

Impact of enlargement for the EU's legitimacy and democracy

Paper presented to
EUSA 8th International Biennial Conference
March 27-29 2003
11C: Enlargement: Implications for the European Union

Janet Mather
Manchester Metropolitan University

This paper represents work in progress and is not to be cited without the permission of the author. For further information, please contact Dr Janet Mather: Manchester Metropolitan University, Faculty of Humanities and Social Science, Department of Politics and Philosophy, Geoffrey Manton Building, Rosamond Street West, Manchester M15 6LL, United Kingdom; e-mail: j.m.mather@mmu.ac.uk

Impact of Enlargement for the EU's legitimacy and democracy

Abstract

This paper looks briefly at the impact on the democracies of the applicant states of their incorporation into the European Union, before moving onto the effect of enlargement upon the democratic processes within the EU itself. Finally, it addresses the wider question of how the legitimacy of the EU is affected by the enlargement process – the extent to which enlargement produces increased or reduced authority for the EU over a greater number of more heterogeneous citizens.

Introduction

This paper looks at the impact of EU enlargement upon those who are, or who will be, its subjects – the EU's citizens, and therefore upon the EU itself. It assumes that one measure of the impact will be the attitudes of EU citizens – present and future – towards the EU. That is, the paper considers the potential for enlargement to affect the extent to which the EU's citizens regard the EU as an acceptable form of governance and as a legitimate source of authority.

There are, of course, various tests that may be applied to determine the extent of their regard. Regular opinion polls, meticulously conducted by the European Commission, are one means, and will be cited. However, enlargement has not yet taken place, and its effects, therefore, have to be anticipated rather than known. This paper, therefore, will make three assumptions about the *potential* impact of EU enlargement upon its legitimacy. We will suggest first that if the EU looks set to have a beneficial impact upon the governance of new member states, the arrival of better times may be attributed to their EU membership. The second assumption is that if the EU contrived to absorb new members without losing its (rather precarious) hold upon its internal democracy, its legitimacy would be enhanced. Thirdly, if a larger EU shows the promise of being a more effective player on the international scene, then its citizens' approval will also flourish.

The paper will argue, firstly, that inasmuch as liberal democracy is a “good thing”, the EU and its states have the potential to gain by means of ensuring that they will include functioning liberal democracies from the east as well as from the west. The continuance of liberal democracy within those states should be assured – first by means of the changes brought about within their institutions and practices demanded by the accession processes, and secondly because of the continuing requirement to operate within the framework of EU law. Thus, the EU will benefit, on the whole, in terms of peace, security and trade that are likely to result from securing liberal democracy within its states. It will also be likely to gain direct economic and social benefits, although this is more problematic.

However, the paper will go on to argue that the price that may be paid for this is the potential downgrading of the EU’s internal democracy and legitimacy, and hence its claim to be a functional liberal democracy in its own right. First, representatives (appointed as well as elected) who embody an increasingly wide range of peoples, but who are required to find accord within their institutions, will find the representative nature of their function correspondingly harder to deliver successfully. Secondly, the distance between the rulers and the ruled, already an issue both in terms of geographical and political remoteness, will similarly become more problematic. Thirdly, if these predictions prove to be correct, the EU’s legitimacy so far as it depends upon traditional forms of liberal democracy would become more fragile.

•
The paper suggests that other forces, particularly relating to applying subsidiarity, in the long term, may increase the EU’s legitimacy by means of empowering sub-state and non-state actors. However, whilst these possibilities should be taken into account, the hypothesis derived from the first two premises is that in the foreseeable future, whilst the notion of an effective “Europe of the States” becomes more realistic, the idea of a popularly acceptable “United States of Europe” recedes.

This pessimistic analysis, however, leaves out the third aspect of enlargement and its impact upon the European Union, which the paper will examine. One of the likely benefits of enlargement, already referred to, is that it has a good chance of securing Europe's future in terms of its peace and its prosperity. If this happens, then there may be an alternative route towards long-term legitimacy. Beetham and Lord (1998) have argued that legitimacy may be gained by means of international "approval". An example of this may be by means of the development of a "peace community", as suggested by Feldman (in Banchoff & Smith 1999). There are other, more ambitious, prospects. International approval may be joined by international respect, should the European Union become a power bloc whose values are based upon the liberalism and peace that this and future enlargements may create. The EU's population, citizens of a Union that has become such a world leader, may then be ready to grant the European Union the kind of legitimacy that an institution can command by means of its performance, rather than by means of its structure.

