hits for a search for ‘candidates’, but rather for Europeanisation in the context of ‘enlargement’ or ‘accession’. The search also shows that much of this growth is matched by the increase of studies of the Europeanisation of Central and/or East European countries, which reflects the close link between the study of the Europeanisation of candidate countries and the EU’s eastern enlargement rounds. Studies of the Europeanisation of new members are still a smaller sub-field, but show strong growth.

In recent years, the Europeanisation of candidate countries has become a more mature research area, as studies have moved increasingly beyond largely descriptive analyses of single cases (countries and issue areas). By 2005, a few comparative book-length studies had explicitly and systematically applied a conceptual framework to the analysis of the EU’s influence on the Central and Eastern European candidate countries (see in particular Jacoby 2004; Kelley 2004b; Kubicek 2003a; Schimmelfennig and Sedelmeier 2005b; Schimmelfennig *et al.* 2006). These studies have made a considerable contribution to the development of a common research agenda for the Europeanisation of candidate states. They share considerable common ground, both with regard to their analytical frameworks and empirical findings. Their framework of analysis is situated within the debate between rationalist and constructivist institutionalisms in International Relations and Comparative Politics, which also makes them strongly compatible with the framework underpinning studies of Europeanisation in member states (Börzel and Risse 2003). They also share one key empirical finding, namely that the impact of the EU on candidate countries is differential across countries and issue areas. At the same time, the empirical findings with regard to candidate Europeanisation appear much more clear-cut in identifying a dominant mechanism of the EU’s domestic impact. Rationalist institutionalism, with its emphasis on credible external incentives underpinning EU conditionality and material costs incurred by domestic veto players, appears to be well-suited to explaining variation in the broad patterns of Europeanisation in candidate countries. A key question for the next stage of this research agenda is whether the post-accession

dynamics of Europeanisation confirm the findings of the pre-accession phase.

This *Living Review* provides an overview of the key research questions and dependent variables of (primarily theoretically-informed) studies of candidate country Europeanisation, their conceptual frameworks, empirical foci, and main findings. It concludes with identifying emerging gaps and new directions in this research area.

The empirical focus of the review is limited in two significant ways. The first limitation stems from the general focus of the Europeanisation literature on domestic responses to top-down adjustment pressures emanating from the EU. On the one hand, this excludes influences from other European or transatlantic international organisations, such as the Council of Europe or NATO (although some studies do consider the interplay between the EU and such organisations). On the other hand, this focus somewhat neglects the recipient-driven adjustments to the EU that did not result from EU demands and instances in which the EU passively provided ideational inspiration for domestic change. This restriction might have some conceptual implications, since precisely those instances of ‘Europeanisation’ are more likely to result from mechanisms emphasised by constructivist institutionalism.

The second limitation is the predominant focus on eastern enlargement and the CEECs (and, to some extent, the candidates in the Western Balkans). Since the theoretically informed literature on candidate Europeanisation developed mainly in this context, this limitation reflects also the state of research. These countries are also particularly instructive cases for Europeanisation effects, in view of the often very substantial political and economic adjustment costs resulting from the systemic transformation to democracy and market economies. However, there are also studies of the other two countries involved in the EU’s 2004 enlargement that directly engage the Europeanisation literature – Malta (Cini 2000; Mitchell 2002) and Cyprus (Engert 2010; Featherstone 2001; Sepos 2005, 2008; Tocci and Kovziridze 2004). Moreover, a lively debate over the Europeanisation of Turkey is emerging, especially with regard to the EU’s impact on democratisation (see e.g. Diez *et al.* 2005; Engert 2010; Heper 2005; Müftüler Bac 2005; Kubicek 2005; Öniş 2007; Öniş and Yilmaz 2009; Tocci 2005) which some studies cover in comparative analyses alongside the CEECs (see e.g. Kubicek 2003a; Schimmelfennig *et al.* 2003, 2006). Especially these comparative studies demonstrate that the conceptual framework derived from the Europeanisation of the CEEC candidates is more broadly applicable beyond the case of eastern enlargement – while taking due account of the fact that the setting of the pertinent factors, and accordingly the impact of the EU, might vary in these different contexts.



## 2 Research questions

In line with most definitions of ‘Europeanisation’ in the literature (see e.g. Börzel 2005; Börzel and Risse 2003, 2007; Cowles *et al.* 2001; Falkner 2003; Featherstone and Radaelli 2003; Héritier *et al.* 2001; Knill and Lehmkuhl 2002; Ladrech 2010; Mair 2004; Radaelli 2003), studies of the Europeanisation of candidate countries are primarily concerned with analysing the EU’s domestic impact in candidates. The following examples of concrete research questions all reflect this focus on the EU’s domestic impact:

- ‘do we see convergence in [the CEECs’ political reform] trajectories and, if so, how much of this convergence was caused by the leverage of the EU?’ (Vachudová 2005: 2);
- ‘how much have EU ... external pressures or incentives shaped [CEE elites’ institutional and policy] choices?’ (Jacoby 2004: 2);
- ‘under what conditions do non-member states adopt EU rules?’ (Schimmelfennig and Sedelmeier 2005c: 8), or
- ‘when and how [has] ... the EU influenced governments to pass certain legislation’ (Kelley 2004b: 2)?

Despite the apparent differences in how these questions are framed, in essence they all boil down to one main question: under what conditions are the EU’s attempts to influence candidate countries effective? Or in other words: what factors explain variation in the EU’s influence across countries and issue areas? This question contains two parts. The first is an empirical assessment of the extent to which the EU has a domestic impact. The second part is an analytical question: what factors account for this (lack of) impact and through which causal mechanism does the EU exercise its influence? The following two sub-sections discuss these main questions and provide some indicative examples of studies that are guided by such questions. Section 3 on ‘empirical findings’ will then review the different answers to these questions that the literature provides (with a more comprehensive indication of the relevant literature).

### 2.1 Extent and nature of the EU’s impact

The dependent variable of the analysis is usually the extent to which the EU influences domestic developments in candidate countries in specific issue areas. Most studies distinguish in broad terms whether or not the EU has an influence on domestic change (or whether the EU’s influence is strong/weak) and whether a candidate country complies with the EU’s demands. Some studies explicitly include into their conceptual frameworks explanations for domestic change in the candidate countries that has no causal link to the EU’s attempts to exert influence. For example, Jacoby (2004) identifies voluntary forms of emulating EU rules, in which post-communist institutions use such EU rules either as faithful ‘copies’ (that were rare) or more approximate ‘templates’ (e.g. in health care) – neither of which results from EU pressures. The contributions in Schimmelfennig and Sedelmeier (2005b) consider ‘lesson-drawing’ as an alternative explanation for the adoption of EU rules by candidate countries, where such rules might be used to address domestic policy failure, regardless of possible EU rewards for doing so. Andonova (2003) focuses on the indirect economic incentives for internationalised sectors of the economy to adjust rapidly to EU environmental standards – to some extent independently of the requirements of EU membership.

Increasingly, studies have moved beyond a binary categorisation of the EU’s impact. Sometimes this focus includes a temporary dimension in assessing whether the EU’s influence is smooth, or whether adjustment is reluctant and incremental. Other studies differentiate more specifically between different types of change that the EU induces. For example, studies in Schimmelfennig

and Sedelmeier (2005b) distinguish between formal change (the legal transposition of rules) and behavioural change (practical application and enforcement) (see also Falkner and Treib 2008). Related to this distinction between formal change and practice is the observation of a specific kind of superficial domestic change through 'Potemkin harmonisation' (Jacoby 1999). Such changes were carried out for the sole purpose of EU monitoring and are only weakly institutionalised in order to minimise their constraints on target actors (Goetz 2005; see also Hughes and Sasse 2004: 526; Hughes *et al.* 2004). Finally, Jacoby (2004: 8–12) identifies four different types of impact that the EU can have as a result of CEEC elites' attempts to emulate EU rules, ranging from 'open struggle' and 'scaffolding' to 'continuous learning' and 'homesteading' by domestic groups.

## 2.2 Conditions for the EU's impact: mediating factors

Explanatory studies usually do not only ask whether the EU has influence on the candidate countries, but also *how* and under what conditions the EU exercises such influence. The conditions and factors that determine the effectiveness of the EU's influence are the independent variables in this research area. Some studies frame their question in terms of the relative importance of the EU's influence versus the domestic politics (e.g. Hughes and Sasse 2004; Hughes *et al.* 2004) or of international versus domestic factors (Kurtz and Barnes 2002). Other studies focus primarily on how factors at the international level affect the EU's influence (see e.g. Grabbe 2001, 2003, 2006; Smith 1998, 2003), or primarily on factors at the domestic level (see e.g. Brusis 2005; Schimmelfennig 2005; Vachudová 2005). But most studies focus on how a variation of factors at *both* the international and domestic level affects the EU's impact.

Independent variables at the domestic level that mediate the EU's influence on candidate countries resemble more closely those identified in the analytical framework of Europeanisation in member states. The independent variables that are located at the international level relate to differences in the strategies and instruments that the EU uses, and how the EU applies them. The instruments through which the EU generates adjustment pressures are one key difference between the Europeanisation of member states and candidate countries. The most prominent strategy of the EU to influence candidate countries is the use of conditionality: the offer of positive incentives (such as EU membership) as a reward for states who meet the EU's demands to adopt certain rules. However, the strategy of conditionality is far from uniform and homogenous. The EU's application of conditionality varies – across issue areas, target countries, and over time – and the factors accounting for such variation are explanatory factors for differences in the EU's influence (see Section 3). Explanatory factors at the international level do not only relate to variation in the application of conditionality. The EU also uses other strategies than conditionality to affect domestic change, such as persuasion and socialisation of elites. Again, a number of factors – not only at the domestic, but also at the international level – affect the effectiveness of such strategies, and hence the EU's impact.

