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The Three Logics of EU Enlargement: Interests, Identities and Arguments

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Introduction

Five rounds of enlargement have now been completed. The original European Economic Community has grown from Six to Twenty-Five members and the process has not yet come to an end. Still, we know very little about how enlargement processes work and how their effects are felt by and transmitted to the European Union. Despite the latest contributions to the literature on enlargement (some of them outstanding, such as Friis, 1998; Sedelmeier, 2003; Schimmelfennig, 2003a; and Sjursen, 2002), and despite overwhelming evidence of the profound impact which successive enlargement processes have had on the European Union, there are still many reasons to subscribe the lament of Schmitter (2001) and Wallace (2000) concerning the peripheral location of enlargement studies in the field of European integration theory.

Back in 1972, Donald Puchala (1972) offered a remarkable analogy between the scientific study of the process of European integration and the classic Indian tale of the three blind men: each described to the other two what an elephant looked like after having touched three completely different parts of the animal (the trunk, an ear and a foot). Despite the time that has elapsed, in this article we argue that the analogy is still valid to describe the problems faced by the academic community when attempting to tackle the enlargement processes.

Looking at enlargement, rational institutionalists describe a world in which actors seek to maximize their economic or security preferences. When preferences conflict, actors resort to negotiations in order to distribute the benefits or accommodate the costs. Accordingly, results tend to merely reflect the distribution of power among the participants and the underlying or manifest asymmetries of power. At the aggregate level, enlargement could then be modelled as a power game in which the EU seeks to maximize the benefits of an expanding membership in terms of economic, political and security gains and, at the same time, minimize the costs of accepting new members (in terms of the budgetary, economic and political impact of the new members on the EU's economy, budget and institutions). At the member state level, the story is not so different: each member state tries to maximize its share of the collective benefits of enlargement and minimize its contribution to the costs, even at the expense of obtaining suboptimal results at the collective level (Moravscik and Vachudova, 2003).

A second observer, however, might be tempted to describe a completely different scenario. Impressed by the generosity showed by the European Union in welcoming ten new members despite their negative contribution to the EU's per capita GDP, their acute financial needs in terms of structural funds or agricultural subsidies, their more than weak political cultures and their heavy impact on the efficiency of the EU's institutional system, Puchala's second blind man would naturally be tempted to see a feeling of shared identity, a hint of common purpose, a common understanding of history, tradition or political values, as the main force driving enlargement policies. Enlargement could then be considered proof of the existence of a different logic, a logic of appropriateness under which the fall of the Berlin Wall and the emergence of new democracies in Central and Eastern Europe would have led EU members to put aside material considerations and act according to their historic and moral responsibilities towards the peoples with which they share a common identity.

A third observer, observing the controversies surrounding the selection of candidates, the reluctance concerning the dates of admission and the debates regarding the criteria for membership, would not feel quite as impressed by the EU's rhetoric about the reunification of Europe, and be even less easily convinced by the explanatory power of the EU's collective identity as the engine of enlargement. Looking at how the EU has developed its doctrine on enlargement as it progressed, adapting it case by case to fit the requirements of each new situation while, at the same time, seeking to preserve some principles which everybody could agree to (the democratic conditionality clause, the need to preserve the EU by maintaining the integrity of the *acquis communautaire*), our third blind man would be tempted to argue in favour of considering enlargement a typical deliberative process in which actors exchange arguments about the best course of action and seek to justify their policy positions in terms of some universally valid principles (democracy, peace, etc) rather than in terms of relative power or costs of benefits.

In the following sections we shall further explore these three visions of the EU and enlargement. Our aim is not to thoroughly test each and every one of them, as that would require deriving specific hypotheses and developing clear empirical markers for adjudicating particular pieces of evidence. Rather, we seek to convince researchers in the field about the need to engage in a thorough exploration of the avenues for both theoretical analysis and empirical research. At the end of the day, the three conceptualisations we offer might only amount to 'visions', rather than to 'theories', but might help to improve, expand and deepen our understanding of the phenomenon of enlargement in more significant ways.

The article is structured as follows. The first section provides a theoretical description of the three logics. Then, in section two, we examine enlargement from the prism of rational choice theories. Next, we propose two complementary visions of enlargement based respectively on identities and arguments. Finally, we conclude with some observations on the relative value and merit of each of the three approaches to illustrate the kind of polity the EU might become as a result of its enlargement processes.

1. The Three Logics of Political Action
Two metatheoretical approaches have typically been used to analyze interstate interactions: rational choice and constructivism. These have further been applied to the study of the dynamics of the European Union and its integration process, as well as to the type of polity it is becoming. Each of them emphasizes a different logic as accounting for a certain political action or policy, a distinctive mode of social action and interaction, and a particular consideration of the nature and goals of the actors. In the following sections they will be depicted for analytical purposes as pure forms, although in real life they appear combined and are quite difficult to separate.

The Logic of Consequentiality

Under the premises of rational choice theories such as liberalism (Moravcsik, 1997) and neo-realism (Baldwin, 1993), actors' decisions are considered to be basically guided by a logic of consequentiality (Elster, 1984; March and Olsen, 1989; Eriksen, 1999). On reaching agreements, states *a priori* define their preferences about the different options with reference to their particular interests, and act according to them in a basically technical environment (Scott, 1991), where bargaining is the common procedure to resolve disputes (Elster, 1992; Schimmelfennig, 2003b). Actors are taken to be rational when they pursue their welfare with their actions and engage in interaction in order to improve their position. They can induce the others to accept their claims through coercion, compensation or persuasion. Therefore, the outcome depends on the distribution of power and individual preferences, as well as on the negotiating capabilities of the participants.

A particular strand of rational choice, rational institutionalism, applies these assumptions to institutional environments given that the structure and functioning of an organization can set limits or offer opportunities to its members to behave strategically (Hall and Taylor, 1996; Garret and Tsebelis, 1996; Schneider and Aspinwall, 2001). Political institutions are seen as consequences of political action, practical devices to enforce agreements and solve collective action dilemmas. As far as the European Union is concerned, the relevant actors are considered to be the member states' governments, who base their respective positions on the expected consequences of a specific political action, defining their preferences before the decision-making process sets off and, thenceforward, acting in a strategic way in order to maximize their gains.