New liberal democracies

The *European Barometer* for Candidate Countries, 2001, showed that a majority of citizens in the EU's applicant states were enthusiastic about the Union. Almost 60 per cent thought that membership would be "a good thing" for their countries; 52 per cent thought that the idea of the EU conjured up a positive image and 62 per cent "trusted" the EU¹.

The central and eastern European states due to join the EU have a limited experience of democracies and constitutional government. As shown in Table 1. below, only four of the ten applicant states (Latvia, Lithuania, the Czech Republic and Slovakia) had longer than three years' continuous experience of stable liberal democracy during the twentieth century. All, at

¹ although less than 40 per cent "trusted" its institutions – the Commission thought that this was because there was less awareness of them

some stage, have had authoritarian and/or dictatorial (communist and non-communist) regimes. Many also have experienced a very limited period of independent statehood. Only Bulgaria has had a separate identity dating before the first world war; the majority are post WW1 creations, following the collapse of the Austro-Hungarian and Russian empires. Slovenia, despite a long national history, has only been an independent state since 1991. Nevertheless, there is a high degree of national pride – an average of 86 per cent, ranging from 60 per cent in Estonia to 92 per cent in Slovenia – amongst central and east European applicant states (Candidate Countries' *Eurobarometer* 2001:33).

Table 1. Central and Eastern candidate countries' statehood and political regimes during the twentieth century until the collapse of the Soviet Union

state	experience of authoritarianism /dictatorship (including Nazi occupation)	experience of communist control	experience of democracy/ constitutional government
Bulgaria (unified and independent from 1908)	1923-1932 1934-1944	1920-1923 1944-1989	1908-1920 (constitutional monarchy) 1932-1934
Czechoslovakia (Czech Republic and Slovakia; under Austro-Hungarian control until 1918; separated in 1990)	1939-1940	1946-1989	1918-1938 (from unification)
Estonia (independent from 1920)	1933-1940	1940-1989	1920-1933 (unstable govts)
Hungary (Austro-Hungarian Dual Monarchy from 1867-1918)	1867-1918 1919-1945	1918-1919 1947-1989	1945-1947
Latvia (under Russian suzerainty until 1917)	1934-1940	1918-1920 1940-1988	1920-1934
Lithuania (under Russian suzerainty until 1917)	1795-1916 1926-1939 1941-1944	1939-1941 1944-1991	1917-1926
Poland (ancient state, but under Russian suzerainty and extinct as a political unit until 1918)	1918-1939	1939-1989	-
Romania (independent state from 1862, but additional territory in 1877 and 1918)	1938-1946 1958-1989 (Ceausescu)	1946-1958	1919-1938 (but domination by fascist Iron Guard)
Slovenia (part of Kingdom of Serbs, Croats and Slovenes from 1918 - renamed Yugoslavia in 1929; independent state from 1991)	1929-1931 1935-1939 1939-1945 (Hungarian/Nazi occupation)	1945-1990	1918-1929 (political unrest) 1931-1934 (limited democracy)

Sources: <http://www.geocities.com/Athens/Academy/6490/history/history.html>;
<http://www.bulgariatravel.org/en/nakratko/istoria.html>;
http://www.countrywatch.com/cw_topic.asp?vCOUNTRY=26&SECTION=COVER&TOPIC=POHIS&TYPE=TEXT;
<http://www.natosummit.cz/en/view-id.php4?vid=80>;
[http://lcweb2.loc.gov/cgi-bin/query/r?frd/cstdy:@field\(DOCID+ee0013\)](http://lcweb2.loc.gov/cgi-bin/query/r?frd/cstdy:@field(DOCID+ee0013));
[http://lcweb2.loc.gov/cgi-bin/query/r?frd/cstdy:@field\(DOCID+hu0037\)](http://lcweb2.loc.gov/cgi-bin/query/r?frd/cstdy:@field(DOCID+hu0037));
http://www.countrywatch.com/cw_topic.asp?vCOUNTRY=76&SECTION=COVER&TOPIC=POHIS&TYPE=TEXT History;
http://www.countrywatch.com/cw_topic.asp?vCOUNTRY=96&SECTION=COVER&TOPIC=POHIS&TYPE=TEXT History;
<http://www.travel-guide.com/data/ltu/ltu580.asp> History and Government;
http://www.scantours.com/lithuania_history.htm;
<http://www.travel-guide.com/data/ltu/ltu580.asp> History and Government;
<http://www.polandonline.com/history.html>;
<http://freepages.history.rootsweb.com/~koby/political/poland.html>;
<http://www.lonelyplanet.com/destinations/europe/romania/printable.htm>;
<http://feefhs.org/ro/urs/hurs-chr.html>;
<http://www.gzs.si/ENG/slovenia/history1.htm>;
<http://www.matkurja.com/eng/country-info/history>;
<http://www.lonelyplanet.com/destinations/europe/slovenia/printable.htm>;
<http://www.srpska-mreza.com/library/facts/Serbs-form-Yu.html>;
<http://timelines.ws/countries/SLOVENIA.HTML>;
<http://memory.loc.gov/frd/cs/yutoc.html>