Some studies explicitly contrast the relative effectiveness of conditionality and strategies of 'learning' and persuasion (see e.g. Bauer *et al.* 2007; Jacoby 2004; Kelley 2004a,b; Kubicek 2003a,b; Schimmelfennig *et al.* 2003; Schimmelfennig and Sedelmeier 2005b). Since these alternative strategies also draw on different causal factors favoured respectively by rationalist and constructivist approaches, they can be considered alternative (but not necessarily mutually exclusive) mechanisms or models of candidate country Europeanisation. The analytical framework devised in these studies therefore provides a generalisable and suitably broad basis to study the explanatory power of international and domestic factors emphasised by rationalist and constructivist approaches respectively.

### 3 Theoretical framework: institutionalist approaches to the EU's impact

An analytical framework that contrasts rationalist and constructivist causal models for the EU's impact, and that focuses on factors identified by each of these approaches at the international and domestic level, provides a highly promising framework to structure the research agenda on candidate country Europeanisation. It allows not only larger comparative studies to make a contribution to the broader debate, but also studies with a narrower focus. Moreover, while this framework of analysis reflects the distinctiveness of the Europeanisation of candidate countries, it also fits well with the conceptual approaches used in the study of member state Europeanisation.

The Europeanisation of member states emphasises mediating factors for the EU's domestic impact derived from two analytically distinctive approaches – rationalist institutionalism and sociological (or constructivist) institutionalism (see e.g. Börzel 2005; Börzel and Risse 2003; Cowles *et al.* 2001; for a different approach, distinguishing between policy types, see Knill and Lehmkuhl 2002). Rationalist institutionalism suggests that the EU's domestic impact follows a 'logic of consequences' rather than a 'logic of appropriateness' (March and Olsen 1989: 160). Adaptational pressure from the EU changes the opportunity structure for utility-maximising domestic actors. It empowers certain actors by offering legal and political resources to pursue domestic change. Formal domestic institutions and veto players are the main factors impeding or facilitating changes in response to EU adjustment pressures. By contrast, sociological institutionalism emphasises that such responses follow a 'logic of appropriateness'. The EU's domestic impact results from a process of socialisation in which domestic actors internalise EU norms that they regard as legitimate. Domestic norm entrepreneurs, as well as the normative resonance between EU rules and domestic cultural understandings and informal institutions, are key mediating factors for whether domestic actors engage in a social learning process through which EU rules redefine their interests and identities.

Likewise, most theoretically-informed studies of the Europeanisation of candidate countries are generally set within the framework of institutionalist theory (see e.g. Bauer *et al.* 2007; Dimitrova 2004; Epstein 2005, 2006, 2008a; Goetz 2002; Grabbe 2006; Jacoby 2004; Johnson 2006; Kelley 2004b; Kubicek 2003b; Magen and Morlino 2009; Schimmelfennig and Sedelmeier 2005b; Schimmelfennig *et al.* 2006) and in particular the debate between rationalism and constructivism (or sociological institutionalism).

Such studies contrast the use of conditionality – as a strategy emphasised by rationalist institutionalist approaches – with persuasion and socialisation strategies that sociological institutionalism is best suited to analyse, even if they use somewhat different labels for the alternative mechanisms. For example, Kelley (2004a) contrasts 'incentives' and 'normative pressure'; Kubicek (2003b) 'conditionality' and 'convergence' through the 'spread of norms'; Schimmelfennig and Sedelmeier (2005c) 'external incentives' and 'social learning'; or Bauer *et al.* (2007) distinguish 'compliance' and 'communication'. These studies formulate specific hypotheses according to which the two approaches would expect the EU (not) to have an influence (see Table 2), both with regard to factors relating to the EU's strategies and domestic factors.

At the same time, while the two approaches emphasise analytically distinct mechanisms, these are – at least partly – complementary, and not necessarily mutually exclusive (see also Jacoby 2004: 20–40; Kubicek 2003b: 20; Schimmelfennig and Sedelmeier 2005c: 25). Indeed, as Kelley (2004a) points out, in the issue area of minority policy, the EU never relied exclusively on conditionality, which was always combined with normative pressures by international institutions. In such cases, it is difficult to disentangle the relative importance of either mechanism, but it is possible to contrast the effectiveness of exclusive normative pressure from normative pressures underpinned by conditionality. Likewise, Epstein (2008a) emphasises the social context of conditionality rather than a simple either/or debate; and Johnson (2006) suggests a 'two-track' diffusion model in which

both mechanisms work simultaneously on different domestic groups within the same issue area. [Jacoby \(2004\)](#) goes one step further to suggest the concept of ‘embedded rationalism’ as a synthesis between the various strands of institutionalist theory.

Table 2 depicts the key independent variables analysed in explanatory studies of variations in the effectiveness of the EU’s influence.

### 3.1 Rationalist institutionalism

Rationalist institutionalism focuses on the EU’s use of conditionality to influence candidate countries. Most studies that analyse the effectiveness of conditionality identify factors relating to its application by the EU to explain variations in its impact. At the domestic level, rationalist institutionalism focuses – just as in studies of member state Europeanisation – on the differential empowerment of domestic actors.

#### 3.1.1 EU strategy: credible incentives

A number of studies consider the clarity of the EU’s demands as an important factor increasing the likelihood of effectiveness. Clarity means that the candidates know what they need to do if they decide to comply with the EU’s conditions. It applies to both whether a certain issue area is included in the EU’s conditionality and what particular rules the candidates need to adopt ([Schimmelfennig and Sedelmeier 2005c](#)). Uncertainty might stem from evolving rules in the EU, such as the Schengen *acquis* ([Grabbe 2003, 2005](#)), or from the absence of a single EU model in many policy areas. Uncertainty also arises from internal conflict within the Commission and among the member states about the application of conditionality. Such conflicts can arise from different views about which model might be most suitable for candidates. For example, initially some parts of the Commission informally advocated a model of regional policy based on democratic regional self-government, before the Commission expressed a preference for more centralised management of the structural funds that limited the EU’s influence ([Hughes et al. 2004](#)). A particular case of uncertainty is the possibility for domestic and transnational actors to present the adoption of particular rules as an element of EU conditionality even if they are not ([Parau 2010](#)). If such a strategy succeeds due to the government’s (mistaken) belief in the link between EU rewards and rule adoption, the EU plays a causal role in domestic change, even if it is not a typical instance of Europeanisation as the adoption of EU rules.

Intra-EU conflict about the application of conditionality also relates to another key factor that affects the EU’s impact: the credibility of EU conditionality. Credibility has two sides. The candidates must be certain that they will receive the promised rewards after meeting the EU’s demands. Yet they also must believe that they will only receive the reward if they indeed fully meet the requirements. Thus, credibility depends on a consistent, merit-based application of conditionality by the EU ([Kubicek 2003b: 18](#); [Schimmelfennig and Sedelmeier 2005c: 13–16](#); [Vachudová 2005: 112–120](#)). It suffers if political conflicts inside the EU make candidates doubt that the EU will deliver the promised rewards (as in the debates surrounding the possible accession of Turkey), or if some actors inside the EU indicate that adjustment in certain issue areas will be assessed very strictly (see e.g. [Sissenich 2005](#)). Credibility also suffers if candidates suspect that political favouritism, ulterior motives, or side-payments led the EU to reward candidates who did not meet (all) the requirements (fully) (as in the run-up to the start of negotiations with Bulgaria, Romania, or Croatia). In the case of the 2004 enlargement, the credibility of conditionality also decreased once candidate countries no longer had to fear exclusion from accession (see also [Haughton 2007](#)), especially after the EU set a date for their accession ([Dimitrova and Steunenbergh 2007](#)). The EU sought to overcome this problem in the accession of Bulgaria and Romania by maintaining monitoring after the signing of the accession treaties with a view to postponing the accession date if subsequent reform progress was insufficient.

**Table 2:** Conceptual framework: main independent variables

	<b>Rationalist institutionalism</b>	<b>Sociological/constructivist institutionalism</b>
EU strategy	Conditionality	Socialisation
Facilitating international factors	<ul style="list-style-type: none"> <li>• clarity of EU demands</li> <li>• credibility of conditionality (including consistency of application, and intra-EU consensus on rewarding compliance)</li> <li>• size of rewards and power asymmetry</li> <li>• temporal proximity of rewards</li> <li>• linkages to Western Europe</li> <li>• monitoring capacity</li> </ul>	<ul style="list-style-type: none"> <li>• legitimacy of EU demands</li> <li>• legitimacy of the process through which the EU formulates demands and promotes rules</li> </ul>
Domestic facilitating factors	<ul style="list-style-type: none"> <li>• domestic costs of adopting rules for governments (for political conditions: <ul style="list-style-type: none"> <li>– constellation of party system (liberal/illiberal)</li> <li>– quality of political competition at moment of regime change</li> <li>– ethnic policy preferences in parliament; more generally:</li> <li>– veto players</li> <li>– internationalisation of policy sector)</li> </ul> </li> <li>• societal mobilisation</li> <li>• supportive formal institutions</li> <li>• administrative capacities</li> </ul>	<ul style="list-style-type: none"> <li>• identification with the EU</li> <li>• positive normative resonance with domestic rules</li> <li>• transnational (epistemic) networks</li> </ul>

The credibility of conditionality is also linked to the ability of the EU to monitor effectively the fulfilment of its requirements (Schimmelfennig and Sedelmeier 2005c: 15). Information asymmetries usually work in favour of candidate countries. In the case of eastern enlargement, the EU has therefore made significant investment into its monitoring capacity, which contrasts starkly with the decentralised mechanism of monitoring compliance with EU rules in the member states.