For constructivist theories (Checkel, 2001; Egeberg, 1999; Onuf, 1989; Wendt, 1999), however, political action cannot be exclusively explained according to rationalist premises. Actions, they posit, are guided by principles, norms and identities, not only by self-interest. By creating and re-creating our identities, institutions shape our preferences and fully condition the type of outcomes which result from the interaction of the actors concerned. In other words, while in rational institutionalism, institutions are consequences of political action, for constructivists, institutions are understood as causes.

Table 1. Comparison of Three Logics of Political Action

	Consequentiality	Appropriateness	Justification
Logic	States act purposefully to reach their objectives, which are set *a priori* as a result of the anticipation of the consequences of a decision.	States act according to their role within a community as a result of habit or a particular identity.	States seek to reach an agreement through the assessment of arguments deemed legitimate by all parties involved.
Legitimation	**Efficiency** Collective decisions seek to promote the interests and preferences of the member states and solve their problems more efficiently.	**Identity** Collective decisions seek to develop and protect the sense of 'we-ness' and to establish bonds of solidarity.	**Justice** Collective decisions seek to establish a fair system of co-operation founded on fundamental rights and democratic procedures.
Justification	**Utility** A policy decision is justified because of its efficacy to reach a goal and improve the states' welfare.	**Values** A policy decision can be justified as long as it is appropriate according to the shared values and common identity.	**Rights** A policy decision is considered legitimate when respecting universally-valid principles of human rights and democratic procedures.
Rationality	**Instrumental** Actors are considered rational when their actions pursue their material and ideal welfare.	**Contextual** Actors are considered rational when their actions derive from the conception of self in a social role.	**Communicative** Actors are considered rational when they are able to explain and justify their actions.
Outcome	**Compromise** None of the parties gets exactly what he wants, but each regards the result as better than no outcome at all. It all depends on relative power and national preferences.	**Collective self-understanding** It expresses self-reflection and resolve regarding a way of life.	**Rational consensus** Agreement is sought on the better argument, that which convinces all the incumbents because it defines the right thing to do according to universally-valid standards.

Source: prepared from concepts developed in Elster, 1992; Elster, 2000; Eriksen, 1999; Eriksen, 2003; Eriksen and Fossum, 2003; Fossum, 2000; Habermas, 1996; March and Olsen, 1998; Moravcsik, 1998 and Sjursen, 2002.

The Logic of Appropriateness

According to the logic of appropriateness, actors, on making a decision, do not only consider what is better for them but what they are expected to do, ie, the roles and norms to be applied (March and Olsen, 1989). The causal mechanisms offered to explain how principles and norms might influence a negotiation process vary depending on the theoretical frameworks[1]. Whereas historic institutionalism highlights the role of previous institutional commitments in defining state preferences and determining future policies – path dependence– (Pierson, 1995), sociological institutionalism stresses the constitutive effect of norms and principles, which are internalized by the members of the organization

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[1] The main features of historic and social institutionalism are also described in Hall and Taylor, 1996 and Schneider and Aspinwall, 2001. The three different types of justification are analyzed in detail in Fossum, 2000.

so that preferences are set and decisions are taken according to them (Parsons, 2000; Johnston, 2001). Within this approach, the rationality of the actors is considered contextual, rather than instrumental, and deriving from the identity of the community they belong to. 'Human actors are imagined to follow rules that associate particular identities to particular situations, approaching individual opportunities for action by assessing similarities between current identities and choice dilemmas and more general concepts of self and situations' (March and Olsen, 1998, 951). The criteria for social action justification rely on values stemming from a particular cultural context and salient concerns of the decision-making process have to do with the search for collective self-understanding and the building of a common identity, which can serve as the basis for developing stable goals and visions. Collective decisions are a matter of identity, rather than efficiency, seeking to develop and protect the sense of 'we-ness' and to establish bonds of solidarity.

The Logic of Justification
A new approach based upon the theory of the communicative action (Heath, 2001; Habermas, 1996), the 'power of language' and the effects of speech acts (Kratochwil, 1989), has been developed more recently. Rather than on the motivational factors which account for a political action (interests, values, etc), the focus here is placed upon the features of the institutional setting which prompt actors to agree upon certain principles and norms and comply with them in the absence of coercion and how this comes to occur.

When a decision is taken in a collective communicative process (as opposed to a negotiating one), actors try to seek a consensus on factual and normative matters, that is: (1) on the actual situation and the cause-and effect relationships between goals and means; and (2) on which norms apply under given circumstances or which principles should guide the policy under discussion. The distinctive mode of communication is arguing, rather than bargaining, which implies that actors try to challenge the validity claims inherent in any factual or normative statements and seek to reach agreement around the 'better argument'. For factual statements, validity means the same as truth. For normative statements 'impartiality and consistency are necessary conditions for validity' (Elster, 1992).

State preferences cannot be taken as given, but rather as built-in in the discursive settings of the institution: an appeal to values sparks a public discourse on what the relationship between policy and value should be, raising normative expectations (Eriksen and Fossum, 2000). As a consequence, actors are considered rational not only when they act according to their interests but also when they comply with norms and principles accepted by all and when they are able to explain and justify their actions (Habermas, 1993). A communicative conception of rationality 'does not solely designate consistency or preference-driven action based on calculus of success, nor merely norm-conformity or accordance with entrenched standards of appropriateness, but rather public reason-giving: when criticised plans of action can be justified by explicating the relevant situation in a legitimate manner' (Eriksen and Fossum, 2003, 4). It also implies that the participants in a discourse are open to being persuaded by the better argument, with power relationships thereby receding into the background (Habermas, 1981, 141-151). 'Where argumentative rationality prevails, actors do not seek to maximize or to satisfy their given interests and preferences, but to challenge and to justify the validity claims inherent in them and they are prepared to change their views of the world or even their interests in the light of the better argument' (Risse, 2000, 7).