The chequered experience of the past means that membership of the EU offers two significant securities to the ten central and eastern states. It can help assure their political autonomy and it can help to guarantee their people liberal democracy. The potential for the EU to achieve this may be assessed, although three points can be made at the outset. First, all of the above-listed states achieved a degree of political autonomy and liberal democracy without the direct assistance of the EU², and secondly the condition of a state's polity is likely to be more dependent upon its internal governance and upon its people's behaviour than upon the input of the supranational association³.

A third point may have more significance in the context of this chapter. The impact of the EU on any member state's sovereignty is a sensitive issue. The Eurosceptic version of a dilution of sovereignty conflicts with the more positive view of a pooling of sovereignty (eg Nugent 1999:505-506). However, both these notions links with the exercise of democratic government inasmuch as whether or not a state has "diluted" or "pooled" its sovereignty, the fact that powers are used at a non-state level affects direct popular control over those powers (eg Fella 2000:83). If this were the case, popular democracy based upon the sovereign state,

² Although the extent to which the example of the EC and its apparent economic success affected attitudes within the eastern bloc may be hypothesised

³ The European Commission (2002) itself comments that regarding stable democracies in central and eastern Europe: "The credit for this success belongs mainly to the people of those countries themselves"

recently gained by the central and eastern European states, would be voluntarily conceded before its advantages could be recognised and realised by their citizens. The substitution of supranational democracy may not offer an acceptable substitute, and this is considered below.

However, another possibility is that the trade-off between national sovereignty and democracy and supranational governance would be regarded by the EU's future citizens as a price worth paying. EU membership promises, besides the reinforcement of liberal democracy, economic benefits. In addition, as partners in a supranational community with the status of an international power, the new states' citizenry achieve a prominence unavailable to any single country, let alone one that has had a variable and generally unhappy experience of occupation and external control for most of its statehood. Whilst the discussion so far has concerned central and eastern European states only, Cyprus and Malta, formerly states with limited international significance, will also share in these benefits, should they be realised (see below).

Looking at the immediate future, the main assurances that candidate countries' citizens receive from the prospect of EU memberships are political and economic.

In political terms, the application of the Copenhagen criteria⁴, along with the need to measure up to the EU's *acquis* (i.e., the ability to take on the obligations of membership) ought to provide the framework for constitutional and institutional liberal democracy. Meeting expectations may prove challenging, but currently the level of trust in public institutions in applicant states is low, although results vary from country to country. According to the Candidate Countries' *Eurobarometer* (2001:23), only 30 per cent of the people (compared though with an almost equally daunting 35 per cent in current member states) have trust in their public institutions – national governments; parliaments, civil service and political

⁴ "stability of institutions guaranteeing democracy, the rule of law, human rights and the respect for and protection of minorities"

parties. Justice and legal systems too exact limited confidence – 52 per cent tend not to trust them; and faith in the police is not much higher at 45 per cent. There is, one may assume, little to be lost, and something to be gained if EU membership succeeds in improving the integrity and status of candidate countries' public institutions

Nevertheless, the European Commission's *Annual Strategy* report (2002:13) seemed satisfied that all candidate countries had met the Copenhagen criteria. All had functioning democratic governmental systems; many had held "free and fair" elections; matters relating to public administration had been clarified to show a definition between political and administrative responsibilities and to allow access to information. Judicial improvements were also noted, although corruption was still seen to be a problem. The candidate countries have ratified most of the Human Rights Conventions, although Bulgaria, Estonia, Romania and Slovenia had not ratified the original European Social Charter by September 2002. The problem, which was illuminated in the individual country reports, seemed to be the difference between enshrining the letter and operating within the spirit of the law.