Superior bargaining power, resulting from asymmetrical interdependence in favour of the EU, is a precondition for the ability of the EU to withhold rewards if its conditions have not been met (Moravcsik and Vachudová 2003; Schimmelfennig and Sedelmeier 2005c: 14). However, the EU's bargaining power affects another factor as well: the size of the rewards and benefits that the EU can use as leverage (Grabbe 2003; Kubicek 2003b: 17–18; Schimmelfennig and Sedelmeier 2005c: 13; Vachudová 2005: 63–79, 108–110). The ultimate reward of EU membership is indeed a sizeable benefit for candidates, but sometimes the payment of the reward is distant. The use of intermediate rewards is therefore important. The EU can tie offers of trade and aid, as well as its progress to any of the multiple stages of the accession progress to the fulfilment of specific conditions (e.g. Grabbe 2003: 316; Dimitrova and Steunenberg 2007).

By contrast, Levitsky and Way (2006; see also Way and Levitsky 2007; Kopstein and Reilly 2000) suggest that for external pressure to be effective, asymmetrical bargaining power and sizeable incentives – strong leverage (see also Vachudová 2005) – needed to be combined with another international factor, namely various forms of ‘linkage’ with Western Europe and the U.S. (economic, political, organisational, social, and information linkages, as well as civil society linkages and geographic proximity) (see also Kopstein and Reilly 2000; Levitz and Pop-Eleches 2010b). Schimmelfennig and Scholtz (2008) control, rather than test, for transnational exchanges. They find that geographical proxies for transnational transactions performed overall reasonably well, but cover rather diverse impacts of transnational exchange that needs to be disentangled.

### 3.1.2 Domestic politics: adaptation costs, differential empowerment and state capacity

Rationalist institutionalism also specifies a number of mediating factors at the domestic level that mediate the EU's influence. These factors are in line with the rationalist institutionalist argument advanced in the literature of the Europeanisation of EU member states that the EU's influence works through empowering domestic actors that benefit from EU legislation. Rationalist approaches to candidate Europeanisation suggest that in order to have influence, the EU needs to have domestic allies in target countries (see e.g. Jacoby 2006; Kubicek 2003b: 19; Way and Levitsky 2007), or at least the adjustment costs for target governments must not be prohibitively high. A special case of low domestic adjustment costs are instances in which governments can expect intrinsic benefits in domestic politics from adopting EU rules. For example, in the case of Turkey, EU demands about civilian control over the military fit well with the preferences of the AKP government. Yet if the government is not able to realise such preferences in a purely domestic setting, without the link to the EU's rewards, the EU still plays a causal role in such instances of Europeanisation.

Some studies identify more specific sets of factors that determine the adaptation costs for national governments, depending on whether the EU's influence is aimed at the polity dimension (democratic principles, human rights and minority protection) or the policy dimension. In the polity dimension, Vachudová (2005) and Schimmelfennig (2005) (see also Schimmelfennig 2007; Schimmelfennig *et al.* 2006) identify as a key facilitating factor the presence of a liberal democratic government, or a liberal party constellation, in which the major political parties agree on liberal reforms and integration into Western international organisations. For such governments, the costs of meeting the EU's demands are not prohibitively high. More specifically, Vachudová (2005) emphasises the quality of political competition at the moment of regime change, which in turn

depends on a strong opposition to communism and a reforming communist party. Kelley (2004b) operationalises domestic costs with regard to the EU's demands for minority rights as the presence of authoritarian leaders, or the dominance in parliament of nationalists over liberal ethnic policy preferences.

Another strand of the literature relates governments' adjustment costs and political constraints to communist and pre-communist legacies. Such legacies matter in particular as 'deep conditions' that shape post-communist conditions such as budgetary constraints, administrative capacities, and levels of societal mobilisation (Cirtautas and Schimmelfennig 2010). Pop-Eleches (2007b) argues that different historical legacies (including geography, cultural/religious heritage, economic, social conditions, and institutional legacies) affected different aspects of democratisation.

In the policy dimension, a low 'actor density' in a policy area (Jacoby 2004: 9), or a low number of veto players (Schimmelfennig and Sedelmeier 2005c) is a key facilitating factor. In turn, the number of actors opposed to the EU's demands is likely to be low if a policy area does not have strong institutional legacies (see also e.g. Hughes *et al.* 2004), or if a sector of the economy is highly internationalised (Andonova 2003).

Adjustment costs are not the only domestic mediating factor in the policy dimension. In line with a prominent argument in the literature of compliance with EU law among the member states (for an overview, see Treib 2006; Hille and Knill 2006) suggest that the alignment of candidate countries might not simply depend on their domestic adjustments costs, but on their administrative capacities. Toshkov (2008, 2009) provides evidence that both government capacities and political preferences have a strong effect on the transposition of EU law in the candidates. Other studies have extended the argument about the importance of administrative capacities to argue that the effective implementation of EU rules in candidate countries require both strong states and strong civil societies that have the capacity to mobilise in order to claim the rights that EU rules bestow on them (Dimitrova 2010; Sissenich 2007, 2010; Börzel 2010; Börzel and Buzogány 2010b; Sedelmeier 2008: 809–810, 818–819).

## 3.2 Constructivist institutionalism

Rationalist approaches discard processes of socialisation and persuasion as a mechanism for the EU's domestic impact, but constructivism or sociological institutionalism are well equipped to analyse them. As a result of such processes, elites in candidate countries become convinced that the EU's rules are legitimate and have an intrinsic value. Governments thus adopt the EU's rules regardless of the material incentives that the EU might offer for doing so.

### 3.2.1 EU strategy: socialisation and persuasion

A number of factors increase the likelihood that persuasion and socialisation are effective. At the international level, the key factors are the legitimacy of the substantive rules that the EU promotes as well as the legitimacy of the process through which the EU promotes such rules. If a candidate country considers that the process through which EU conditions are formulated as legitimate, it is more likely to adopt these rules. Facilitating factors thus include the participation of the target countries in setting conditions and the making of rules – both of which were problematic in the case of candidates as opposed to full members. Since the EU demanded unilateral adjustments, legitimacy increased if it used soft tactics rather than overt pressure (Kubicek 2003b: 16), and with a 'low density of EU demands', which allows domestic actors 'to engage in relatively unpressured "learning"' (Jacoby 2004: 10).'

Furthermore, substantive rules are more likely to be perceived as legitimate if they are codified internationally or in the EU's own *acquis* (see also Freyburg *et al.* 2009). The conditions for candidates must not be more onerous than for the incumbents (Schimmelfennig and Sedelmeier 2005c:

18–19; Schwellnus 2006); they must be normatively consistent and there must be a strong international consensus on the technical and political appropriateness of policy prescriptions (Epstein 2006, 2008a).

### 3.2.2 Domestic politics: normative resonance

Constructivist institutionalism emphasises that the EU's impact does not (only) depend on the domestic material interest constellations. If a candidate country – elites and publics – positively identifies with the EU, or holds it in high regard, the government is more likely to be open to persuasion and to consider the rules that the EU promotes as legitimate and appropriate (Epstein 2008a; Kubicek 2003b: 14–15; Schimmelfennig and Sedelmeier 2005c: 19). Another crucial domestic factor is the extent to which there is a 'cultural match' or 'resonance' between EU demands and domestic rules and political discourses, or at least an absence of countervailing norms, due to the 'novelty' of a sector and previous policy failure (Brosig 2010; Epstein 2008a; Grigorescu 2002; Kubicek 2003b: 13–14; Schimmelfennig and Sedelmeier 2005c: 20; Schwellnus 2005; Dimitrova and Rhinard 2005).

Transnational networks that connect elites in candidate countries with the EU are a facilitating factor for the EU's influence for both rationalist and constructivist institutionalist approaches. The latter emphasise particularly the role of transnational epistemic communities that do not only exercise pressures on governments but contribute to persuading them of the legitimacy of the rules in question (Johnson 2006; Kubicek 2003b: 15–16; Schimmelfennig and Sedelmeier 2005c: 23). The EU's twinning programme, in which officials seconded from the member states assisted their counterparts in the candidate countries with adopting EU legislation in their area of expertise, could facilitate such processes (Tulmets 2005). However, obstacles to influence and 'cognitive convergence' include factors such as the institutional fluidity of programmes and the politicisation of projects, and their success depends much on the individuals involved (Grabbe 2003: 315; Papadimitriou and Phinnemore 2004; Pridham 2005: 125–126; Steffens 2003).