Public deliberation is about what is the right thing to do, ie, the warrant notion for legitimacy is justice, rather than identity or efficiency. Collective decisions seek to

establish a fair system of co-operation founded on fundamental rights and democratic procedures for deliberation and decision-making. A policy or political action is considered legitimate when it is agreed following a deliberative process where all parties must defend their stances in terms accepted and considered legitimate by all, regardless (or in spite) of their utility and shared identity.

Having briefly discussed the basic features of each of the three logics, we will now examine the relative value of each in explaining both the process and the outcome of the EU's Eastern enlargement policy.

2. Eastern Enlargement from the Perspective of EU Interests
Imagine that one of Puchala's three blind men referred to in the introduction were only to care about maximizing utility, be it in seeking increased security, extensive economic benefits or increased political power within the EU's institutions. We would then expect the process of Eastern enlargement to have been dominated by an instrumental type of rationality. State preferences should have been clearly defined from the beginning on the basis of the calculation of the costs and benefits of the various policy options. Accordingly, national governments would have acted as utility-maximizers and done what was most beneficial to their interests.

Insofar as enlargement was a costly process and its costs were asymmetrically distributed (some countries would benefit more than others) and taking into account that it was a decision to be carried through unanimously at the European Council level, we would expect the decisional process to have been long and cumbersome, crammed with bargaining elements such as veto threats, side-payments and linkages between different issue-areas. Besides, the enlargement process itself would have been slow and restrictive, the admission of each candidate and the path of accession being determined by the balance of costs and benefits of each acceding country, ie, the richer and/or less costly candidates should be admitted first, the poorer and more costly later. Let us see whether Eastern enlargement fits this rationalist perspective by examining, first, the decision to enlarge, then, the pre-accession process, and thirdly, the enlargement negotiations themselves.

The Decision to Enlarge (1989-93)
Adopting this perspective, the decision to enlarge the EU eastwards might be regarded as a collective decision to promote the interests and preferences of the member states and solve the problems posed by the new situation in Central and Eastern Europe in a more efficient way. After the war in Yugoslavia and the dissolution of the USSR, geopolitical, economic and security interests made it impossible for the EU, even if it so wished, to turn its back on Central and Eastern Europe. On the one hand, the geopolitical stabilization and economic revitalization of the European borderlands would dampen nationalist conflict and make illegal immigration more manageable (Moravscik and Vachudova, 2003). On the other hand, once enlargement was successfully concluded, the EU would gain greater clout as a global geopolitical actor, raising its status in the eyes of the United States, Russia and Asia (Grieco, 1996, 284 in Schimmelfennig 2000).

From the economic point of view, the benefits of enlargement are also quite evident (Baldwin *et al.*, 1997; Estrin and Holmes, 1998). The increase of trade and capital flows in the candidate countries after accession will also increase their potential for growth, which will further enhance imports from the EU-15, thereby positively contributing to the EU's GNP. The advantages of a larger market will be enhanced by the fact that the supply of cheaper resources and cheaper but qualified labour as well as economies of scale will lead to higher efficiencies stemming from higher competition, a better allocation of

resources and higher specialisation, thereby strengthening European competitiveness in the world market. Thus, enticing Central Eastern Europe into a long-term process of economic and political reforms with the carrot of accession to the EU at the end was the option which best served both the EU's geopolitical and security interests.

Still, enlargement was a risky business: it would increase heterogeneity, it would complicate decision-making, it would entail higher administrative costs, it would require additional financial resources, and it could lead to a collapse or slowdown of the integration process and the weakening or disappearance of certain common policies, especially agricultural and structural policies. Moreover, some member states would not benefit as much as others from the process (depending on their proximity, socio-economic ties with the CEEC, the structure of their external trade and national product) and would lose weight and capacity for action within the Union. As a consequence, a large majority of EC member states refused to endorse the membership aspirations of Hungary, Poland and Czechoslovakia, the result being that the preamble of the association agreements signed in December 1991 only made reference to the wish of the candidate countries to become members in the future, but not to the EC's acceptance of this goal as a shared one (which had been a standard clause in past association agreements with Greece and Turkey). Equally, the EU's reluctance to liberalize its trade in sensitive sectors (coal and steel, textiles and agriculture) with its associates and the numerous compensations, negative linkages and veto threats dominating the negotiations (Torreblanca, 2001, 235-76) spoke clearly of the underlying logic behind association negotiations. As Sedelmeier (2000, 174) concluded: 'the conduct of the negotiations and their final outcome on this issue was fairly close to what rationalist approaches would expect. In the intra-EU debate, the member governments' positions seemed to reflect the cost/benefit calculations of the longer-term implications that such an acknowledgment of the CEECs' eventual membership would entail'.

Therefore, in order to make enlargement possible, it was imperative first to achieve a more efficient enlargement policy which better satisfied the preferences of a majority of EU member states. This obviously required reassuring the reluctant member states about the sustainability of the European integration process as well as ensuring a thorough compensation for the most negatively-affected members in order to obtain their support for enlargement. The European Agreements signed in December 1991, the Maastricht Treaty and the approval in Edinburgh in October 1992 of the 1993-99 financial perspectives (which doubled EU structural expenditure in the poorer member states) were crucial to allow the transition from a EU foreign policy based upon only a 'special relationship' with the incipient Eastern democracies to a policy of enlargement (yet with very severe conditions and no commitment on dates).

The pre-accession Process (1993-97)
The Commission's report on enlargement for the Lisbon European Council in June 1992 acknowledged that while the CEECs were not yet in a position to accept the obligations of membership, they had political needs which went beyond the possibilities of existing agreements. A year later, the European Council in Copenhagen in 1993 declared that 'the associated countries in Central and Eastern Europe that so desire shall become members of the European Union'[2].