Hence, although all twelve applicants have ratified the Convention on the Elimination of all Forms of Racial Discrimination, the Commission's *Regular Reports* make it clear that the matter goes beyond the promulgation of constitutional and legislative measures. In particular, the treatment of minorities, especially the Roma, which are seen as having human rights implications, gives cause for concern. The 2002 Commission *Regular Reports* on the Czech Republic's; Slovakia's and Poland's Progress to Accession (2002a; 2002b and 2002d) commented adversely upon the treatment of the Roma in all three countries. In its summary paper on accession in 2002, the Commission (2002) hinted that more needed to be done:

In all countries with considerable **Roma** communities, progress has been made with the implementation of national action plans to improve the difficult situation the members of these communities are facing. Continued efforts are required to ensure that the various action plans continue to be implemented in a sustained manner, in close co-operation with Roma

representatives. Adoption and due implementation of comprehensive anti-discrimination legislation, in line with the Community anti-discrimination *acquis*, would be an important step forward where such legislation is still missing. (emphasis in original)

The message, therefore, for the candidate countries' ethnic minorities, and their consequent support for EU governance, is mixed. There seems no doubt that EU monitoring efforts will continue beyond enlargement, but a final resolution of human rights issues within the applicant states has not yet been achieved.

There are high expectations in relation to economic benefits. A positive view of the economy was reason cited by the highest number (38 per cent) of respondents from the applicant states to the *Eurobarometer* for candidate countries as giving a positive impression of the EU (Candidate Countries *Eurobarometer* 2001:42). It is not too difficult to see the origins of this belief. The enlargement process itself has helped contribute to rising economic standards⁵, and the vision of the economic growth of the current EU will encourage applicants.

The EU's policy development and the redistributive element of its budget will on balance have a favourable effect upon applicant states. Future citizens, moreover, are starting from a relatively low basis of personal affluence. For example, 58 per cent do not own a car (*Eurobarometer*, Candidate Countries 2001:10). General satisfaction with life is also low. Taking candidate country citizens as a whole, only 51 per cent claim to be satisfied, compared with 83 per cent in current states (*Eurobarometer*, Candidate Countries 2001:11). Many (49 per cent) believe that quality of life has deteriorated during the last five years.

The extent to which expectations will be met is, however, uncertain. A new Financial Framework, including a new Interinstitutional Agreement on budgetary discipline, is intended to prepare the EU for enlargement. This Financial Framework includes a new Financial

⁵ for example, the PHARE programme, aimed initially at Poland and Hungary, but afterwards extended to all central and eastern applicant states.

Perspective (a ceiling on the EU's spending), to which is added a reform of the Common Agricultural Policy (CAP) and a reform of the Structural Funds. It is argued that this will enable enlargement to be financed within the existing limits of expenditure – which is capped at 1.27 per cent of the EU's Gross National Product (GNP). Moreover, current states will continue to receive assistance from the EU in accordance with existing criteria. States will continue to qualify for the three Objectives and for the Community Initiatives that make up the Structural Funds, and the Cohesion states will continue to benefit from the Cohesion Funds so long as their per capita GNP is less than 90 per cent of the EU's average (Commission 1999).

The decision about the amount and allocation of the Structural Funds for the 2000-2006 period was made unanimously in the European Council. The outcome of negotiations during the Nice summit of 2000, led by Spain, Portugal and Greece, determined that majority voting in the Council would only apply from 2007 – that is, *after* the allocation of the 2007-2012 programme (Black 2000).

The question of being able to make effective use of monies available has been considered by a number of commentators. For example, Sándor Richter (2002) estimates that new members may be able to utilise between 30-75 per cent of the available resources depending upon whether they are able to improve on their pre-accession effectiveness. His forecast, however, suggests that candidate countries will be net *contributors* to the EU's budget during their first year as member states, although only the worst case scenario suggests that they will continue to contribute into their second and third years. Richter points out that the opportunity costs of remaining outside the EU would, in any case, be higher, but he comments that the new citizens may be disappointed in their first experiences of EU membership.

