THE EUROPEANIZATION OF CENTRAL AND EASTERN EUROPE

EDITED BY
FRANK SCHIMMELFENNIG
AND ULRICH SEDELMEIER

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CONTENTS

CHAPTER ONE

Introduction: Conceptualizing the Europeanization of Central and Eastern Europe

Frank Schimmelfennig and Ulrich Sedelmeier

Much of the literature on European integration refers to the domestic impact of the European Union (EU)[1] as "Europeanization."[2] In this sense, a far-reaching process of Europeanization is currently under way in Central and Eastern Europe.[3] In the aftermath of the fall of communism, international organizations have become strongly involved in the political and economic transformations in the Central and Eastern European countries (CEECs). The impact of international organizations has been most obvious in the case of the EU.

The desire of most CEECs to join the EU, combined with the high volume and intrusiveness of the rules attached to membership, allow the EU an unprecedented influence in restructuring domestic institutions and the entire range of public policies in the CEECs. For member states, the EU sets over 80 percent of economic

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1. For the sake of simplicity, this volume refers throughout to the EU, even if in particular instances the terms "European Community," or EC, would be more accurate (such as events before the entry into force of the Treaty on European Union in November 1993, or policy activities under the EC pillar of the Union).

2. An exception are Cowles, Caparaso, and Risse, who use the term as a synonym for "European integration"; yet as with the bulk of studies of "Europeanization," their volume also analyzes the impact of EU rules on domestic change (2001).

3. We underline that we do not subscribe to the overly EU-centric notion of "Europe" that the term implies. Indeed, as Helen Wallace has noted, the term "EU-ization" would be more accurate to denote the impact of the EU on the CEECs (2000). However, we go along with the widely used term "Europeanization," while noting its obvious inaccuracy; we supply a pragmatic definition for the purpose of our analysis below.

regulations,[4] and the EU's membership requirements include proof of the ability to implement the entire range of the *acquis communautaire*, regularly cited as including over 80,000 pages of legislation. The impact of alignment on the legislative process in the CEECs is unmistakable. In Hungary's June 1999 parliamentary session, for example, 152 of the 180 laws passed were not subject to any debate because they were part of the *acquis*.[5] The EU has issued increasingly detailed and binding statements of its requirements since the European Commission published its 1995 White Paper on regulatory alignment (see, e.g., Grabbe 1999). The Commission actively monitors the progress of candidate countries in annual reports, starting in 1997 with its Opinion on the CEECs' membership applications.[6] The EU has also become directly involved in the process of alignment. It provides funding for the implementation of particular accession-related legislation as well as technical expertise through its Technical Assistance Information Exchange Office (TAIEX). The most direct form of assistance is the "twinning program," which organizes, upon the request of the CEECs, the placement of member state civil servants in the CEECs' administrations, where they directly advise their counterparts in their areas of expertise. Similar policies of alignment, assistance, and conditionality are part of the EU's relations with the western Balkans and of its "new neighborhood" policy toward the western successor states of the Soviet Union.

In view of the various activities that the EU directs toward the CEECs aspiring membership, most commentators argue that the influence of the EU is pervasive. However, to what extent and in which ways the EU exercises its influence on the accession countries is much less clear. Despite its indisputable relevance, the process of Europeanization in the CEECs and its outcomes have rarely been subjected to a systematic, theory-oriented and comparative analysis.[7]

EU policy in the CEECs is generally described as predominantly a policy of conditionality (see, e.g., Checkel 2000; Grabbe 2001a; Schimmelfennig, Engert, and Knobel 2003a). However, the impact of conditionality is often merely asserted and not made the subject of careful analysis. Thus, on the one hand, we need to distinguish analytically between the use of "conditionality" as a political strategy and its causal impact on domestic politics. EU conditionality might be encompassing, but it might not be effective in particular issue areas or countries, and policy or institutional changes in particular issue areas might not be causally related to it. On the other hand, the term "conditionality" is often used rather loosely in

4. See, e.g., Peterson and Bomberg for a discussion of this point and the limited usefulness of such measurements (2000, 4).

5. See Kopstein and Reilly, who cite *Magyar Nemzet*, 19 June 1999 (2000, 27).

6. For the development of EU policy toward the CEECs, see, e.g., Sedelmeier and Wallace (2000).

7. Exceptions are Keohane, Nye, and Hoffmann (1993), which only covers the immediate post–Cold War period, and the looser collections of case studies in Katzenstein (1997) and Linden (2002). However, the situation is starting to change with the recently published and forthcoming books by Andonova (2003), Jacoby (2004), Kelley (2004) and Vachudova (2004).

accounts of the EU's influence on the CEECs, without clear analytical specification what it entails and under what conditions it has an impact.

