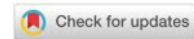


THE EUROPEAN UNION'S ENLARGEMENT POLICY CHANGES IN THE LAST DECADE – A SUCCESSFUL INTERNATIONAL PRACTICE OR DYSFUNCTIONAL TRANSFORMATION?

Miljana Đurčević Cucić*

¹Faculty of Political Sciences University of Belgrade, Republic of Serbia,
e-mail: miljana.djurceviccucic@fpn.bg.ac.rs



Abstract: Since 2004, the European Union's (EU) transformation and integration potential has been evident and limited. An unusual pattern of perceived threats and challenges precluded the EU's enlargement. One country from the Western Balkans' (WB) fold was found suitable over the last ten years to join the EU. The rest of the WB are still queuing in front of the gates of the EU family. The purpose of this paper is to assess how recent changes in the international arena, including suffering on Ukraine's soil and providing candidate status for Ukraine at the same time, affected the EU "red lines" in the enlargement process, together with the lessons learned from the considerable enlargement in 2004. Does the EU enlargement policy as primarily part of the EU foreign policy still have the effect of a "screwdriver," or has it eventually become a "hammer" of hard power and force by hitting suddenly foreign policy problems that look like nails (Kagan, 2003), as it seems in Ukraine's example? Did the Lisbon Treaty bring profound transformation to enlargement policy, and is it still one of the EU's successful stories? This article aims to answer these questions. The assessment method is based on the International practice theory approach and Christian Bueger's and Frank Gadinger's definition and determinants of practice known as the Commitments of International Practice Theory (relying on elements of practice defined by Emanuel Adler and Vincent Pouliot). This approach judges whether or not the EU is a global actor that fulfills all inquiries of creating international practice from the enlargement policy. Based on the results, it is confirmed that the EU is a worldwide actor surviving in times of global transformations and that the enlargement policy is a valuable international practice. However, changes in the conditionality policy in the EU accession process could lead to several scenarios, and one of them is the loss of interest in some of the candidate countries, which could cause perceiving the enlargement policy as a dysfunctional transformation in the future.

Keywords: EU, enlargement, foreign policy, theory of practice, conditionality.

Field: Social sciences.

1. INTRODUCTION

The issue investigated is dedicated to the enlargement policy of the EU, defined as "the process whereby states join the European Union after they have fulfilled a set of political and economic conditions." As stated, "The accession criteria, or Copenhagen criteria (named after the 1993 Copenhagen European Council meeting which defined them), are the essential conditions all candidate countries must satisfy to become an EU member state. These are political criteria: stability of institutions guaranteeing democracy, the rule of law, human rights, and respect for and protection of minorities; economic criteria: a functioning market economy and the capacity to cope with competition and market forces; administrative and institutional capacity to effectively implement the EU *acquis* (body of common rights) and ability to take on the obligations of EU membership (European Commission, 1993). Even though the Lisbon Treaty did not change the mentioned enlargement policy criteria, it altered the diplomacy of the EU and institutional system together with a way to perform EU foreign policy towards third countries. Those changes consist of new institutions mirrored in the European External Action Service, High Representative for Foreign Affairs and Security Policy, and Delegations of the EU, formerly presenting the Commission of the EU only and now EU as a single entity and unique international legal subject (Đurčević Cucić, 2021). The Treaty of Lisbon came into force in December 2009. Since then, only Croatia has implemented the required conditions of becoming one more democracy in the company of the EU members. Once the country fulfills all highlighted criteria and all EU member states approve it unanimously, it becomes part of the EU. However, the practice and present situation in the EU shows us that in the last ten years, the candidates have yet to express enough willingness and readiness, according to the EU, to be valuable members. The last country that joined the EU family was, as previously mentioned, Croatia in 2013. As of August 2023,

*Corresponding author: milica.denkovska@gmail.com



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the number of candidate countries remains as follows: Montenegro, Serbia, Türkiye, North Macedonia, Albania, Ukraine, Moldova, and Bosnia and Herzegovina. Considering the European Council conclusions (2022), the potential and preparedness of all mentioned countries are not high on the Copenhagen criteria ladder. It may seem that enlargement policy since the Lisbon Treaty has been tripped over somewhere between the intention of resolving the international crisis by granting candidate status (Ukraine), constant regional issues, and lack of progress in reforms that involve introducing a new methodology approach in 2020 (Western Balkans) or having specific political differences and discrepancies with leaders (Turkey). Alternatively, the crucial reason for cautionary behavior resembling “who should be in and who should stay out” is no less critical than “red lines” and lessons learned from previous enlargements.