## 4 Empirical findings I: EU impact on candidate countries

The empirical findings of studies of candidates confirm some key insights of research on member state Europeanisation. First, the EU's impact is differential across countries and issues (see also Bauer *et al.* 2007; Börzel and Risse 2007; Börzel and Sedelmeier 2006; Goetz 2005; Grabbe 2003: 317). This finding might be somewhat surprising, as there are good reasons to believe that the EU's impact in the candidates should be more pervasive and induce greater convergence. The EU's conditionality and its tight link with progress in accession negotiations induced strong top-down pressures. At the domestic level, post-communist institutions are less firmly entrenched than in the older member states (see also Goetz and Wöllmann 2001; Grabbe 2003: 306–308; Héritier 2005; Schimmelfennig and Sedelmeier 2005c). The EU's influence on candidates in the context of eastern enlargement was arguably indeed greater than on member states, and induced a certain extent of convergence. Still, the broader patterns suggest that diversity persists, both between eastern and western Europe and within the new member states (see also Bohle and Greskovits 2007; Bruszt 2002).

At the same time, some of the theoretical findings of the study of candidate Europeanisation are much more clear-cut than those emerging from member state Europeanisation. Research on the member states does not identify a dominant mechanism of Europeanisation. By contrast, rationalist institutionalism, with its focus on the EU's use of conditionality and domestic veto players, appears well-suited to explaining the main patterns of candidate country Europeanisation. The sections below illustrate that factors emphasised by rationalist institutionalism – in particular the credibility of the incentive of membership and the incumbent government's material power costs of adjustment – generally account better for variation in the EU's influence on liberal democratic principles and socio-economic policies than the factors emphasised by constructivist institutionalism (see also Kelley 2004b; Kubicek 2003a; Schimmelfennig and Sedelmeier 2005a, 2006).

### 4.1 Impact on the polity

Analyses of Europeanisation in the polity dimension usually focus on the EU's impact on the national executive. In candidate countries, the accession process had a strong impact on the organisation of core executives, but without resulting in convergent structures across the candidates. One particularity of the Europeanisation of candidate countries' polities is that the EU also had a direct impact on fundamental principles of liberal democracy. The EU's political conditionality thus led to a much stronger impact on this aspect of the polity in the candidate countries than in the incumbents, even if this influence has been strongly constrained by domestic factors. Although there are instances when the EU even influenced core issues of national statehood, such as the negotiation of the constitution of Montenegro (Vujović and Komar 2008), similarly to member state Europeanisation, the EU's impact on polities has been nonetheless generally more limited than its policy impact.

#### 4.1.1 Liberal democratic principles

The EU's impact on democracy and political rights in CEECs has become a well-established subfield of research. Many of the contributions come not only from the EU studies community, but also from the broader disciplines of International Relations and Comparative Politics. They include the literature on the external dimension of post-communist transition to democracy, in which the theme of the 'return to Europe' played a prominent role. Such studies are more generally interested in the international dimension or domestic conditions of democratisation; they often do not only focus on the EU and are less likely to use the terminology of 'Europeanisation' (see e.g. Cooley 2003; Kubicek 2003a; Knack 2004; Levitsky and Way 2006; Magen and Morlino 2009; Pevehouse 2002, 2005; Pridham and Ágh 2001; Pridham *et al.* 1994; Whitehead 2001; Zielonka and Pravda

2001). Legal studies have also contributed to the analysis of the Europeanisation of candidate countries' polities through a focus on the adaptation of the CEECs' constitutions and legal order in view of accession (see Albi 2005; Poplawska 2004; Sadurski 2004, 2006; Sajo 2004).

Most studies find that the EU's ability to influence patterns of democratisation in the candidate countries has been limited. Pop-Eleches (2007b) argues that different historical legacies explain variation in democratisation outcomes, while both external conditionality and other domestic factors, such as initial election outcomes, institutional choices and geographic diffusion, played a more modest role. Other analyses that focus specifically on the EU's ability to promote democracy, human rights and minority rights in candidate countries find that the EU's influence has crucially depended on the regime type and the constellation of party systems in the candidates (Kelley 2004a,b; Schimmelfennig 2005; Schimmelfennig and Sedelmeier 2005a; Schimmelfennig *et al.* 2006; Vachudová 2005). In states with liberal democratic governments (such as the democratic frontrunners, Poland, Hungary and the Czech Republic) and a liberal party system constellation, the EU did not need to use democratic conditionality heavily. In such countries, the EU was also generally successful when it used conditionality to promote particular norms, despite initial domestic opposition. An example are minority rights in the Baltic states (Brosig 2010; Kelley 2004a; Schimmelfennig *et al.* 2006), even if some authors are more sceptical in their assessment of the EU's impact in this area (see e.g. Hughes and Sasse 2003; Sasse 2005; Schweltnus 2005; Rechel 2008; Vermeersch 2003).

In contrast to countries with liberal democratic governments, the EU's impact on states dominated by a nationalist and/or authoritarian leadership and an illiberal party system constellation (e.g. Slovakia under Meciar, Croatia under Tudjman, or Serbia under Milosevic) was negligible (see also Dimitrova and Pridham 2004; Kubicek 2003a; Pridham 2002; Rybář and Malová 2004; Schimmelfennig *et al.* 2003). For such governments, the domestic political power costs of meeting the EU's demands were prohibitive.

The EU's impact on democratic consolidation was most pronounced in fragile democracies that did not quickly install liberal-democratic regimes in the early 1990s (Armingeon and Careja 2008; Ekiert *et al.* 2007; Noutcheva and Bechev 2008; Pop-Eleches 2007a; Pridham 2005; Schimmelfennig and Sedelmeier 2005a; Schimmelfennig *et al.* 2006; Vachudová 2005). The EU had an impact in such states when nationalist or authoritarian forces lost elections to liberal forces, such as in Slovakia, Croatia, or Romania. Once more liberal opposition parties assumed power, the EU's conditionality – if combined with a credible accession perspective – had a lock-in effect that endured subsequent changes in government (Schimmelfennig 2005; Vachudová 2005).

Debate persists on whether the EU was able to influence the electoral defeat of nationalist/authoritarian governments. Schimmelfennig (2005); Schimmelfennig *et al.* (2006) argue that the EU's influence is limited to the intergovernmental channel (once favourable governments are in power). By contrast, Pop-Eleches (2007a: 147) also suggests that the EU 'played an important role in strengthening democratic challengers' in 'electoral revolutions.' Vachudová (2005) sketches a more comprehensive argument of how the EU influenced the outcome of such elections indirectly and helped create more competitive political systems in 'illiberal' states that pushed them to a liberal political trajectory. The EU empowered liberal reformers by informing electorates about the implication of their choices for the country's accession prospects and facilitating cooperation and moderation of opposition forces. Vachudová thus suggests that even if the EU did not directly influence voters' choices, it had a tremendous influence on the nature of the elites that won power in 'watershed elections' that marked the departure from illiberal systems.

The importance of domestic costs as the main constraining factor underscores the explanatory power of rationalist institutionalism for the general patterns of the EU's impact in the polity dimension. The limitations of the EU's impact on minority rights that some authors observe can also be well explained within a rationalist framework, to the extent that they are related to the lack of clear conditions, inconsistent application, or superficial monitoring (see e.g. Hughes and Sasse

2003; Rechel 2008; Sasse 2005, 2008; Spirova and Budd 2008; Vermeersch 2003, 2007). At the same time, Schweltnus (2005) argues that the inclusion of factors emphasised in constructivist approaches – especially domestic resonance – can provide complementary, but more convincing, explanations of the domestic processes leading to the adoption of minority rights and antidiscrimination legislation, and of the particular choice of rules within the scope of the EU’s conditionality.

Although most studies emphasise the limitations of the EU’s impact on democracy and human rights, they still consider its impact as positive. However, some studies suggest that the EU was not sufficiently sensitive to the implications of its interventions in domestic politics for national sovereignty, it undermined liberal-democratic politicians and NGOs, since their authoritarian and nationalist rivals could present them as ‘agents of foreign powers’ (Pop-Eleches 2007a: 153). Spoerri and Freyberg-Inan (2008) argue that in Serbia, the EU’s condition of full cooperation with the International Criminal Tribunal for the former Yugoslavia (ICTY) had precisely such a detrimental effect on democratic reforms. The negative perception of the ICTY bolstered anti-reform forces at the expense of the liberal-democratic movement.

#### 4.1.2 National core executives and judiciaries

The EU had a strong and systematic impact on state institutions of CEE – executives, legislatures, and judiciaries (Zubek and Goetz 2010). The EU’s impact on national core executives has been pronounced for those institutional arrangements that link national executives and the EU. This impact is largely the result of the functional pressures arising from the need to organise relations with the EU, formulate negotiating positions, and implement EU policies rather than from a deliberate attempt by the EU to change executive structures. And just as in western Europe, there is considerable variation in the extent to which intra-governmental coordination is fragmented or centralised (Dimitrova and Toshkov 2007; Fink-Hafner 2005; Goetz 2001; Goetz 2005: 271–272; Lippert *et al.* 2001). At the same time, especially in the later stages of the accession process, a tendency towards more centralised and hierarchical coordination could be observed, for example in Poland (Zubek 2001, 2005, 2008). Evidence from earlier enlargements, such as in the case of Spain, suggests that a centralisation of intra-governmental coordination in order to respond to the high coordination requirements of accession negotiations may prove sticky even after accession (Jones 2000). In the case of eastern enlargement, such arrangements appear less durable. Dimitrova and Toshkov (2007) analyse the evolution of coordination structures for relations with the EU in a comparative study of all ECE candidate countries that joined the EU in 2004. They find that the new members have repeatedly made far-reaching changes during the accession preparations as well as after joining the EU. Such changes are related to changes in government. Coalition governments with a higher number of parties and greater ideological differences resulted in greater fragmentation of coordination mechanisms, while strong bureaucracies with vested interests in the status quo reduced the scope of change. Fink-Hafner (2007) also finds a significant impact of party political competition on coordination structures in Estonia, Hungary and Slovenia, but argues that administrative traditions were an important additional factor that filtered EU adjustment pressures.