In the longer term, candidate countries are likely to benefit, according to Peter Havlik (2001). His study of the prospects of five candidate countries suggests that Poland and Hungary may add 8-9 per cent to their GDP from 2001-2011, whilst he expects the Czech Republic and Slovakia to gain between 4 and 6 per cent.

The issue, however, is whether benefits will be sufficiently apparent soon enough after accession to encourage new EU citizens to identify their fortunes positively with their membership of the EU. Whilst there are long term political and economic benefits to be derived, there is likely to be an uncomfortable transition period, during which cultural differences and required changes in established practices may become a focus for apprehension.

Liberal democracy and legitimacy in the European Union

If this transitional period is survived, the enlarged EU may be set fair for a period of economic prosperity, but there remain political issues relating to legitimacy that will arise when the EU adds 20 per cent to its population. First, there is the issue of the expanding size of the EU and the corresponding strain upon meaningful representation. Secondly, the EU will become more heterogeneous than it is currently and this may mean that governance becomes more challenging. Both of these stretch the legitimising factor of representation within a liberal democracy⁶.

Liberal democracy offers two main benefits to its recipients. On the one hand, it promises them a degree of freedom (liberalism); on the other, the potential for popular control

⁶ There is a debate about the sources of legitimacy that may be summarised into the empirical and the normative versions. The empirical view (Max Weber) is that legitimacy is present when it is *felt* to be present; whilst the normative view argues that governance is legitimate if it conforms to certain values – democratic representation is seen as a legitimising factor (Mather 1999:227). The two views coalesced in the west, when representation was commonly regarded by the citizenry as being adequate to legitimise their system of government.

(democracy by means of representation). In addition, liberal capitalist democracies⁷ tend not to go to war against each other – the costs to trade would be too high. Liberal democracy, therefore, should be a perfect system of governance for the EU, and to date, no other system has been considered.

However, doubts arise about its effectiveness in current circumstances. First, there is the problem, mostly demonstrated by declining electoral turnouts and increasing interest in non-governmental means of influencing policies and events, of popular disengagement with party-electoral politics. Secondly, there is a difficulty, demonstrated particularly by the process of EU integration, of copying and pasting liberal democracy onto a larger and more remote polity. What works reasonably, if increasingly less, well at the nation state level, does not seem to be readily transferable upwards.

Evidence for disengagement is easily obtainable. As well as that provided by lower electoral turnouts, most polls conducted on the EU indicate not only a sense of suspicion about its activities, but also an alarming degree of ignorance about its policies and structure.

The Spring 2002 *Eurobarometer 57* report⁸ indicates that there is a relatively low level of trust in the EU amongst its current citizens⁹. The EU average level of trust (which the Commission regards as a “return to normal” levels, after the increase in support immediately following from the events of 11 September 2001) is 46 per cent. The most “trusting” of citizens are the Portuguese (66 per cent) and the least are the British (27 per cent).

On the whole, people who approve of EU membership tend claim to know more about it, but only a small majority (53 per cent) of the EU’s current citizens approve of their country’s

⁷ Macpherson argues that liberalism is never seen without capitalism

⁸ issued October 2002

⁹ of the Candidate countries’ *Eurobarometer 2001*, which indicates that 52 per cent of future citizens have a positive image of the EU

membership (28 per cent are indifferent; 11 per cent regard membership as “a bad thing”). Support is highest (81 per cent) in Luxembourg and lowest in the UK (32 per cent). *Eurobarometer 57* shows that, according to respondents’ self-perceived knowledge of the EU, on a scale of 0 (“know nothing”) to 10 (“know a great deal”) the EU average is 4.35. The average represents a variation from 5.31 (Austria) to 3.57 (UK). In total, only 1 per cent of the EU’s current population regards itself as “knowing a great deal” about the EU.

Electoral turnouts have declined consistently since 1979, although it is worth noting that of the EU’s institutions, more people (89 per cent) have heard of the European Parliament than recognise the term “European Commission” (78 per cent) or “Council of Ministers” (63 per cent)¹⁰. More people also “trust” the EP than other institutions. Of those surveyed in the *Eurobarometer 57* report, 54 per cent had faith in the EP; compared with 47 per cent for the Commission and 41 per cent for the Council of Ministers.