This paper aims to assess if the EU enlargement policy has the effect of a „screwdriver“ or if it holds the „hammer” regarding new memberships. The presumption of this research goes both ways, and the International practice theory approach is essential in evaluating these ways to define the EU's position as a diplomatic actor who can produce valuable international practice. The lack of membership in the last decade and the change in policy and attitude toward candidates are essential indicators for a better understanding of EU behavior.

2. MATERIALS AND METHODS

Using the International Practice Theory (IPT) approach is, at the same time, complex but challenging when it comes to this specific topic. This part of the paper aims to provide sufficient details on whether the EU fulfills the criteria stated in Bueger's and Gadinger's framework of how some behaviors and actions become practices. Their explained commitments to IPT rely primarily on Pouliot's and Adler's turn in international practice theory. Hence, the hypothesis is that the EU is a global game-changer due to its capability to produce and provide solid and valuable international practice embodied in the EU enlargement policy.

Adler and Pouliot (2011, p.4) wrote, „Practices are socially meaningful patterns of action which, in being performed more or less competently, simultaneously embody, act out, and possibly reify background knowledge and discourse in and on the material world.” When it comes to “international practices” Adler and Pouliot (2011a, p.7) denote “socially organized activities that pertain to world politics, broadly construed.” Their fundamental claim is that to recognize any action as a prosperous practice, it has to include the following elements: first, practices are performances or processes of doing something; Second, practice tends to be patterned and exhibits certain regularities over time and space; Third, practice is more or less competent in a socially meaningful and recognizable way; Fourth, practice rests on background knowledge, which it embodies, enacts, and reifies all at once; Fifth, practice weaves together the discursive and material worlds (Adler&Pouliot, 2011, pp.6–7). Starting from this point of view, Bueger and Gadinger elaborate on specific commitments of IPT that will be used to examine EU enlargement policy as one particular international practice. The comparison with the international G8 annual summits elaborated by Adler and Pouliot is an excellent example of how EU enlargement policy could be perceived as a practice. They confirmed that these meetings of state officials constitute an international practice as they conform to the five dimensions they laid out (stated above).

As Bueger and Gadinger (2018, p.27) noted, the first commitment of the IPT is “practice theories emphasize process over stasis, foregrounding the procedural dimension of practice, and positing that any process requires activity.” Even though it is stated that EU enlargement is primarily a “policy” created by the EU institutions and decision-makers, it should be clear that this policy is turned into an “enlargement process” known in worldwide discourse. This process is a constant, structured, organized, and step-by-step implemented activity that became a practice since the first enlargement in 1973 with Ireland, Denmark, and the United Kingdom. Compared to the G8 summits from Adler and Pouliot's analysis (2011, p.7), “First, G8 summits are performances; they consist of a number of actions and processes that unfold in real-time, from the welcoming ceremony to the joint press conference through the official photography. Second, these performances are patterned from one year to the next.” Bearing this in mind, the EU enlargement process is also a performance that consists of several actions and processes that happen in real-time, such as annual meetings of the Stabilization and Association Committee, Stabilization and Association Council, as well as different Sub-committees established by the Stabilization and Association Agreement (SAA) that all countries need to sign prior of becoming a “candidate” (as an example of EU and candidate country negotiations documents please see: Council of the European Union, 2008; for Republic of Serbia available at: <https://www.mei.gov.rs/eng/documents/negotiations-with-the-eu/> ; for the EU documents and evaluations of Serbia position, available at: <https://www.mei.gov.rs/eng/documents/>

eu-documents/; for the EU documents and assessment of the WB countries: https://neighbourhood-enlargement.ec.europa.eu/enlargement-policy/enhanced-eu-engagement-western-balkans_en; for the EU documents and evaluations of other candidates: https://neighbourhood-enlargement.ec.europa.eu/enlargement-policy_en). When it comes to these official setups, they are well known as the organized and structured performance of meetings with high-level officials from both sides (the EU and candidate countries). The welcoming ceremony and the joint press conference are part of these performances, and a “family photo” at the end.