The absence of conceptual analysis is particularly striking if we consider the heated normative debate about the desirability of the EU's influence on the CEECs. Some analysts see the EU as akin to a colonial power that exploits its superior bargaining power to the disadvantage of socioeconomic and democratic developments in the CEECs (see, e.g., Bohle 2002; Hughes 2001; Innes 2002a). Others see the influence of the EU as much more benign. These commentators consider the EU's push for political and market economic reforms as an overall positive influence and a distinct advantage for the CEECs in comparison to other transition countries (see, e.g., Hyde-Price 1994; Huntington 1991; Kopstein and Reilly 2000, 28; Pravda 2001, 14; Vachudova 2001; 2003) or even argue that the EU has a moral obligation to use its leverage in order to foster the development of democracy and human rights (see, e.g., Rollo et al. 1990). Despite their markedly different assessments of the appropriateness of the EU's influence, both sides in the debate take it very much as a given that the EU has, or at least could have, a pervasive influence on the domestic politics of the CEECs. Similar assumptions are manifest in the accounts of politicians and journalists. Only a few analysts have made an effort to ascertain whether the actual influence of the EU is indeed as ubiquitous as assumed in these debates. Haggard et al. (1993, 188–89), for example, consider the power of the EU to be much more limited and argue that factors other than the obvious power asymmetry between the EU and the CEECs shape the influence of the former.

This volume outlines a theoretical research agenda to study the impact of the EU on the accession countries and presents the findings of comparative analyses. First, the volume provides a framework of analysis for the Europeanization of the CEECs by suggesting three alternative models for the domestic impact of the EU in these countries. Second, the authors seek to bring more analytical rigor to the study of conditionality. We spell out an "external incentive model" that captures the dynamics of the EU's conditionality. We clearly specify the factors that affect its effectiveness and evaluate the explanatory value of this model against two main alternative models: "social learning" and "lesson-drawing." Finally, our agenda is not only theory-driven but also aims to provide a broader picture of the impact of the EU on the CEECs. We selected our case studies not simply in order to ensure variation in explanatory factors but also to present studies of a broad range of issue areas and countries, some of which have received little attention, even in more descriptive studies.

Literature: Lacunae and Synergies

The study of "Europeanization East" contributes to and links several bodies of literature and addresses systematic lacunae in all of them: the literature on enlargement, transition, EU governance and Europeanization, and international institutions (see also Schimmelfennig 2002, 2–5; Sedelmeier 2001).

Enlargement

The theoretically informed literature on the eastern enlargement of the EU generally focuses on the member states' enlargement preferences and the EU's enlargement decisions and policies (for an overview, see Schimmelfennig and Sedelmeier 2002). By contrast, even though it is generally agreed that the adoption of EU rules is a central condition of membership and the most relevant subject matter of the accession negotiations, the process of adoption in the candidate countries is seriously understudied in this literature. Part of the explanation for this lacuna is that it takes some time before the impact of EU rules in the candidate countries can be assessed. It may also have to do with the fact that, to study the transfer of EU rules, it is necessary to look into the CEECs' domestic political systems—something that the International Relations and EU scholars who make up the majority of enlargement researchers are rarely prepared or equipped to do.

Transition

The literature on the transformation of the former communist systems of the CEECs and their more or less successful transition to democracy looks at the adoption and institutionalization of liberal norms and the consolidation of democratic systems from the other angle—that of national political systems and domestic politics. Yet the international environment and the impact of international organizations have traditionally been regarded as secondary in the literature on transitions (see especially O'Donnell, Schmitter, and Whitehead 1986). Although the obvious international influences on Eastern European transitions have spurred comparativists to begin looking at the "international dimensions of democratization" (see, e.g., Pridham, Sanford, and Herring 1994; Whitehead 1996), the transition literature has generally focused on domestic factors in explaining the divergent paths of development in the CEECs and their different degrees of success in liberal democratic consolidation. Summary evaluations stress, for instance, the continuity of elites and mass political culture (Beyme 1994, 355), the initial balance of power between democrats and dictators (McFaul 2002), the newly created political institutions and systems of government (Elster, Offe, and Preuss 1998; Merkel 1999, 443), or the institutional structure of the communist systems and the strategic constellations that shaped the starting points and pathways of transition (Bunce 1999; Elster, Offe, and Preuss 1998; Stark and Bruszt 1998). Although it is an open question whether international factors really matter for transition outcomes, what is missing in these accounts is a systematic integration of international factors into the research design and explanations.[8] Moreover, while certain effects are sometimes ascribed to external influences, these arguments are often mere assertions rather than the result of careful analysis and often do not distinguish between impact of the EU and other external factors.

8. For a recent exception, both with regard to the systematic integration and the causal relevance of international influences, see Kurtz and Barnes (2002).