The EU, then, is starting from a fairly low level of institutional support before it admits new countries. Whilst it may be argued that one reason for this is the relatively limited knowledge that citizens have about the EU, the reason for the lack of knowledge itself must have something to do with a lack of interest and/or a sense of powerlessness.

Enlargement is a means whereby awareness may increase (although, according to *Eurobarometer 57*, only 21 per cent of respondents considered themselves to be “very well informed” or “well informed” about enlargement). However, whilst increased awareness could contribute to increased interest in EU affairs, it will not create a sense of effectiveness, since enlargement brings into prominence the “representation deficit”¹¹ that has existed within the Community since its beginnings.

¹⁰ Standard *Eurobarometer 57*, Spring 2002, issued October 2002

¹¹ The debate about “representativeness” has many facets. However, it is arguable that representatives should be numerous enough to make meaningful the connection between them and their electorates (Mather 2000:105-114)

In 2002, 370,000,000 citizens were represented by 626 MEPs – an average ratio of one MEP: 600,994 voters (although this varies considerably amongst the current member states). In 2007, when twelve additional states are admitted into the EU, 732 MEPs will represent 455,500,000 voters – a ratio of one MEP: 622,267 voters. Duff (2000) comments that the increased size of the EP is “bad for the Parliament, which will be blamed for being too big”. However, it could also be argued that Parliament is simply not large enough to act as a vehicle for representative democracy, if voting is to mean anything more than a vehicle for getting people elected to positions of power.

In the case of the EU, however, it is normally assumed that representative democracy is conducted at second hand. The EU’s citizens do not vote only for their MEPs, they also elect their government by one means or another, and, in turn, the elected government plays its part at EU level. Enlargement, however, has the effect of reducing the significance of the part played by member states’ governments.

It does this in two ways. First, incorporating enlargement without slowing down decision-making processes to an unacceptable level requires an extension of qualified majority voting (QMV) within the Council of Ministers. The Treaty of Nice extended QMV to 28 additional areas. Most of these have a limited significance in themselves, but they are evidence of a trend that may need to be continued to enable a much larger EU be able to operate. Secondly, the question of allocating votes has also had to be considered, with the result that whilst the majority threshold increases slightly after accession (from 71.3 per cent to 74.8 per cent), each current member state will have a lower percentage of votes after the accession of the new states. Interestingly, also, in relation to their respective populations, current member states end up with lower percentages of votes in the Council of Ministers, as well as a smaller

percentage of seats in the EP by comparison to the applicant states, as indicated in Table 2.

below:

Table 2: Allocation of votes in the Council of Ministers and seats in the EP following accession

states	total population % of EU	% age votes in Council	% age seats in EP
current states	78.2	68.7	73.1
applicant states	21.8	31.3	26.9
total	100	100	100

Sources: Nugent (1999): *The Government and Politics of the European Union* (Basingstoke, Macmillan); Duff (2001: "The Treaty of Nice, from leftovers to hangovers"; <http://europa.eu.int/abc-en>) (adapted)

These figures suggest that there is a risk that faith in current states' governments' ability to stand up for national interests will decline because of enlargement. However, one set of countries' loss is another's gain. Citizens of applicant states are not only given slightly higher levels of representation in the Council of Ministers and EP, they also acquire representation anyway simply by means of membership.

Finally, the question of increased heterogeneity has not really been addressed directly. The assumption is that the current enlargement can be encompassed by assimilating the peoples of Cyprus, Malta and central and eastern Europe as easily as former enlargements. However, leaving aside the question of scale, the previous political experiences and cultures of the peoples of most applicant states, as shown above, have been very different from those of the Nordic and western European states that joined the Union during the 1980s and 1990s.

Governmental systems may be created by, or may create, united identities. "Natural" communities may demand statehood, which, if granted or seized, can legitimate a resulting governmental system. On the other hand, Klausen and Selle (1995, cited by Goldsmith and Klausen 1997:7) comment that the newly-formed nation states of the nineteenth century only

some of whose borders were themselves “natural”, developed their *national* identities by means of their governmental institutions and their propaganda, voluntary associations and education systems.