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[2] '... as soon as an associated country is able to assume the obligations of membership by satisfying the economic and political conditions required… Membership requires that the candidate country has achieved stability of institutions guaranteeing democracy, the rule of law, human rights and respect for and protection of minorities, the existence of a functioning market economy as well as the capacity to cope with competitive pressure and market forces within the Union. Membership presupposes the candidate's ability to take on the obligations of membership including adherence to the aims of political, economic and monetary

By placing the prospect of membership clearly on the table, the June 1993 Copenhagen decision opened a new phase in EU/EC relations with the associate countries. However, it soon disappointed those who expected the decision to prompt a cascade of high-profile political decisions aimed at making accession a reality at the earliest possible moment. Rather, member states actually relaxed their commitment to Central Eastern Europe and concentrated on other problems (such as the accession negotiations of Austria, Finland, Sweden and Norway and the launch of the 1995 Reflection Group which is to prepare the 1996 IGC on the institutional reforms necessary to cope with enlargement). As time went by, it became clear that the Copenhagen decision was aimed more at protecting the integration process from a speedy enlargement process than at creating the necessary framework to facilitate its execution. This became apparent in how, before deciding when and with whom to start the negotiations in a strict sense, the EU devoted every effort, first, to reduce the economic, political and security costs of enlargement and, secondly, to accommodate internally the particular interests of those member states that were more reluctant to enlargement.

The first policy-game dealt not so much with (re)distributing the costs of enlargement, but with lowering them. By forcing the candidates to solve their border and minority problems in accordance with the conventions of the Council of Europe and the agreements reached in multilateral institutions such as the OSCE, the Balladur Pact on Stability launched in 1993-95 aimed at reducing the threat posed by the spread of ethno-nationalism in the region following the Yugoslav outbreak[3]. Also, by preparing the candidates for accession well in time (with the pre-accession strategy agreed on in Essen in December 1994) and by compelling the candidates to implement the EU's *acquis communautaire* dealing with the internal market well before accession (by way of the 1995 White Paper on the Internal Market), EU firms would be able to reap the economic benefits of enlargement in advance (both in terms of efficiency gains derived from the expansion of trade and foreign direct investment), generating enough economic growth in the region so as to help stabilize the new governments and deter massive immigration to the EU.

The second dimension of this wide exercise of accommodation of costs included, first, the setting up of a new Mediterranean policy to compensate from the *Drang nach Osten* which enlargement would mean. Secondly, the launch of a treaty-reform process in order to adapt EU institutions to the challenge of enlargement (or to put it more bluntly, to ensure that the largest member states, and not the small and over-represented EU member states, would run the show after enlargement)[4].

Having tackled these issues, the European Council meeting in Madrid in December 1995 could therefore refer to an enlargement calendar for the first time (including an important 'if' condition linking enlargement and institutional reform): accession negotiations could

union… The Union's capacity to absorb new members, while maintaining the momentum of European integration, is also an important consideration' (European Council in Copenhagen, 21-22 June 1993, Presidency Conclusions', *Europe Documents*, 1844/45)

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

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

start six months after the satisfactory conclusion of the intergovernmental conference to reform the treaties[5].

The remaining misgivings were removed in July 1997, when the Commission published the reports requested by the Madrid Council entitled *Agenda 2000: For a Stronger and Wider Union* delivering its opinions on the candidates; a framework enlargement strategy in order to guarantee that the *acquis* would be applied fully upon accession through Accession Partnerships; an impact study over EU common policies and the options for their reform, especially agriculture and structural funds, and options for reform; as well as a proposal for financial prospects for the following period (2000-2006). Although it gave rise to a fierce debate about the most sensitive questions involved in enlargement, it provided a very realistic reference-point and suggested a medium-term perspective of around five years (not before 2002) and the recommendation to start negotiations with the so-called 'pre-ins', ie, the candidates who better fulfilled the Copenhagen criteria, namely Poland, Hungary, the Czech Republic, Estonia and Slovenia. At the same time, it guaranteed the continuity of the agricultural and structural policies in spite of enlargement, calming down the most would-be affected incumbents.[6]

Having largely reduced or accommodated the costs of enlargement, the Luxembourg European Council in December 1997 could set in motion the official opening of negotiations with the 'pre-ins' recommended by the Commission. A majority of member states supported the selection of the first round of candidates. At the same time, the possibility of catching up later on, according to relative merit, was left open in order to please the member states who had been in favour of a 'regatta' principle (by which negotiations would be opened at the same time with all parties). Hence, all member states could live with the Luxembourg decision of opening accession negotiations in March 1998 despite not having yet dealt in depth with the most sensitive issue of institutional reform[7].

Accession Negotiations
The third and last phase of the enlargement process covered accession negotiations between EU member states and the candidate countries. Once again, two dimensions can be distinguished: the external and the internal.

On the external front, most of the responsibility was borne by the European Commission, which had to discuss with the candidates their capacity to adopt and implement the EU *acquis communautaire*, which extended over thirty chapters of EU legislation covering all fields of the political, economic and social life of the candidate countries[8]. In practice, since these negotiations took place under the principle of the integrity of the *acquis* (meaning that the only possible outcome of the negotiations was the full application of the *acquis* by the new members) and, at the same time, were presided by an overwhelming bargaining asymmetry between the EU and the candidates (the latter lacking any credible capacity to threaten withdrawal in order to obtain a better agreement), the talks could

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[5] 'European Council in Madrid, 15-16 December 1995, Presidency Conclusions', SN 400/95.

[6] European Commission (1997), 'Agenda 2000: For a Stronger and Wider Union', Luxembourg: Office for Official Publications, Luxembourg.

[7] 'European Council in Luxembourg, 12 and 13 December 1997, Presidency conclusions', IP 97/24, European Union Enlargement.

[8] 'Treaty of Accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia signed in Athens on 16 April, 2003. Brussels, 3 April 2003, AA 2003 final'. See also, 'Report on the results of the negotiations on the accession of Cyprus, Malta, Hungary, Poland, the Slovak Republic, Latvia, Estonia, Lithuania, the Czech Republic and Slovenia to the European Union', European Commission, 2004 (*http://europa.eu.int/comm/enlargement/negotiations/pdf/negotiations_report_to_ep.pdf*).

hardly be considered real negotiations. As all acceding countries have historically experienced, the results of the negotiations were highly frustrating for the candidates: the EU would fiercely fight both to reduce to the minimum the length of the transitional periods which the candidates requested in order to fully apply the *acquis* in a given field (eg, environmental regulations, land acquisition, etc) and, at the same time, to extend to the maximum the length of the transitional periods which it granted itself in order to extend the full benefits of EU membership to the candidates (eg, with respect to agricultural support, regional funding and the free circulation of labour). Therefore, once again, the EU would act predominantly guided by motives of self-interest and cost-minimization.