Political science research on the Europeanisation of the judiciary in candidates is still fairly rare. Piana (2009) finds that the EU pressure for reform had an impact on the governance of the judicial branch and the governance of the court in Poland, the Czech Republic, and Hungary. However, in view of the absence of the promotion of a clear institutional model by the EU, divergent outcomes of judicial reform across these countries reflect the pre-existing distribution of power in the domestic actor constellation.

## 4.2 Impact on politics

### 4.2.1 Political parties, party system, and interest groups

With regard to the politics dimension – political parties and interest groups – studies of the EU’s impact on candidates have only slowly started to emerge. Analyses of the Europeanisation of interest groups or of the EU’s impact on civil society organisations are still rare, but have started to grow strongly. There is some evidence that domestic civil societies were empowered through transnational networks in the context of EU conditionality (Fagan 2005; Forest 2006; Iankova 2009; Parau 2009, 2010; Perez-Solorzano Borragan 2004, 2005). Yet the overall picture is still one of weak civil societies in CEECs (Sissenich 2010) that are unable to benefit from the opportunity structure provided by EU membership, and where Europeanisation primarily empowered those groups that already had sufficient capacities (Börzel 2010; Börzel and Buzogány 2010a,b; Carmin and Fagan 2010; Fagan 2010; Kutter and Trappmann 2010).

There is a larger literature on the Europeanisation of political parties and party systems in the candidates, but it is considerably smaller than the literature focused on the polity or policy dimensions of the EU’s impact. Studies of EU conditionality often overlook this area, as the EU does not usually attempt to exercise direct influence on party systems. The exception are cases in which the EU rather openly took sides in national elections against nationalist and/or authoritarian parties (see e.g. Pridham 2002; Rybář and Malová 2004; Vachudová 2005), but such studies are then usually placed within the context of the EU’s impact on democratisation, rather than the party system. At the same time, the EU’s political conditionality has been an important indirect influence on political parties in candidate countries (Hooghe and Vachudová 2009; Ladrech 2009; Lewis 2008; Vachudová 2008a).

While studies of the Europeanisation of political parties in the older member states find that the EU only has a limited influence on national party systems (Mair 2000), the EU’s impact in Central and Eastern Europe appears more significant (Hooghe and Vachudová 2009). The unconsolidated party systems of the eastern candidate countries may have been more susceptible to external influence, not least through European transnational party organisations that have been particularly active (Dakowska 2002; Lewis 2003; Pridham 1999; Pridham 2005: 164–166; Spirova 2008). Moreover, the proximity of accession has made the EU a more politicised issue than in the old member states (Ladrech 2009).

The reactions in the candidate countries’ party systems to the question of EU membership have attracted considerable attention. One particularly prominent focus in this area is on Euroscepticism in the party systems of candidates/new members (Ágh 2002; Batory and Sitter 2004; Henderson 2005; Kopecký and Mudde 2002; Lewis 2005; Taggart and Szczerbiak 2004). Another central focus is the politics of the accession referenda (Baun *et al.* 2006; Cini 2004; Fowler 2004; Hanley 2004; Henderson 2004; Krašovec and Lajh 2004; Mikkel and Pridham 2004; Neumayer 2008; Szczerbiak 2004; Szczerbiak and Taggart 2004a,b, 2005). In-depth, book-length analyses of individual candidate countries have been slower to emerge (but see Batory 2008).

Enyedi and Lewis (2007) identify two main areas in which the EU’s impact was most apparent. The EU constrained the scope for alternative government coalitions by creating disincentives to form coalitions with extremist parties (see also Vachudová 2008b). In turn, these constraints led to a decline in radical parties in the party system. Moreover, the EU contributed indirectly to a ‘standardisation’ of party ideologies, as parties in the candidate countries oriented themselves towards transnational European party families. Spirova (2008) also claims that European party federations had a very direct impact on party development and their choice of electoral strategies. By contrast, an analysis of 27 post-communist countries by Armingeon and Careja (2008) finds that the EU has not been important for domestic processes, such as cabinet formation or party system structuring, in accession countries.

With regard to the organisation of political parties, Lewis (2008) suggests that the EU had

an effect primarily on more transparent regulations of party financing and, to a lesser extent, in prompting a shift towards less hierarchical internal structures. By contrast, [Krašovec and Lajh \(2008\)](#) only find a very limited impact on the organisation of parties in Slovenia.

Studies of the Europeanisation of party systems in the candidate countries in the Western Balkans tend to find a somewhat more limited impact of the EU than in the candidate countries that joined the EU in 2004. As the domestic conditions in these countries have been less conducive for the impact of EU conditionality, its influence on the current candidate countries is also weaker ([Ladrech 2008](#)). [Fink-Hafner \(2008\)](#) explains the differences in the EU's impact across (potential) candidates in the Western Balkans – stronger in Croatia and weaker in Serbia, with Montenegro in between – with the higher degree of the institutionalisation of the party system, closer links with European party federations, and more positive voter attitudes toward the EU. Despite this comparatively weaker impact in Serbia, [Orlović \(2008\)](#) still finds an impact on the programmes and organisation of those Serbian political parties that have joined European party organisations.

#### 4.2.2 Adverse effects on political competition, accountability, and grass-roots politics

While studies of the impact of the EU on democratisation in candidate countries generally consider such an impact to have a positive effect, some analyses suggest that the EU's influence might have been detrimental to democracy in (see e.g. [Grzymala-Busse 2004](#); [Grzymala-Busse and Innes 2003](#); [Hughes 2001](#)).

For example, the EU's main impact on national party systems that [Mair \(2000\)](#) identifies, namely the de-politicising effect of a domestic consensus on integration, which hollows out political competition, is exacerbated in the context of accession and post-communist transition. [Innes \(2002: 101-102\)](#) suggests that the EU 'could have a debilitating effect, arresting party developments by excluding from political competition those substantive, grass-roots, ideological policy conflicts around which western European party systems have evolved'.

Similar criticism has been levelled against the impact of the EU on the development of domestic civil society organisations. The EU's efforts to strengthen environmental NGOs in the CEECs had the adverse effect of undermining them by usurping their agenda and divorcing them from grassroots support and activism ([Fagan 2005](#); [Fagan and Jehlička 2002](#); [Fagan and Tickle 2001](#)). Other studies take a less sceptical view and observe that NGOs with strong international links usually combined these with strong local roots ([Stark et al. 2006](#), see also [Petrova and Tarrow 2007](#)).

Another ambiguous effect of the EU on democratic consolidation in the candidates is the Europeanisation of post-communist parliaments. [Chiva \(2007\)](#) finds a considerable impact on parliament agendas and structures, as well as on the role of European Affairs Committees and legislative output related to the adoption of the *acquis*, especially the greater the proximity of accession. The most problematic impact on parliaments – which has also been observed in the member states – is the strengthening of executives vis-à-vis parliaments ([Dimitrova and Pridham 2004](#); [Goetz 2005](#); [Grabbe 2001](#); [Raik 2002](#); [Sadurski 2006](#)). As [Sadurski \(2006: 7\)](#) puts it: 'Enactment of EU-related laws was often fast-tracked, with little or no serious parliamentary discussions, and with the executive controlling the process throughout. This was perhaps no bad thing, given the notorious inefficiency and incompetence of parliamentary institutions in post-communist states, and was arguably the only way to ensure that the enormous body of EU law was transposed into domestic legislation. ... [However], it strengthened the executive bodies over their parliamentary equivalents, a secretive procedure over fully transparent ones, and the quick-fix pace of decision-making over comprehensive deliberation. [The goal of accession] gave the executive more power to by-pass parliament and to justify the centralisation of decision-making by the emergency-like circumstances.'

### 4.3 Policy Impact

The literature finds the greatest impact of the EU in the policy dimension. Most studies confirm that this impact is due to the EU's conditionality and that the incentive of membership – if credible – also trumped domestic costs (Schimmelfennig and Sedelmeier 2005a: 215–217; Schimmelfennig and Sedelmeier 2006: 8–11). Some more recent studies also emphasise the importance of administrative capacities. Hille and Knill (2006) argue that variation in the pace of legislative alignment with the EU's *acquis communautaire* among the candidate countries did not so much depend on veto players in the legislative process, but on administrative capacities. Toshkov (2008, 2009) finds that both political preferences and government capacity had an effect on the transposition of EU directives in the eight CEECs that joined the EU in 2004.

Administrative capacities have not only figured as a prominent explanatory factor, but – in contrast to member state Europeanisation – as a dependent variable of the EU's policy impact in candidate countries. A novelty in the context of eastern enlargement is that the EU has undertaken considerable efforts to influence administrative practices in candidates, including civil service reforms and anti-corruption. It may well be that the EU 'certainly hastened such reform and gave it a visibility it would not otherwise have achieved as well as providing some legitimation for such change' (Pridham 2005) and there is evidence of considerable changes in formal rules induced by conditionality (Dimitrova 2005). At the same time, the impact was varied and often restricted by post-communist legacies, domestic opposition, the lack of a single EU model of administration, and inconsistent application of conditionality (Ágh 2003; Bossaert and Demmke 2003; Dimitrova 2002, 2005; Hîntea *et al.* 2004; Lippert and Umbach 2005; Meyer-Sahling 2004, 2006, 2008, 2009; Pridham 2005: 122–127; Reinholde 2004).