The second commitment refers to the distinct perspective on the knowledge that practice theories offer. Friedrichs and Kratochwil (2009) added that practice theorists situate knowledge in practice and, in that way, develop a unified account of knowing and doing. As Shotter (1993, p.7) affirmed, “connecting practice, acting and knowing, implies understanding knowledge as “knowing from within.” Such a conception of knowledge is, according to practice theorists, beyond the conventional definition of “knowing that” and “knowing how” since it is more comprehensive and broader even than the background knowledge (explained by Adler and Pouliot). As Bueger and Gadinger defined (2018, p.28), knowledge, its application, and creation cannot be separated from action: “It would be wrong to see the concept of practice as merely a synonym for action.” In practice, the actor, his beliefs and values, resources, and external environment are integrated “in one activity system, in which social, individual and material aspects are interdependent” (Hajer and Wagenaar 2003, p.20 as cited in Bueger and Gadinger 2018, p.28). Compared with the G8 summitry, Adler and Pouliot (2011, pp.7-8) highlighted, “Participating state officials generally exhibit a variable degree of competence as they attend the summit. Fourth, much of the performance rests on a form of background knowledge that is bound up in practice. For instance, there is a particular and skillful way for state officials to subtly take a little distance from the consensus forged for the official communique”. The assumption is that the EU enlargement process refers to different “types” of knowledge needed for the proper and quality policy implementation to reach the most democratic countries to become part of the community. Those different types of knowledge are created based on the “background knowledge” and the competence of officials included in the enlargement process. The mentioned Copenhagen criteria indicate how some country is well prepared or advanced in the preparation process for accession to the EU. In that assessment process, officials representing the EU “generally exhibit a variable degree of competence” as they are appointed for the mission of enlargement, which should be similar to the opposite side eager to join the EU. Therefore, it could be affirmed that this specific process connects “knowing, acting and practice,” using collected knowledge to enlarge EU borders and influence successfully.

Thirdly, practice theories consider knowing and acquiring knowledge by learning as inherently collective processes. Members of a distinct group learn and internalize practices as “rules of the game” primarily through interaction. Practices as “repeated interactional patterns” achieve temporary stability because “the need to engage one another forces people to return to common structures” (Swidler, 2001, p.85). On this matter in terms of Theory of practice approaches, Etienne Wenger (1998, 2000) and Theodore Schatzki (2001, 2002, 2003) pointed out the Community of Practice Approach (CPA) as a vital social theoretical account. However, Adler (2005) introduced this approach in International relations and made it valuable. “Two ideas are central in CPA: firstly, that learning is a core mechanism of practice by which knowing and doing become related, and secondly, that practice is organized in community structures” (Bueger&Gadinger, 2018, p.52). As for the EU enlargement process, the assumption is that learning processes exist “within” the EU structure first to recognize and comprehend how the enlargement process works. Second, this learning process and interaction occurs within one community structure: the EU family (member states). Third, the learning process and creating knowledge become practice once the EU family commences sharing with others outside the circle, which are, in this regard, third countries. Fourth, third countries become candidates once they accept learning and knowledge as part of their obligations and reality. Finally, this reality becomes a practice organized in one shared community structure immediately when the EU and candidate countries officially start the negotiation on accession and last until the candidate switches to a member state. However, the practice continues with another candidate until it reaches its full potential. Therefore, the hypothesis that EU enlargement policy is an international practice on this matter is evident, bearing in mind that the EU is establishing “rules of the game” to start interacting with countries outside the border (more on the EU as a community of practice in Bicchi, 2011).