Given the fact that the 1999 Berlin agreement on the 2000-06 financial perspectives had set a ceiling on EU expenditure of 1.27% of EU GDP, meaning that enlargement was to be financed with the existing financial resources, it was no surprise that the most time-consuming and difficult negotiations between the fifteen Members States revolved around the distribution of enlargement costs. Tension reached a peak in April 2001, when the Spanish government, seeing how its regions would lose access to EU funds by way of the so-called 'statistical effects' of enlargement, threatened to oppose Germany's request to impose a seven-year transitional phase to prevent workers from the new members to freely establish themselves in its territory[9]. The incident had no further consequences but proved what the logic of negotiation was: a logic of threats in which outcomes were solely determined by the relative power of the participants.

With the cohesion countries having been defeated in their attempt to finance enlargement with additional resources, the end-game of enlargement (Friis and Jarosz-Friis, 2002) was, once again, about both reducing the costs of enlargement (by denying, postponing or capping the benefits of EU agricultural and structural policies to the candidates) and accommodating them internally (by negotiating the distribution of the budgetary impact of enlargement on the years 2004-05 and establishing the principles guiding the 2007-13 financial perspectives). It was, therefore, no coincidence that the negotiation road map approved in Göthemburg in June 2001 to establish the negotiation chapters that each Presidency should open, negotiate and close, de-railed in the first semester of 2002 when the chapters with the heaviest financial implications (agriculture and structural funds) were placed on the table, with only a bilateral negotiation between France and Germany getting the process back on track again. The compromise, made public the night before the extraordinary European Council meeting of Brussels of October 2002, reflected well the dominant logic of this final phase of the enlargement game: Germany committed itself to preserving the Common Agricultural Policy, so dear to France's interests, in return for an agreement to stabilize EU expenditure (in real terms, to reduce it) in order to assure Germany that its contributions to the budget would not rise as a result of enlargement. Once again, a utility-maximizing logic prevailed on the part of EU governments while, at the same time, the final result quite vividly reflected the existing power asymmetries within the EU[10].

Similarly, EU member states accommodated the institutional effects of enlargement in a manner which reflected much more a goal of maximizing power than of maximizing the EU's collective efficiency or democratic legitimacy. As the candidates were many and predominantly poor in terms of the EU's average wealth and mostly small in terms of population, the features of the historic system of vote allocation in the Council of Ministers

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[9] *Agence Europe* No. 7950, 23/IV/2001, 'Spain Does Not Want its Poorest Regions Penalised by Enlargement'.

[10] *Agence Europe* No. 8326, 25/X/2002, 'France and Germany Reach Agreement Over Agricultural Expenditure'.

would mean a dangerous over-representation of the new members in the Council (Schmitter and Torreblanca, 1997). As a consequence, by way of a hard-fought reweighing of the votes of each member state in the Council, the Treaty of Nice substantially shifted the distribution of power in the EU from the small and medium-sized to the largest EU member states thus ensuring that the enlarged EU would not fall in the hands of the new members (Baldwin and Widgren, 2003).

3. Eastern Enlargement from the Perspective of the EU's Collective Identity
Having extensively examined the path and content of enlargement negotiations, it is tempting to conclude that instrumentally-oriented negotiations and a logic of power or utility-maximization exhaust the explanation of the phenomenon of enlargement. To the extent to which enlargement has taken place, it may be argued, it is because member states have been able to trade their particular interests one off against another, impose the remaining costs on the candidates or dilute them over time so as to diffuse present or potential conflicts. Yet, we argue in this section, there are some significant actions in the process that seem to respond to a different kind of logic, ie, a logic of appropriateness.

According to the logic of appropriateness, either state preferences are clearly defined *a priori* on the basis of a common identity and therefore converging to a very similar stance, or a collective self-understanding process takes place to decide what is the 'right thing to do' in accordance with shared values. In any case, the goal of the collective decision is to develop and protect the sense of 'we-ness' and to establish bonds of solidarity with those considered members of the same family.

Looking at enlargement, there are a set of clearly-cut instances in which EU actions seem to be motivated by considerations which have more to do with a common identity and shared values than with a matter of efficiency and promotion of member states' interests. These are: first, the building of a special relationship between the EU and Central Eastern Europe from 1989 to 1992; secondly, the relevance of value-based arguments to convert this initial policy into an enlargement commitment in Copenhagen in 1993; and thirdly, the decision of the Luxembourg Council to start accession negotiations with all candidates at the same time despite the fact that some of them failed to meet the criteria which the Commission had set in its Agenda 2000 report of July 1997. In all three instances, EU decisions also reflected an agreement on the 'right thing to do' according to a common identity and shared values, rather than a balance of the material costs and benefits implied.

The birth of the special relationship between the EC and the CEECs was the result of a collective self-understanding process that, having commenced before, became very clear from 1988 on. During the Cold War, relations between the EC and Eastern Europe had hardly existed. Nonetheless, EC institutions and governments had deemed the integration project incomplete because of the involuntary exclusion of the CEECs, at the same time that they had been conforming their collective identity and shared values as the 'counter-image' of the other side of the Wall. When Communism collapsed in these countries, a 'special responsibility' emerged to overcome the division of Europe and to support their economic and democratic transformation, as was reiteratively mentioned in public discourses. The discussions on the aftermath of the Cold War were about the 'right thing to do' according to the Community's identity, and the member states' response was in line with the role they were expected to play, both by their respective constituencies and by other international actors, such as the CEECs or the US.