Empirical research in the policy dimension has emerged most prominently in the areas of regional policy (Ágh 2004; Bache 2010; Bruszt 2008; Baun 2002; Brusis 2002, 2005; Fowler 2001; Glenn 2004; Hughes *et al.* 2004; Jacoby 2004; Kettunen and Kungla 2005; Marek and Baun 2002; O'Dwyer 2006; Sturm and Dieringer 2005; Vass 2004), social policy (Cinca 2004; Dimitrova 2005; Draxler and Van Vliet 2010; Guillén and Palier 2004; Leiber 2005; Lendvai 2004, 2008; Sissenich 2005, 2007; Woolfson 2006), and in particular gender equality policy (Anderson 2006; Avdeyeva 2009; Sedelmeier 2009), environmental policy (Andonova 2003, 2005; Carmin and VanDeveer 2004), Justice and Home Affairs (Grabbe 2000, 2005; Lavenex 1999, 2001; Lavenex and Uçarer 2004; Trauner 2009a), and the EU's internal market regulations, even if such studies are often not framed in terms of 'Europeanisation' (see e.g. Appel 2006; Dunn 2003; Mattli and Plümpner 2004); but see Prange 2002, 2004). Other analyses have focused on very specific policies that the EU has only enforced in particular candidate countries, such as child protection policy in Romania (Jacoby *et al.* 2009).

These studies largely find that the EU's policy impact has been strong across policy areas and candidate countries. Although individual studies consider different explanatory factors, their findings are broadly compatible with the argument that the EU's policy impact depended on a credible membership incentive. Before the EU spelled out its conditionality, the candidate countries adopted EU rules in some policy areas, but such adjustments were patchy and highly selective. However, once the EU explicitly stated its accession conditions and regularly monitored the alignment of candidate countries, adjustment increased considerably. The EU's impact on the CEECs' alignment with EU policies intensified especially once the EU opened accession negotiations with a candidate country, which served as the most important evidence that the EU's membership incentive was credible.

The area of (macro-)economic policy in the post-communist countries has received much attention in studies of post-communist transformation, but there have been surprisingly few attempts to disentangle the distinctive impact of the EU from 'globalisation' and economic transformation more generally. More recently, the studies of the EU's impact on the political economies of the

candidates have become more prominent (Bandelj 2010; Bohle and Greskovits 2007; Cameron 2009; Epstein 2005, 2008a; Gray 2009; Jacoby 2010; Lindstrom and Piroška 2004), in particular with regard to the adjustment efforts involved in joining the EU's Economic and Monetary Union (Andronova Vincelette 2004; Dyson 2006, 2007; Epstein 2005, 2006, 2008a; Epstein and Johnson 2010; Johnson 2006).

Most studies find varied impact in this issue area, despite the very specific conditions for EMU entry. The explanation for this apparent puzzle is that the EU has not insisted on a specific date for EMU membership, which left governments with considerable discretion to respond to different domestic circumstances (see e.g. Dyson 2007; Johnson 2008). In other key issues related to macroeconomic policy, such as central bank independence and the liberalisation of the banking sector, the lack of intra-EU rules and less direct conditionality meant that the influence of the EU – and other international institutions – has relied more on socialisation strategies emphasised in constructivist analyses. Variation in their impact accordingly reflect differences in the extent to which domestic policy failure led post-communist elites to seek outside advice, and the normative consistency of such advice (Epstein 2008a,b).

The finding of a generally strong impact of the EU in the policy dimension does obviously not mean that that domestic adjustment costs and veto players did not matter. Domestic politics did play an important role, in particular in areas where the EU demands were more minimal or lacked credibility. For example, a number of studies have found that evidence of the EU's impact on regionalisation (as opposed to regional policy) is limited (see e.g. Bache 2010; Hughes and Sasse 2004; Hughes *et al.* 2004). This lack of impact nonetheless fits well with the expectations of rationalist institutionalism. The *acquis* does not prescribe decentralisation and the devolution of powers to the regional level, but merely the establishment of statistical units for the purpose of administering the allocation of structural funds. Although parts of the Commission initially tried to promote a much more far-reaching interpretation of these conditions, inconsistencies in the Commission's message make the finding that domestic politics was the main determinant of regional policy fully compatible with a rationalist institutionalist perspective. Domestic politics also played an important role when domestic actors used the EU's conditionality instrumentally as a focal point for domestic changes to promote their own priorities (see e.g. Brusis 2005, 2010; Parau 2010). Differences in domestic factors thus account for a continued diversity of outcomes of alignment efforts and for variation in the speed of adjustment across policy areas and accession countries. However, domestic opposition to EU rules rarely effectively prevented the adoption of EU rules that were subject to credible accession conditionality.

Even the cases in which domestic politics appeared more important for particular policy outcomes than the preferences of EU actors, the limitations of the EU's impact in these cases fits well with rationalist institutional explanations. For example, factors limiting the effectiveness of conditionality include inconsistent demands from the Commission – either because some parts of the Commission informally promoted a more maximalist agenda than is underpinned by the *acquis* (see e.g. Hughes *et al.* 2004), or because some actors informally indicated specific areas were less important, such as elements of social policy (Sissenich 2005) or international development policies (Lightfoot 2010).

Furthermore, although rationalist institutionalism emerges as particularly well suited to explaining the general patterns of the EU's policy impact, constructivism is still relevant to explain specific cases. Such cases include the adoption of EU policies without, or prior to, EU adjustment pressures (see e.g. Andonova 2005; Orenstein 2008) or the internalisation of EU rules by actors in the candidate countries even if the policies were initially adopted instrumentally (Grabbe 2005). Moreover, in cases in which social learning provided the main mechanism of policy transfer, these policies were much less prone to domestic contestation (Epstein 2005).

In sum, in view of the starting point of the post-communist countries, the EU did induce a certain extent of convergence; at least if compared to the older member states and especially in

areas where EU rules do not leave much scope for discretion. However, convergence has been far from uniform, and diversity persists, as the EU's impact is differential across policy areas and domestic contexts (see also [Bruszt 2002](#); [Zielonka and Mair 2002](#)).



## 5 Empirical findings II: Europeanisation of new member states after accession

In view of the particular findings of candidate country Europeanisation in the context of the 2004/2007 enlargements, the study of the Europeanisation of new members after accession stands out as an important temporal extension of this research area. After all, it was precisely the concerns about the ability of the central and eastern European candidates to apply the *acquis* after accession has been one key reservation against enlargement and the main motive behind the pervasive pressures for strict and early pre-accession alignment underpinned by conditionality. Furthermore, even in certain areas where the EU's pre-accession influence has been particularly pervasive, some studies have questioned whether this impact remains sustainable after accession. With regard to changes in the polity, doubts have been raised whether an instrumental conversion to democratic principles, in which formal institutions lack popular acceptance, will lead to sustainable democracy without continuous external monitoring (Pop-Eleches 2007a: 150). With regard to policy changes, sustainability might be undermined by incentives to engage only in shallow institutionalisation that is not difficult to reverse after accession (Goetz 2005: 262; Jacoby 1999).

The finding that conditionality – the external incentive of membership – was the key mechanism that led to the adoption of EU rules by the candidates makes the question of post-accession compliance even more salient (Dimitrova and Steunenberg 2004: 180; Dimitrova 2010; Epstein and Sedelmeier 2008; Scherpereel 2006: 143; Schimmelfennig and Sedelmeier 2004: 677–679; Schimmelfennig and Sedelmeier 2005a: 226–227; Sedelmeier 2008): how do the changes in the incentive structure affect behaviour? Can the EU's compliance system – the ultimate threat of financial penalties imposed by the European Court of Justice – compensate for the absence of conditional incentives, i.e. the threat of withholding membership? Are the domestic changes generated by conditionality conducive to sustainable compliance – application and enforcement – after accession? What happens in areas of political conditionality where the powers of EU institutions vis-à-vis full members are limited?

### 5.1 Post-accession compliance with EU law

Studies of post-accession compliance with EU law broadly focus on one or more of three related questions, each involving specific types of comparisons. The first question concerns the differences between pre- and post-accession compliance in the new member: did compliance deteriorate after a state has achieved accession? The second question concerns the differences between compliance in old and new members: do the new members perform generally worse than the old members? The third question focuses on the variation in post-accession compliance across the new members. Arguably, a combination of all three types of comparisons is necessary to capture the dynamics of post-accession compliance in the new members and to grasp the distinctiveness of conditionality-induced Europeanisation.

The study of post-accession compliance, or post-conditionality compliance, with EU law in the new member states brings the analysis closer to the established literature on EU compliance (for the state of the art, see Börzel *et al.* 2010; Mastenbroek 2005; Treib 2006). Key explanatory factors emphasised in this literature are generally less favourable in the new members than in the old member states, namely low administrative capacities and high adjustment costs (due to post-communist transition and the lack of influence on EU rules agreed before their accession). In broad terms, compliance in the new members could then be expected to be generally more problematic than in the old member states. Moreover, as suggested above, in view of the importance of the membership incentive for conditionality-driven adjustment, the changing incentive structure after accession post-accession compliance in the new members should be more problematic than pre-accession adjustments.