Fourthly, practice theorists contend that practices have materiality: bodies are the primary carriers of practices but are not the only ones. Material artifacts or technologies can also fulfill this function. To stress the impact of objects, things, and artifacts on social life is not to add the element of materiality merely; it is an attempt to give non-humans a more precise role in the ontologies of the world (Bueger&Gadinger, 2018, p.28). Comparing the G8 summits, it is said, “Fifth and finally, G8 summits are ideational and material.

Participants spend a lot of time publicly and privately talking about their meetings to represent preferences and policies. To do so, they use various materials – conference rooms, ceremonial artifacts, the Internet, note exchanges with sherpas, etc.” (Adler&Pouliot, 2011, pp.7-8). It is the same with the enlargement process and meetings arranged in advance annually (SAA Committee or Sub-committees). “Material” and “non-human” are used at all those meetings since participants insist on using technology, paper, and conference rooms, and in the years of the COVID-19 pandemic, technology contributed essentially by using platforms such as WEBEX, ZOOM, or MS Teams. This helped to continue different practices, and EU enlargement activities since meetings were not canceled due to the closure of borders and travel restrictions but organized through secure online platforms such as WEBEX. According to the five elements of practice defined by Adler and Pouliot and compared to the G8 summitry, the EU enlargement policy is said to be approved as an international practice. The additional commitments of IPT that Bueger and Gadinger singled out add value to this assessment.

Fifthly, social order is understood as multiplicity. Instead of assuming universal or global wholes, the assumption is that there are always multiple and overlapping orders (Schatzki, 2002, p.87). There is never a single reality, but always multiple ones. “This does not imply chaos, limitless plurality, or an atomized understanding of order; orderliness is an achievement. It requires work and emerges from routines and repetitiveness in “situated accomplishments” of actors” (Lynch, 2001, p.131). “As such, order is always shifting and emergent; the assumption is that actors are reflexive and establish social orders through mutual accounts. Practices have a dual role, both creating order through accountability and serving to alter the “structure” by the innovativeness of reflexive agents” (Bueger&Gadinger, 2018, pp.28-29). On this matter, it is easy to explore the differences between the enlargement practice of the EU, bearing in mind that every “enlargement wave” since the establishment of the EU (European Communities before) was different in policies, conditions, requirements and real-time issues. As a result, the enlargement process is not entirely universal. On the contrary, there are always multiple and overlapping orders and different orders depending on the candidate in the negotiation process. The specific order exists, the ladder of criteria that must be fulfilled to climb to the top. However, every enlargement brought new lessons learned, conditions, and “red lines” to be drawn for the future candidates so that the EU remains a valuable organization. In that regard, what was brought as an issue with the enlargement to the Eastern European countries in 2004 and 2007 became a “red line” for the countries waiting in the line, such as those of Western Balkans. In conclusion, only one country in the last decade became a new member state, and a process is still ongoing for multiple countries to perform various orders and create different realities.

“Sixthly, practice theories embrace a performative understanding of the world; the world depends on practice.” (Bueger&Gadinger, 2018, p.29). Regarding this claim, different ways of performing the EU practices influence the world. Whether it is the health crisis such as the COVID-19 pandemic or the security crisis in Ukraine, the contribution of EU performance is immensely accepted, and the EU response is always awaited. Therefore, world politics could not be perceived as complete without the EU practices. Furthermore, “this “world of becoming” is the product of ongoing establishment, re-enactment, and maintenance of relations between actors, objects, and material artifacts. The concept of enactment turns the focus away from the idea that objects or structures have assumed a fixed, stable identity and that closure is achieved at some point. Enactment stresses the genuine openness of any construction process. Construction is never complete; objects, structures, or norms, therefore, exist primarily in practice. They are real because they are part of practices and are enacted in them. Practice is not a substance; it is continuously emergent and dependent on performances.” (Bueger&Gadinger, 2018, p.29). The concept of enactment is closely connected to the idea of the EU since all politics on paper are enacted and put into practice, and enlargement policy as well. Therefore, whenever a new approach is adopted, it can exist only if it is implemented. Whenever amendments and iterations in terms of the enlargement procedures are introduced, they will be applied to the candidate countries’ negotiation framework and negotiated with the officials, which means that this process is open and becomes a practice. An example is the new methodology for accessing the WB initiated in 2020 as a credible perspective (European Commission, 2020).