At Rhodes in December 1988 the European Council reaffirmed its 'determination to act with renewed hope to overcome the division of the continent and to promote the Western

values and principles which Member States have in common'[11]. The year after, in Strasbourg, it made a commitment to fully meet its responsibilities *vis-á-vis* countries with which it maintained all manner of links and relationships, historical and geographical in origin, and concluded that 'the Community and its Member States are fully conscious of the common responsibility which devolves on them in this decisive phase in the history of Europe'[12]. At the beginning of 1990, Prime Minister Charles Haughey affirmed on behalf of the Irish Council Presidency that 'the EC can and must do more than anyone else... (it) has an enormous load of responsibility towards East Europe' (Torreblanca, 2001, 51). As Sjursen (2002, 503) has stressed, the dominant argument was that Eastern Europe 'is a part of us that now must be returned'. Accordingly, the EC should and did assume the leadership in international assistance to the area. After a debate on what the EC wanted to become according to the goals and values deriving from its identity –that is, the process of self-understanding to decide which policy to prescribe for the new situation–, the member states', following a 'logic of appropriateness', accepted to play their expected role and decided to strengthen cooperation to promote democracy and liberty and to encourage economic reforms, coming up with a consensual decision which went unchallenged by any of them.

Accordingly, the EC's initial response to the CEECs' demands for membership was the recognition of a special responsibility towards them. This responsibility found its practical expression in a set of association agreements which essentially dealt with trade liberalization, economic assistance and political cooperation. This policy decision responded to the idea of 'concentric circles', regarded as a solution to the widening-versus-deepening debate. With the so-called European Agreements, Europe's architecture could be restructured in the Community's interests and the moral duty to help the new democracies and overcome the division of the continent could also be met. By way of a virtuous circle, the political conditionality clauses inserted in the agreements not only served EU member states' identities as democracies based on the rule of law and respect for human rights but also served the Twelve's security interests quite well.

This common identity also played an essential role in effecting the evolution from a special foreign policy (different from that concerning third countries and specified in the Phare Programme and the European Agreements) to an enlargement policy. It was at the European Council meeting in Copenhagen in June 1993 that the Twelve formally offered membership to all the Central and Eastern European countries that had signed association agreements with the EU, and laid out the conditions which candidate countries should meet in order to be admitted into the EU. The absence of a debate on the topic of enlargement at the Council meeting itself, as well as the agendas of the preceding European Council meetings in Lisbon (June 1992), Birmingham (October 1992) and Edinburgh (December 1992), and the documents prepared by the European Commission throughout 1992 and 1993 show a similar pattern: although it had not yet been formally announced, enlargement was taken for granted (Torreblanca, 2001, 306-314). Therefore, the promise of membership to Central and Eastern Europe did not result in a heated and wide-spread public debate: it just seemed the natural thing to do in accordance with the historic construction of the guiding principles for the enlargement policy and the identity defined in the previous self-understanding process.

Finally, value-based arguments were also quite important in order to engineer an inclusive mechanism for the selection of candidates and the opening of negotiations at

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[11] 'European Council in Rhodes, 2-3 December 1988, Presidency Conclusions', *Bulletin of the European Communities*, 12/1988, p. 8-13.
[12] 'European Council in Strasbourg, 8-9 December 1989, Presidency Conclusions', *Bulletin of the European Communities*, 12/1989, p. 8-18.

the Luxembourg Council of December 1997. Whereas the Agenda 2000 opted for a negotiation model based on objective criteria, a group of member states led by Sweden, Denmark and Italy launched a competing framework, in which the decision to open negotiations was questioned as an excessively apolitical and bureaucratic exercise (Friis, 1998, 6). What was at stake was the continent's future stability and peace, and if the EU left some countries out of the negotiation process, they could perceive it as a 'new dividing line'. These countries managed to link their framework to the core of the EU's self-image, the very fact that the EU had presented itself as a club for all Europeans, with the substitution of age-old rivalries by peace and stability and the reinforcement of democracy as its goals. The result was that in Luxembourg the Fifteen agreed to allow all the candidates to initiate the first phase of the negotiations at the same time.

Definitive proof of the importance of identity in the EU's enlargement policy is provided by Turkey's place in this policy. While Central and Eastern European countries had always been considered part of the European family of nations, with this being a sufficient reason for accepting and promoting their accession, implicit reluctance towards Turkey's candidature might be due to its consideration as less than European in both a cultural and religious sense. A stronger feeling of kinship with the CEECs might have created a stronger sense of moral obligation, responsibility and duty towards them than with respect to other candidates such as Turkey. In fact, on the eve of the Copenhagen Council, Turkey presented a similar situation in relation with political rights and civil liberties to those of other candidates such as Estonia and Latvia, and an even better one than Romania[13]. Ten years after, despite Romania ranking poorly in some well-established political rankings (such as Transparency International), it has been confirmed that it will become a EU member from 2007[14]. The hypothesis that the EU should prioritize enlargement to states towards which it has a particular sense of kinship-based duty can thus be at least partly confirmed (Lundgren, 2002).

This particular sense of kinship has also influenced the member states' preferences with regards to the selection of candidates. For instance, given its past and experiences, Spain has always felt the obligation to support Eastern enlargement (Jáuregui, 2002, Torreblanca 2002). This kinship-based argument was also used by Spanish representatives to justify their position in favour of opening negotiations with all the candidates at the same time. Alternatively, some member states justified their preference for a more limited process given their special kinship with certain candidates. Both Denmark's special emphasis on enlargement to the Baltic states and Germany's to Poland and Hungary, were justified by their governments in terms of historic affinity which bolstered stronger bonds of solidarity towards them[15].

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[13] Freedom House, Country ratings (*www.freedomhouse.org*). In Freedom House' index, political rights and civil liberties are measured on a one-to-seven scale, with one representing the highest degree of freedom and seven the lowest. Turkey got in 1992 a 2 for the political rights (the best score together with Poland and Hungary) and a 4 for the civil liberties (the worst score together with Romania).

[14] The Corruption Perceptions Index, by Transparency International, relates to perceptions of the degree of corruption as seen by business people, academics, and risk analysts, and ranges between 10 (highly clean) and 0 (highly corrupt), with a score for Turkey in 2003 of 3.1 and for Romania of 2.8.

[15] Papers presented at the CIDEL Workshop 'Justifying Enlargement: Past and Present Experiences – A Principled Account', in Ávila (Spain), on 7-8 May 2004: by S. Piedrafita, 'Ifs and Buts of Spain's Eastern Enlargement Policy'; by M. Riddervold and H. Sjursen, 'Between Security and Human Rights: Denmark and the Enlargement of the EU'; and by M. Zaborowski, 'Germany and EU Enlargement: From Rapprochement to "Reproachment"'.