However, case studies that provide evidence for the above expectations are in a minority. O'Dwyer and Schwartz indeed find a retrenchment of post-accession Europeanisation of policies to promote non-discrimination on the grounds of sexual orientation in Poland and Latvia (O'Dwyer 2010; O'Dwyer and Schwartz 2010). In these cases, the conditions for post-accession compliance were particularly unfavourable: pre-accession conditionality had been used weakly, but also national identity and normative resonance are obstacles to the adoption of EU policy, which made it difficult to compensate for the loss in EU leverage with persuasion strategies.

By contrast, a number of case studies of particular policy areas and broader cross-country comparisons of compliance in the enlarged EU do not find systematic evidence of compliance problems after accession. Comparisons of pre-accession adjustments and post-accession compliance in the new member states do not find much evidence of a deterioration in areas such as state aid policies (Blauberger 2009) and gender equality at the workplace (Sedelmeier 2009). Along similar lines, compliance in the new members does not appear more problematic than in the old member states. In a systematic comparison of the transposition of EU social policy directives in Poland, Leiber (2007) finds that there were no more significant transposition problems than the old member states experienced with the same directives. In Michelsen's (2008) study of organic agriculture regulations of the Common Agricultural Policy does not find that the EU's impact on new members differed from the old members. Steunenbergh and Toshkov (2009) show that the new members do not have any greater problems than the old members with the timely transposition of four different EU directives. More generally, descriptive statistics of the Commission's decisions on infringements of EU law suggests that concerns about an 'eastern problem' are vastly exaggerated (Sedelmeier 2008). Most of the new members outperform virtually all of the older member states. Only Poland and the Czech Republic lag somewhat behind, but still perform better than the old members on average. In addition, the study finds a specific behaviour of the new members in the settlement of infringement cases: initial infringements are generally corrected faster, and at an earlier stage of the EU's enforcement procedures than in the old member states.

At the same time, doubts have been raised about the reliability of the data used to establish this positive picture of post-accession compliance. Studies of candidate Europeanisation generally focused most on formal rule adoption, i.e. the legal transposition of the *acquis*, but a key issue for post-accession compliance is the focus on practical implementation on the ground (application and enforcement of legislation, including the application of EU law by national courts (on the latter, see Kühn 2005). A key insight of a detailed qualitative study of the implementation of directives on working time and non-discrimination in Slovenia, Slovakia, the Czech Republic and Hungary, is that there is a gap between the good legislative record and formal transposition, and serious problems with regard to application on the ground (Falkner and Treib 2008; Falkner *et al.* 2008). Falkner, Treib and their collaborators find that this specific implementation behaviour is, however, not unique for the new member states. Instead, they suggest that such behaviour is in line with a distinctive 'world of compliance' that they observed in a study of the implementation of six social policy directives in the 15 old member states (Falkner *et al.* 2005). Such a 'world of dead letters' (that they previously classified as a sub-category of a 'world of domestic politics'), in which the transposition processes are politicised, and application and enforcement problems are systematic, even for cases of correct transposition, is also characteristic for Ireland and Italy among the old members.

The findings by Falkner and Treib and their collaborators suggest that a key challenge for further research is to include the enforcement and application of legislation into studies of post-accession compliance (see also Dimitrova 2010, for applications, see Brosig 2010; Krizsan 2009; Maniokas 2009; Trauner 2009b). Moreover, their research suggests the need for more systematic comparisons of implementation in old and new member states across a wider range of policy areas. Such comparisons also are necessary to ascertain whether 'dead letters' is indeed a problem that is specific to the new members, or to specific policy areas (such as gender equality at the workplace)

where application and enforcement is notoriously problematic also across member states. If ‘dead letters’ are indeed characteristic for implementation in the new members, a key question is how this pattern can be explained. Falkner (2010) suggests that the institutional structures of public enforcement are generally deficient in the CEECs as a legacy of communism and economic crisis. Another (complementary) possibility for further research to probe is to what extent such behaviour might be an unintended consequence of the application of pre-accession conditionality. Despite the repeated emphasis of EU institutions on the necessary administrative and judicial structures for the correct application of EU legislation, pre-accession conditionality might have focused primarily on swift and correct legal transposition, which is easier to monitor.

Another key challenge for further research is to explain the apparent absence of a deterioration of post-accession compliance in the new members and their apparently good compliance compared to the old member states. Most of the above studies do not aim to explain the empirical patterns that they observe, and do not investigate whether there is anything specific about post-conditionality compliance within the enlarged EU. Sedelmeier (2008) does not test explanations for the surprisingly good performance, but merely suggests that further research should focus on two different legacies of the experience of pre-accession conditionality: the pre-accession institutional investment into administrative and legislative procedures that enable the fast transposition of new legislation, as well as a pre-accession socialisation into process of compliance that makes the new member states that aspire to be respectable member states more susceptible to accepting good compliance as appropriate behaviour. Those studies generate explanations for compliance in the new members or the enlarged EU more generally do not. For example, Steunenberg and Toshkov (2009) explain variation in transposition records with legal-administrative factors such as discretion and legal fit, which suggests that there is nothing specific about the new member states. Likewise, the studies comparing pre- and post-accession compliance point at explanatory factors that are not specific to the new members, such as the Commission’s enforcement powers (Blauberger 2009) or the absence of high adjustment costs, as well as strong centre-left governments in combination with specialised NGOs (Sedelmeier 2009).

Studies that focus on explanations for the variation in compliance across the new members are important in their own right, but their findings also do not usually lend themselves for an exploration of what – if anything – makes compliance in the new members different from the old members. In the first systematic cross-country analysis of infringements in the new members, Knill and Tosun (2009) identify three main explanatory factors: the extent of trade with the EU, bureaucratic capacity, and the extent of pre-accession alignment. Dimitrova and Toshkov (2009) find that variation in the transposition of two directives across four new members relates strongly to the strength of a specific type of administrative capacity – the mechanisms to coordinate EU affairs – as long as an issue is not highly politicised. A key challenge for studies that want to explore the distinctiveness of post-conditionality compliance is to establish whether such factors more generally explain variation in compliance across old and new members in the enlarged EU. Alternatively, if explanatory factors are specific to the new members, or if their impact on the new members differs from their impact on the old members, the question is why this might be the case.

## 5.2 Post-accession compliance with political conditionality

The sanctions available to EU institutions to punish infringements of EU law are less powerful than the threat of withholding membership prior to accession, but these still compare very favourably to the leverage of EU institutions with regard to violations of the political conditions for accession (such as democracy, human rights, minority rights). There is still a scarcity of studies that analyse whether the new members continue to comply with the EU’s political conditions. Both cross-national studies using quantitative indicators and qualitative case studies show a mixed picture, rather than one of a general backsliding as the EU’s leverage recedes.

Levitz and Pop-Eleches (2010b, see also 2010a) analyse cross-national statistics and public opinion data, as well as expert interviews and find that there has been at most a slow down, rather than a reversal, of governance reforms after accession. They attribute this result to the new members' dependence on EU aid and trade, the increased transnational linkages with the EU for both elites and citizens, due to greater work and travel opportunities. Vachudová (2009) draws on cross-national statistics that show a rather bleak picture of the fight against corruption in the new members. The situation is particularly worrying in Bulgaria and Romania despite continued post-accession monitoring in these two countries (see also Andreev 2009). She attributes these problems to extended periods of state capture that were facilitated by the lack of political competition during and after the regime changes. Vachudová also finds that party systems show a hardening of nationalist and illiberal positions after accession, but such parties have only made most gains (2008b).

Qualitative case studies, especially with regard to minority rights, also show a mixed empirical record of post-accession compliance. Sasse (2008) finds that Latvia continued to comply with EU conditions by ratifying the Council of Europe's Framework Convention on National Minorities, but she is very critical towards the impact that such formal changes had in practice, even prior to accession (see also Brosig 2010). Pridham (2008b,a, 2009) finds a more diverse pattern in studies of judicial reform, the fight against corruption, and minority rights in Slovakia and Latvia. He suggests that EU political conditionality had a lasting impact when it led to the creation of new institutions and changes of legislation that have largely remained in place after accession. Changes in government do not seem to have affected the continuation of reforms. Pressures for reversals were effective in some issues, such as the abolition of the Civil Service Office in Slovakia. In Latvian, judicial reform and anti-corruption policies continued after accession, while there are some signs of a worsening situation with regard to minority rights and a neglect of commitments undertaken during accession, such as on the use of minority language in the private sector (2009: 78–79). Yet although external pressures are much weaker after accession, Pridham (2008a) argues that peer pressure from the European Parliament had an impact on minority issues in Latvia.

A key challenge for the study of the impact of accession on political reforms promoted through political accession conditionality is to combine broader cross-country comparative analysis with qualitative case studies to demonstrate the causal mechanisms that explain variation. A promising step in this direction is the use of multi-value Qualitative Comparative Analysis by Schwellnus *et al.* (2009) to study five issue areas related to minority rights in four new members. Their preliminary evidence suggests that instances in which minority protection is reversed after accession are very rare, but there is also a marked decline in policy changes that improve the situation of minorities. Such positive changes required very demanding favourable domestic conditions, namely a pro-minority oriented governments and veto players in combination with small minorities.