The EU is not a “natural” community, but paradoxically, because it is a collection of constructed communities careful of their statehood, it is debarred from undertaking too much propaganda¹² and from making any but the most limited attempts towards supranational institutionalisation (although Newman (2001:3) points out that it tries). There appears, therefore, no means of forging *supranational* identities, which would reflect their identification onto their governmental system, based upon either developmental propaganda or shared values.

Currently, according to *Eurobarometer 57* (2002:69), only four per cent of the EU15 regard themselves as primarily “European”, although a larger proportion claim to hold European and national identities simultaneously. Nugent agrees that a sense of collective identity appears to be lacking in the EU as it is constituted. There is a shared loose attachment to general western liberal values, which could be diluted further in an enlarged EU (Nugent 2002:502). As we have seen, however, these values are already under strain as far as existing citizens, as opposed to elites, are concerned. The addition of future peoples, with different traditions and cultures, is likely to stretch collectivity still further.

The enlarged EU may need to do without the sense of loyalty (Newman (2001) terms it “allegiance”) from its citizens that could accrue from shared identities, however they might be forged. This deficiency sets an automatic limit to the degree of governance that is likely to be acceptable – a limit that has possibly been exceeded already by the extent and depth of the

¹² There is a common passport; a flag and a national anthem (the last movement of Beethoven’s Ninth Symphony, based upon Schiller’s “An die Freude”) although these are not generally regarded as very cohesive symbols (but see Shore 2000: 37, cited by Newman 2001 p 4)

EU's policy competences. Neither liberalism nor democracy seems to be adequate for legitimisation within a polity that does not contain a common identity.

The normative function of liberal democracy as a source of legitimacy can be regarded as arguable, then, in relation to the EU. If, however, the EU depends less upon this tried, and now apparently over-tested, device in future, it may move towards establishing an alternative norm, based upon its performance. First, there is the prospect of developing a new form of democratic legitimisation, based upon the application of subsidiarity, and secondly, it may be that an enlarged EU could command an international respect leading to a similar internal allegiance.

In relation to subsidiarity, it may be observed that the wider the EU's competences the more it depends upon the good will of the lower levels of governance or upon non-governmental organisations to implement and, where necessary, monitor, its policies. This has led to the development of a "multi-level governance" approach towards conceptualising the EU (see, for example, Marks, Hooghe and Blank (1996)). A part of the argument is that actors within sub-national institutions and groups are empowered both by the need for their input and by the Commission's determination in securing it. As their legitimacy as political actors is established, sub-state and non-state participants convey that legitimacy to the institutional procedures from which it was obtained. Enlargement does not expand the EU's competences, but it will inevitably result in a requirement for more lower-level implementation and surveillance. If this kind of activity becomes institutionalised by its frequency and customary application it may, in time, replace voting as a form of "democratic" behaviour (see Banchoff and Smith 1999:11-15; Mather 2000: 141:152).

Performance legitimacy

Alternatively, enlargement may itself benefit the EU's performance. In an internet poll on enlargement conducted by the European Parliament in 2002¹³ the majority of respondents from current and applicant states expected that enlargement would increase the EU's international influence as well as benefit EU business. Higher unemployment was not generally feared, although a majority of correspondents from current states agreed with the statement that it would make the EU more complicated:

Table 3. Enlargement and performance Benefits (EP internet poll)

question	current states %age agreement	applicant states %age agreement
is enlargement a good thing?	71	93
will it increase EU's international influence?	77	94
will it be good for EU business?	74	93
will it lead to higher unemployment in the EU?	41	21
will it make it more complicated for EU to operate?	74	48

source: <http://europoll.ibicenter.net/default.Asp?RESULTS=TABLES2> (adapted)

“At a stroke”, according to Dunkerley *et al* (2002:154), enlargement will make the EU a more powerful and influential player on the world stage, and at the same time should reduce its dependence upon the US in security terms and increase its input into global security. The Commission (2002c) has no doubts about the impact that this could have:

On the basis of political and economic stability, the enlarged Union will be better equipped to confront global challenges. An enlarged Union will add weight to the EU's external relations, in particular to the development of a common foreign and security policy. Improved co-operation between current and future Member States will help combat international crime and terrorism.