4. Eastern Enlargement as a Deliberative Process

Exchanging Arguments, Not Interests

As stated in the introduction, whereas both the logic of consequentiality and the parallel logic of appropriateness can account for a fair number of the decisions relating to enlargement, they might still fall short of capturing the deliberative aspects of the enlargement process. How would enlargement look from the perspective of our third logic? In Table 2, we suggest four sets of empirical markers which might reveal the functioning of a logic of justification when applied to the particular case of EU enlargement. These have to do with: (1) the decision-making process; (2) the goals decision-makers might be seeking; (3) the types of outcomes we might expect; and, finally, (4) the type of justifications actors might resort to in order to obtain support and approval for the decisions adopted.

Table 2. Fitting Enlargement to Each of the Three Logics.

	Logic of Consequentiality	Logic of Appropriateness	Logic of Justification
Decision-making process	A bargaining process with fixed preferences in which actors anticipate consequences and behave strategically regardless of the well-being of others	A process of self-reflection in which actors behave according to what their identities or roles prescribe them to do	A communicative process where parties exchange arguments and assess their validity and legitimacy
Goals	To promote the interests and preferences of the member states rather than accommodate the candidates' interests	To construct or strengthen a collective identity and to establish bonds of solidarity with the candidate countries	To produce a legitimate system of governance at the supranational level
Outcome	A utility-maximizing decision which reflects the power distribution of the participants in the policy game	A decision expressing collective resolve regarding a particular way of life and set of values	A decision reflecting the best argument on the table according to universally-valid standards and the EU's constitutive principles
Justification	Pragmatic or utilitarian: if agreements are said to be better than the *status quo*	Communitarian: if agreements are congruent with the shared values, common identity and goals	Rights or civic-based: if decisions are adopted despite being contrary to material interests because they are said to enhance values such as democracy or human rights

Consider, for example, the decision to enlarge. The Copenhagen decision of June 1993 was the result of challenging with arguments the initial policy of association and its developing instruments. Throughout 1992 and 1993, the former Communist countries had started to encounter difficulties at different levels (political, economic or ethnic) in their transition processes. Prominent political and opinion leaders, the media and important sectors of the academic and policy community (including influential think-tanks) publicly exposed the inconsistencies between the EU's declared association policy goals and its achievements. As a consequence, some member states (Germany, the UK and Denmark) could convincingly argue that a mere 'special relationship' was not congruent

anymore with the promise of supporting democracy in Central and Eastern Europe (and the moral obligation to do so). Starting in Lisbon in June 1992, the Commission, with the support of some member states, offered new arguments to challenge the previous policy and asked for more committed political action in order to effectively achieve the goals of overcoming the continent's divisions and spreading stability and peace. As a result of this deliberation, a majority of member states ended up agreeing with the diagnosis of increased instability in Central and Eastern Europe and, as a consequence, with the inadequacy of the EU's association policy. However, reluctant member states countered with another argument: that neither the candidates nor the EU were prepared for accession. Finally, a consensus was reached on 'the better argument' that all member states could live with, which reflected the legitimate demands of both sides. With the exacting (yet vague and discretionary) membership conditions agreed upon at Copenhagen, no reluctant country found further legitimate arguments to oppose enlargement.

Similarly, the justification of enlargement has been predominantly moral, not economic: all actors have accepted that enlargement would be for the good of the EU over the long term although costly in the short term. Therefore, when it came to set the timing for the enlargement negotiations, the various policy options available were discussed not only in terms of cost/benefits to the EU but also in terms of factual and normative adequacy, ie, in terms of their legitimacy and justification. Owing to this logic, opposing enlargement with the argument of its heavy costs has never been considered a legitimate argument, and actors reluctant about enlargement have been forced to frame their arguments in different terms. Since the enlargement *acquis* prescribed that membership was conditional on being European, democratic and wishing to respect in full the *acquis*, arguments in favour of a faster or a slower enlargement could only be framed in terms of the integrity of the Union and the *acquis* or the democratic character of the candidates. As a consequence, those member states reluctant to accept enlargement were forced to argue either that the candidates would never be able to implement the *acquis* or, alternatively, that because the rule of law was weak and minorities were not respected, the political conditions for membership were not met. However, each of these arguments could be factually or normatively discussed, and even if the arguments were proved right, remedies could be put in place. The Balladur Plan launched in 1993 to contain minority tensions in Central and Eastern Europe, the structured foreign policy dialogue established in Essen in 1994, the 1995 White Paper spelling out the legal adaptations on which the candidates had to embark to accede to the Single Market, the inclusion in the 1997 Amsterdam Treaty of a wider definition of democracy and the sanctions associated to any likely breach of the conditions in article F.1, updated and upgraded the enlargement *acquis* to meet the needs of a new situation and make enlargement compatible with the preservation of the EU's goals and values.

Likewise, the selection of candidates for the opening of accession negotiations can be described in deliberative terms. Following the European Council meeting in Madrid in December 1995 and the conclusions of the 1996 Intergovernmental Conference, the EU had established the principle of 'relative merit' as the basis of its policy for dealing with candidates' applications[16]. Accordingly, the 1997 Luxembourg Presidency called on the Commission to make an 'objective evaluation' of the applicant states' ability to join, even if this meant a differentiated approach and that some states would be left out in the first round[17]. But when the Commission, following these recommendations, decided to invite only five candidates to start accession negotiations, some member states challenged this decision with the argument that new dividing lines would be created, subsequently

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[16] *Agence Europe,* 1951-1952, 27/IX/1995.
[17] *Agence Europe,* 7009, 4/VII/1997.

undermining rather than strengthening stability and peace in Europe (Friis 1998). After an intense debate on the virtues of each policy option, the member states agreed on the 'regatta policy' as the most satisfactory (and the fairest) solution. This approach, by which all candidates would start negotiations at the same time but conclude them depending on their particular progress, satisfied the two principles that EU members wanted to preserve: non-discrimination and relative merit[18]. As a result, testifying to the power of the better argument, some member states imposed a policy change not by making credible threats or inducing the other member states with larger pay-offs, but by challenging the factual and normative basis of the existing policy with the aid of principles which all member states could recognize as valid.