## 6 Europeanisation of candidate countries: conclusions and gaps

Especially the emergence of a number of book-length studies of the EU's impact in Central and Eastern Europe (Andonova 2003; Dimitrova 2004; Grabbe 2006; Hughes *et al.* 2004; Jacoby 2004; Kelley 2004b; Kubicek 2003a; Linden 2002; Pridham 2005; Schimmelfennig *et al.* 2006; Schimmelfennig and Sedelmeier 2005b; Vachudová 2005; Orenstein 2008) has contributed greatly to the emergence of the study of the Europeanisation of applicant states as a distinctive, fairly coherent and increasingly sophisticated research area, which has injected new dynamism into the study of Europeanisation more generally. Especially those studies that explicitly and systematically analyse explanatory factors derived from the debate between rationalist and constructivist institutionalism (Bauer *et al.* 2007; Jacoby 2004; Kelley 2004b; Kubicek 2003a; Schimmelfennig *et al.* 2006; Schimmelfennig and Sedelmeier 2005b), provide a promising theoretical framework for this field of research. These developments suggest that it is indeed possible and fruitful for the research community to think of candidate country Europeanisation as a distinctive sub-field of research. Factors that make the more recent cases of candidate Europeanisation distinctive are not only the particular socio-economic characteristics of the post-communist countries, but also the sustained attempts by the EU to transfer its rules to non-members prior to accession, underpinned by accession conditionality; the top-down, rather than two-way nature of Europeanisation; and the significant power asymmetry between the EU and the targets of Europeanisation (see also Börzel and Sedelmeier 2006; Goetz 2005; Grabbe 2003; Héritier 2005; Schimmelfennig and Sedelmeier 2005c).

At the same time, this distinctiveness does certainly not mean that candidate Europeanisation should be studied in isolation from broader debates. The insights to be gained from research in this area have been then the most significant precisely when it has been well connected to Europeanisation studies more generally, and to key theoretical debates in the broader disciplines of International Relations and Comparative Politics.

Analyses of the Europeanisation of candidate countries suggest that rationalist institutionalism is well suited to explaining (variation in) the EU's domestic impact and that conditionality is the dominant mechanism of the EU's influence. At the same time, these studies also suggest that it is important to distinguish clearly between 'conditionality' as a strategy used by the EU, and 'conditionality' as an explanatory model or ideal-typical mechanism of EU influence. Conditionality as a strategy is not always effective, but the explanatory model can still successfully explain such cases. To avoid confusion, it might be use to avoid the label 'conditionality model' for the explanatory model, but instead refer to a 'rationalist institutionalist' *approach* or 'external incentives' *model*. This explanatory model holds that conditionality as a strategy is only effective under clearly defined conditions, most importantly, a credible membership perspective as the main reward offered by the EU, and that domestic adjustment costs are not prohibitively high for incumbent governments and do not threaten their power base.

On the one hand, most studies find that the EU's conditionality – as a strategy – has been fairly successful, and generally more successful than (exclusive) normative pressure and socialisation. Yet, many studies also find that there have been limits to the EU's influence through conditionality and that its impact has been differential (Hughes *et al.* 2004; Jacoby 2004; Schimmelfennig and Sedelmeier 2005c: 2–3).

On the other hand, with regard to theoretical findings, most studies also agree, at least implicitly, that not only the success, but also the limitations of the EU's conditionality – i.e. the conditions that determine its effectiveness – are best explained by a rationalist institutionalist approach. Rationalist institutionalism emphasises conditionality – rather than alternative mechanisms such as socialisation – but crucially also specifies both international and domestic mediating factors. Thus, it explicitly takes into account that 'conditionality' is far from a homogeneous

instrument that is applied uniformly across countries and issue areas.

## 6.1 Comparisons across enlargement rounds

Amid its strong growth, remaining gaps in the literature on the Europeanisation of candidate countries have become clearer. One of the more obvious gaps is the almost exclusive focus on applicants from the eastern enlargement in which the research agenda on candidate country Europeanisation has developed. As the introduction to this review alluded to, the EU's impact on the applicants in this enlargement round has a number of distinctive elements which were particularly conducive to the emergence of a new research programme. Yet even if in previous enlargement rounds some of these elements were not as distinctive (such as the extent of the *acquis*, the use of explicit conditionality, the socio-economic starting conditions of the candidates), more comparative insights are desirable, precisely in order to establish to what extent the conceptual frameworks developed in the context of eastern enlargement allow us to understand candidate country Europeanisation – and the Europeanisation of non-member states – more generally.

## 6.2 Conceptualising the impact of domestic politics

A conceptual gap that is becoming more evident is – maybe somewhat surprisingly – a better conceptualisation of domestic politics through a clear *ex ante* specification of the factors through which adjustment costs arise at the domestic level. The existence of such a gap might appear somewhat surprising, given that most of the literature precisely emphasises the importance of the interplay between international and domestic factors. Although the conceptual frameworks that dominate in theoretically informed studies of candidate country Europeanisation are informed by approaches from International Relations, they draw specifically on the subfield that analyses the domestic impact of international institutions. A particular strength of most of these studies is precisely that they stress the importance of domestic politics (see also Scherpereel 2006: 136) as factors that mediate the EU's influence, e.g. through veto players and adoption costs, or normative rule resonance.

Yet there is a certain imbalance in the extent to which the literature currently identifies domestic and international mediating factors. For example, while Schimmelfennig and Sedelmeier (2005c) elaborate greatly on international factors that can affect governments' cost/benefit calculations, the category for (rationalist) domestic factors remains a rather undifferentiated 'domestic adoption costs' or 'veto players'. Again, the problem is not that this approach neglects domestic politics. Instead, it is their specification that is problematic: the domestic factors that most of the literature emphasises – veto players, actor density, domestic costs – often remain rather broad and are therefore subject to ad hoc operationalisation. As a result, an inductive analysis of domestic costs is not kept separately from the analysis of outcomes, and hence the impact of costs. A target government's opposition to EU demands is often taken as an indicator of high domestic adjustment costs, without sufficient analysis why these governments perceived EU demands as costly, and how such costs could have been operationalised and assessed prior to the analysis.

Studies of the EU's impact on democracy and political rights have gone furthest towards a better specification of domestic costs by focusing on the orientation of political parties. Distinctions between liberal and illiberal/anti-liberal (and mixed) states or party system constellations (Schimmelfennig 2005; Vachudová 2005), might provide good indicators of governments' adjustment costs arising from the EU's democracy-related political conditions. In particular more detailed analyses of the extent to which liberal vs. strict ethnic policy preferences are represented in parliament (Kelley 2004b). The literature on partial (post-communist) reforms in Comparative Politics (e.g. Hellman 1998) also offers useful indicators for specifying some of the domestic costs for ruling elites of forgoing the benefits of partial reform. Yet, the distinction between domestic governmental party

constellations still remains somewhat broad, and cannot be used easily as indicators for the EU's impact on socio-economic policies. In that area, comparative politics and comparative political economy can make stronger contributions. For example, Andonova's study (2003) of environmental policy uses the internationalisation of an economic sector as an indicator of interest group preferences and their costs/benefits from harmonisation with EU legislation. Another example are studies of the EU's impact on gender equality at the workplace identify a number of factors that affect the adjustment costs for governments, including the government's partisan orientation, societal mobilisation (for an against women's rights), the strength of women's NGOs, and the adjustment costs for employers as reflected in the gender wage gap (Anderson 2006; Avdeyeva 2009; Sedelmeier 2009).

### 6.3 Europeanisation without a credible EU membership perspective

Another finding of the analysis of applicant state Europeanisation is particularly relevant for the study of the EU's use of conditionality and softer instruments of influence in countries that do not have a credible accession perspective. A key factor that determined the effectiveness of conditionality is a credible accession perspective. Membership is the most sizeable reward and incentive that the EU can offer, but to be effective, it needs to be credible. This finding raises the question of the EU's ability to influence developments in the current candidate countries (with the exception of Iceland) as effectively as in the case of the ECE (see also Epstein and Sedelmeier 2008: 799; Schimmelfennig 2008). Although these countries have in principle a membership perspective, either the opposition inside the EU to enlargement more generally, or towards particular countries more specifically, have greatly reduced its credibility. The problem of credibility is particularly salient in Turkey, but also in the current candidates in the Western Balkans where the membership prospect is also more distant than it was in the ECE. In addition, in these countries the domestic costs of complying with EU conditionality are also often very high, as they touch on sensitive questions of statehood and national identity (see e.g. Freyburg and Richter 2010; Subotić 2010). and low state capacity and lower levels of economic development make accession a more distant prospect. The specific nature of the EU's political conditions also makes it easier for nationalist politicians for which they create adjustment costs, to challenge their legitimacy (Noutcheva 2009). In view of these generally unfavourable conditions, more limited Europeanisation effects could be therefore expected in these countries. Effects on the national polity are particularly difficult, while policy impact might be possible, especially in areas where the EU can offer highly valued issue-specific rewards – such as visa facilitation – even in the absence of membership (see e.g. Trauner 2009a).

The conditions are even less favourable in non-member states for which the EU has explicitly ruled out membership, at least for the foreseeable future, although they are at least in principle eligible to apply for membership as European countries – specifically the former Soviet republics that are part of the 'Eastern Partnership' (Kelley 2006; Smith 2005; Sedelmeier 2007). What this means for the ability of the EU to influence domestic politics in these countries is a key question for studies of 'Europeanisation beyond the EU' (Lavenex and Schimmelfennig 2009; Schimmelfennig 2009).

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