“Seventhly, practice theorists give primacy to the empirical and call for a readjustment of the relation between theory and practice. Practice theory is best understood as a methodological orientation in which concepts provide starting points, allow one to problematize, and ask empirical questions.” (Bueger&Gadinger, 2018, p.29). The EU enlargement policy here is assumed to be an international practice, neither a theory nor a methodology dedicated to this theory. However, based on everything written and the author’s personal experience*, all the EU policies, especially enlargement, prioritize the action

* The author has worked in the Ministry of European Integration (former Serbian European Integration Office)

and the empirical orientation. Moreover, the enlargement policy strictly focuses on empirical evidence and data submitted directly from the candidate countries through official channels. Every official meeting dedicated to the SAA process considers providing contributions of “what has been done in the previous period from the last meeting.” The assessment is based on the information provided, and evaluation occurs afterward. An example is a Country report (previously called Progress Report) that the European Commission periodically prepares for each candidate and potential candidate (Reports dedicated to the Western Balkans available at: https://neighbourhood-enlargement.ec.europa.eu/enlargement-policy/strategy-and-reports_en).

3. RESULTS AND DISCUSSIONS

According to the arguments elaborated in the previous chapter of this paper, it could be concluded that EU enlargement policy became an essential international practice that influenced not just European borders but also world politics. However, if it is stated that the EU enlargement policy became widely known international practice, it is not understandable why there have been no new members since 2013. Schatzki explained that every practice insists on change. However, he highlighted that constant doing must not be equated with change. He distinguishes between minor adjustments and major ruptures in practice (Schatzki, 2002, p.234). Both could be the case with the enlargement practice. It is already mentioned that EU enlargement policy has been constantly under moderation depending on the region/country that intends to join. These moderations or minor adjustments in the conditions are the results of different factors. One of the reasons for “minor” moderations in enlargement practice is in the course of the EU policy prioritization. The world economic crisis of 2008 affected all markets, including the EU common market. Therefore, the funds and means dedicated to the enlargement process and investment plans toward new membership were questioned and postponed. Secondly, in 2009, the Lisbon Treaty came into force with new institutional changes, structure, and re-organization that should help position the EU as an important diplomatic agent in the international arena. Consequently, in 2011, the EU became the first regional organization to gain “enhanced observer status” at the General Assembly of the United Nations, enabling the EU to improve its position within the UN and develop its game-changer role in the multilateral framework (United Nations General Assembly, 2011; Panke, 2014; Đurčević Cucić, 2022). In this period, the EU was focused on its multilateral diplomacy; even though the enlargement policy was not blocked or stopped, it was not one of the primary interests. Nevertheless, in 2013, the last country that joined the EU family was Croatia. After this, the enlargement practice slowed for a decade, and the EU conditionality approach toward candidates remained but moderately changed direction. For instance, the new European Commission (EC) appointed six main priorities in 2019, and the enlargement policy was not defined as any of them for five years. This moment could become “the one” when the practice changed from “minor adjustment” to a “major rupture as the moment in which practice fully breaks down” (Bueger&Gadinger, 2014, pp. 63-64). Based on what was previously described and elaborated, it is not a solid argument to claim that the EU enlargement practice came across a “major rupture” and that it collapsed completely. The EU’s behavior toward candidates is more cautious due to the lessons learned from previous enlargement and not because of the Lisbon Treaty changes or EC priorities. As claimed, every enlargement brought something new to the EU depending on the candidates; every process is additionally moderated but based on the conditions established at the beginning. The “red lines” the EU had drawn before every accession are based on experience. Therefore, after the accession of Croatia, for instance, it was clear that territorial disputes raised during the negotiation process with Slovenia could not be part of any future negotiations. In terms of the WB, numerous issues are raised. Starting in each country with a lack of democracy and rule of law, high corruption and organized crime rate, political instability, war crimes issues, and lack of media freedom trends. Additionally, the issues between candidates and potential candidates from the Western Balkans are hard to solve easily (even in ten years), as seen in the example of the Belgrade-Pristina dialogue. Moreover, disputes exist between candidates and member states (Croatia and Serbia on war crimes and minority rights, Hungary and Serbia on minority rights, Romania and Serbia on religious freedoms and minority rights, etc.). Only in the case of Serbia, numerous obstacles to becoming an EU member state show that it is not sufficiently prepared for that role. These obstacles are clearly defined in chapters dedicated to Judiciary and fundamental rights, and Justice, Freedom, and Security, which is why the EU periodically publishes an overview of Serbia’s progress in the so-called “Rule of Law non-paper regarding chapters 23 and 24 for Serbia” (available at: <https://www.mei.gov.rs/eng/documents/eu-documents/>). Therefore, the “red lines” jotted down by the EU regarding from 2013 until 2019 on the Republic of Serbia’s accession to the EU. Information in the text is based on the practical knowledge and experience gained during this post.