Conclusion: Deliberative Supranationalism and Enlargement
In the introduction to this paper, we stated our aim to examine and discuss European enlargement from three different perspectives. We believe we have shown that whereas an interest-based perspective, typical of a logic of consequentiality, might fit well with much of what enlargement has been about in terms of interest accommodation and cost-benefit calculations, there is still some space left for considering the role played by EU identity in configuring the most important decisions relating to enlargement. Still, by looking in greater detail at three key decisions concerning enlargement (the decision to enlarge, the timing of the opening of negotiations and the final selection of the candidates), we can see that the process was not only dominated by an instrumental logic of interest-exchanging and benefit-maximization, but also by a continuous process of arguing about the courses of action which best matched the EU's principles (the promotion of peace, security, democracy and an ever closer union of the peoples of Europe), followed by a permanent justification (or challenge) of the decisions adopted in terms of their better adjustment with these very same principles.

Our findings seem congruent with past experiences of enlargement. Looking back we can see how enlargement processes have been about interests (with member states seeking to minimize their costs), but also about identities (with member states acting according to their shared values and proclaimed identity and enlarging the Union to poor but democratizing countries in Southern Europe). However, whereas the exact timing and content of each enlargement policy package has depended on the particular correlation of forces and interests at each political period, it is undeniable that significant enlargement decisions have been reached through a deliberative process in which member states have exchanged 'reasoned reasons' for their respective claims and preferences (ie, arguments rather than threats). Thus, proposals and stances not necessarily supported by the most powerful states have prospered as the result of reflecting on the 'better argument' on the table.

In our view, all this confirms most of the claims of the theory of deliberative supranationalism (Eriksen 2000; 2003) concerning its capacity to explain some usually neglected features of the policy-making process in specific EU policy fields –particularly enlargement (Sjursen 2002)– as well as its adequacy to provide a more precise account of what sort of polity the EU might become as a result of how it addresses and solves the problems before it (Eriksen and Fossum 2000; 2003). But why?

First, deliberation can be seen as a way of solving collective action problems, such as enlargement, in ways which are not only consistent with the particular interests of the member states taken individually but also with the EU's interests as a whole. Enlargement is seldom specifically modelled as a collective action dilemma, but it looks like one: member states know that enlargement is good for them collectively over the long

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[18] *Agence Europe,* 7023, 25/VII/1997.

term but individually damaging in the short term in both institutional and economic terms. Theoretically, unless member states overcome this collective action dilemma, enlargement should result in a collectively suboptimal outcome which satisfies individual but not collective preferences. However, by helping legitimate principles accepted by all actors to emerge, deliberative processes can solve coordination problems and result in increased collective efficiency and legitimacy (Eriksen 2003: 3).

Second, enlargement is a typical case in which costs and benefits are uncertain and/or difficult to calculate: they depend on faulty or risky assumptions and can always be challenged by unexpected events which cannot be discounted in advance. Complex phenomena such as enlargement are therefore difficult to rationalize into a neat balance sheet of costs and benefits from which individual actors can decide and hierarchically rank their preferences. In cases such as enlargement, preferences might change as the process moves on if the initial preferences are challenged by legitimate normative arguments or factual events which all actors interpret in the same way. Therefore, preferences might not be fixed or stable, actors might discover them as they go, because of arguing, and arguing might help them change and adapt.

Third, feelings of shared or collective identities might inform political action with a sense of purpose, even a rank of desired outcomes, and in this way might help political leaders discard certain policy options in favour of others. That is to say, that they might have a constitutive or regulative effect on deciding the direction of the evolving relationship or the overall objectives, but then the policy instruments need to be specified. As Sedelmeier (2003, 12) has convincingly argued, the more diffuse nature of the standards through which the EU's identity is enacted, the weaker its impact on its foreign policy, thereby provinding the scope for interpretation and argumentation about what the 'right' course of action might be in a particular situation.

Fourth, deliberative supranationalism seems ideally suited for analysis of institutional or decision-making settings, such as the EU, in which authority is scattered, power relations are often horizontal instead of vertical and policies are the outcome of 'governance' rather than 'government' arrangements. In such settings, 'reason-giving becomes the only way of reaching consensus' (Eriksen 2003: 14). In the particular case of enlargement, its 'composite' nature, involving many different policy areas, each with its own structure, set of actors and negotiation dynamics mean that policy-makers in charge of enlargement are forced to engage in a dialogue with policy-makers at the meso-level in order to convince them of the need to make concessions so as to ensure an enlargement policy coherent with the principles it proclaims. In return, the extent to which policy-makers at the meso-level (eg, the Common Agricultural Policy) give in to these demands depends not only on the material compensations they can obtain, but also on the validity of the arguments (both factual and normative) which they are exposed to.

As a consequence, in situations such as enlargement, with a high degree of uncertainty and which admit different alternatives for political action all in compliance with a collective identity under construction, there is a greater chance to use arguments to challenge both the factual and normative statements on which policies are based and to provide the others with legitimate reasons in favour or against particular options. Therefore, the interest-oriented account of the enlargement process can be complemented with the fact that, prior to any distributive negotiation, actors need to engage in a process of deliberation and establish some sort of common basic knowledge so as to agree on a collective definition of the situation and the advantages of their different policy options in order to achieve the agreed goals.

When looking at enlargement, we conclude that member states have not only defended their own interests, but have also felt obliged to justify their actions and comply with norms and principles accepted by all. Some important decisions were taken as result of agreement about the 'right thing to do', following a deliberative process in which all the parties involved had to defend their stances with arguments considered legitimate by all. As a result, the legitimacy of enlargement is not only and exclusively utilitarian, ie, based on the benefits of enlargement, but also on both the values which the EU promotes and the fairness and consistency with which the EU applies them. Therefore, when describing enlargement, Puchala's blind men might continuously stumble into costs and benefits of varying sizes and aspects. However, beneath the rugged surface of this elephant called the EU, persistently blind men might also find arguments, which citizens might share, to justify the need to proceed along with EU enlargement despite its costs. Unfortunately, this type of legitimizing strategy, which should result in a much more democratic and deeply integrated EU, is seldom employed to effect.

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