EU Governance

"Governance" has become a major focus of European integration studies—representing a shift in interest and focus away from the explanation of "grand bargains" and general integration dynamics and toward the study of the EU as a multilevel political system with specific features of policymaking (for a recent overview, see Jachtenfuchs 2001). The governance school should therefore be particularly well suited to refocus the study of enlargement from the explanation of intergovernmental enlargement decisions to the study of the "consequences of enlargement for EU governance, EU institutional development and governance in applicant countries" (Jachtenfuchs and Kohler-Koch 2004, 112). Through association and the preparatory stages of the accession process—and the concomitant regulatory alignment and EU technical and financial assistance—the candidate countries have become part of this governance system long before their formal membership. According to Lykke Friis and Anna Murphy, the governance approach provides "the analytical tools necessary to understand the interplay between EU policies toward the CEEC and its internal development as a system of governance" but "has not been directly applied to studies of the external role of the Union" (1999, 212). This is deplorable, because the external dimension is likely to add interesting variation to the study of EU governance. For instance, Antoaneta Dimitrova suggests that the asymmetrical, hierarchical "governance by enlargement" deviates significantly from the modes of "new" or "network governance" assumed to characterize governance within the EU (2002, 176).

Europeanization

The field of "Europeanization" is closely linked to the governance school of European integration studies. It is concerned with the impact of policy outcomes and institutions at the European level on domestic polities, politics, and policies (for overviews, see Börzel and Risse 2003; Hix and Goetz 2000; Radaelli 2000). Again, this literature has focused on the Europeanization of member states. Rare exceptions focus on some West European nonmember states (see, e.g., Kux and Sverdrup 2000). Including the CEECs would not only make the empirical picture more complete but, above all, permit us to test the established findings in a new context and check some new variables. For instance, does nonmember status facilitate the transformation of domestic institutions and policies, since states aspiring to membership are particularly eager to comply with EU rules and are in a weaker position vis-à-vis EU institutions than member states? Or does it inhibit the domestic impact of EU rules, given that states that have had a say in EU decision-making will also be more ready to comply? Put more generally, do we see a co-variation between the degree and duration of integration into the EU and the degree of the EU's impact in the domestic sphere? Moreover, do the specific features of the CEEC nonmember states that collectively distinguish them from western member states have an influence on their Europeanization? For instance, are the legacies of

central planning an inhibiting factor? Or does institutional inertia, the most important factor reducing the impact of EU rules in the member states, play a lesser role in the CEECs because political institutions and organized interest have not yet taken root in the same way as in the West European countries? Will candidate responses to EU influence be less "differential" (Héritier et al. 2001) and more homogeneous than member state responses?[9]

International Institutions

For a long time, research on international institutions has focused on the questions of how and under what conditions international regimes are established and become durable in an anarchical international environment. In the course of the 1990s, research interest has shifted toward questions of regime effectiveness and rule compliance (Chayes and Chayes 1995; Young 1999). Moreover, the study of international institutions has become firmly embedded in the "great debate" between rationalist and constructivist institutionalism (Katzenstein, Keohane, and Krasner 1999; Carlsnaes, Risse, and Simmons 2002). Whereas rationalist institutionalists explain compliance by the use of positive and negative incentives, which constrain or empower states and domestic actors by allocating differential costs to alternative courses of action, constructivists emphasize processes of international socialization, in which domestic actors change their identities and preferences as a result of imitation or argumentative persuasion. Meanwhile, the debate has reached a high level of theoretical sophistication. Based on different institutionalist theories, authors have specified alternative mechanisms of institutional effects and the conditions under which they are supposed to work (for overviews, see, e.g., Börzel and Risse 2002; Schimmelfennig 2003b). These conceptual insights and ideas have been already introduced to the Europeanization literature (see, e.g., Börzel and Risse 2003) and would also give useful theoretical guidance to the study of Europeanization in the CEECs, which has so far lacked theoretical coherence (see, e.g., the contributions to Linden 2002 or Goetz 2001a). At the same time, having been the site of probably the most massive international rule transfer in recent history, post–Cold War Central and Eastern Europe offers rich empirical material for testing theories of institutional effects.

Of course, the most concrete contribution of this volume is to the literature on international conditionality, which focuses mostly on the lending conditionality of international financial institutions (IFIs). This literature also works with rationalist bargaining and constructivist social learning models but generally arrives at a skeptical assessment of the effectiveness of conditionality (see, e.g., Checkel 2000; Kahler 1992). The study of conditionality in the EU enlargement process extends this research to a different context and allows us to test the factors it identifies as undermining conditionality.

9. Adrienne Héritier revisits these questions in chapter 10. For related questions of convergence, see also Mair and Zielonka (2002) and in particular Bruszt (2002).