the enlargement process in the last decade are not the product of the major rupture and collapse of the enlargement practice but of the previous experiences. That said, it must be noted that certain discrepancies and changes in the EU enlargement conditionality rulebook exist regarding Ukraine's candidate position and preparation for accession to the EU. In this matter, it could be said that the EU preferably acted as a "hammer" and not as a "screwdriver" as in the WB scenario. It means that the EU became a "hammer of hard power and force" in the case of Ukraine since the crisis raised from the Russian invasion exploded as a "foreign policy problem that looks like nails," contrary to Kagan's argument (2003), that the EU is avoiding being a hammer in foreign policy problems. The EU intends to act as a savior of the world and European order and to intrude from all spheres into Ukraine's politics and actions like a hammer that strongly hit the nail, intending to resolve the crisis. The other way is the EU approach toward the Western Balkans accession, where its behavior is comparable to the screwdriver that "slowly but surely works deeply into the enlargement partner's "wood" through consistent pressure" (Kagan, 2003).

4. CONCLUSION

The success of the EU enlargement process as an international practice is evident. The EU's contribution to the international arena is unbearable since this regional organization overstepped the boundaries of regular regional organizations. Improvements in politics and the scale of development reached in different spheres must be highlighted when the EU position is questioned. Regarding enlargement policy, the EU defined an entirely new way of assessing and influencing countries to become better if they want to join. Unquestionably, the EU enlargement policy is one unique practice that could contribute to the Theory of practice as an asset and extraordinary example. As for future memberships to the EU, it will be hard for all current candidates to reach the level raised by the EU and overcome the red lines already positioned in the rules of the game. One of the possible scenarios might be if the EU decided to amend the scheme of the high criteria for security reasons and primarily to defend its borders. This would be a political decision of being a hammer and not a screwdriver in foreign policy, like in the case of Ukraine. As a result, all candidates quickly become members. The other scenario is to leave the enlargement process to lag while dealing with significant global issues by supporting the UN, NATO, OSCE, and other organizations and being globally positioned as an essential game-changer. In this case, the EU would be a screwdriver in the enlargement policy, and all candidates would be pressured to continue fulfilling the conditions slowly. Third, constantly changing directions in the EU conditions for the accession might lead to further pessimism and loss of interest in being part of the EU family after numerous years of trying (case of the WB countries comparing to Ukraine as a fast climber to the accession ladder). This scenario could bring the EU to a state of "dysfunctional transformation" of practice that goes wrong, and WB turns to other international players. However, at the moment, the EU is perceived as a successful global actor whose role in the world order is irreplaceable, not dysfunctional, bearing in mind the scope of its activities that reaches different continents and not just European countries.

ACKNOWLEDGMENTS

This work is supported by the Ministry of Science, Technological Development and Innovation Republic of Serbia [grant number 451-03-47/2023-01 from 17 January 2023]

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