The problem is that the EU's foreign policy is “sharply contested” (Feldman 1999:80), and, unfortunately there have been few examples to date of a successful common EU approach to

¹³ This was a self-administered Internet questionnaire

world crises. The EU has not yet become an exporter of peace and reconciliation, and the fear is that increased heterogeneity may bring about additional barriers. However, Feldman (1999:80) notes that “the prospect of enlargement increased the political weight of the EU in its dealings with the United States and Russia in particular... the United States recognises the unique contribution EU enlargement can make to the stability of Central and Eastern Europe, and Europe as a whole”. The problem here is that the continuing respect of the international community depends upon the success of enlargement – or, in other words, the extent to which enlargement contrives to bring about peace and reconciliation throughout Europe. And, in turn, this depends upon the extent to which new citizens regard the EU as the instrument of peace and reconciliation. An early resolution of the Cyprus “problem” would provide an encouragement for them to trust the EU’s capabilities in this respect.

Leaving aside the Cyprus Problem, the current wave of enlargement brings in ten countries that have different foreign policy issues. On the other hand, enlargement offers the prospect of a united Europe forming the largest area of peaceful liberal democracy in the world. Günter Verheugen (1999) has even expressed fears that enlargement may be too successful in this respect. In his 1999 hearing with the European Parliament, he commented that conflict could arise because of the perceived contrast between a prosperous and contented enlarged EU and its immediate neighbours:

As for a shift in the border between rich and poor in Europe, the possibility that the EU’s external border will become a border between rich and poor really is one of the biggest dangers and the gravest risks that we have to face. This must not be allowed to happen. It is therefore important that we increase, rather than reduce, the opportunities for developing trade and other relations between regions, i.e. regional links between countries that have just joined the EU and their eastern neighbours.

This may be a concern for the medium- rather than the short-term future. By examining the progress that the candidate states have made towards achieving the EU’s *acquis* in foreign and security policy, we can establish the likelihood of enlargement leading to more rather than less commonality of purpose in that field. The Chapter (27) on foreign and security policy

covers essentially three areas. First, an applicant state needs to demonstrate its capacity to contribute to EU initiatives; secondly it needs share the EU's broad positions on foreign policy, including international peace-keeping, and thirdly, it should have achieved reasonable relations with its neighbours and, where applicable, traditional adversaries. The EU is not anxious to import strained foreign relations.

In all of these areas, there appears to be little to concern the EU, and the chapter on foreign and security policy was closed provisionally early in the negotiations by all countries. No state took longer than two years to achieve closure, suggesting that this was a relatively easy set of conditions for the applicant states to fulfil (see below, table 4.). The Commission appears to be satisfied that each country has made sufficient substantial as well as formal progress to be included in the *acquis* and no countries have asked for transitional arrangements.

Table 4. Candidate Countries preparedness for the CFSP *acquis*

country	chapter 27 opened/closed	transitional arrangements	alignment with EU's common positions/joint actions	Preparedness for EU initiatives	relations with neighbouring states – EU, candidate and non-EU
Bulgaria	2000/2000	none	yes	prepared to contribute to Rapid Intervention Force	active role in regional fora
Cyprus	1998/2000	none	yes	contribution to European Union Police force and Rapid Reaction Force	constructive relations in Middle East and Mediterranean basin
Czech Republic	1998/2000	none	yes	contribution to European Union Police force	Good relations with Slovakia and Poland
Estonia	1998/2000	none	yes	associated with EU joint action combating accumulation and spread of small arms and light weapons	stable relations with Russia
Hungary	1998/2000	none	yes	prepared to contribute to EU Rapid Intervention Force with soldiers and equipment, also civilian crisis management	constructive relations with neighbours, but some tension with Romania and Slovakia on Law on Hungarians living in Neighbouring countries
Latvia	2000/2000	none	yes	prepared to participate in Rapid Intervention Force and European Police	regional co-operation and good neighbour relations, including Russia

				mission	
Lithuania	2000/ 2000	none	yes	prepared to participate in Rapid Intervention Force and European Police mission	good relations with neighbours, including Russia
Malta	2000/ 2000	none	yes	prepared to participate in Rapid Intervention Force (with Italy) and European Police mission	intensive relationships with other candidate countries
Poland	1998/ 2000	none	yes	prepared to participate in Rapid Intervention Force and European Police mission	improvements with relations with Russian Federation and Lithuania
Romania	2000/ 2000	none	yes	prepared to participate in Rapid Intervention Force and European Police mission	improved relations with Hungary, Bulgaria, Yugoslavia
Slovakia	2000/ 2000	none	yes	prepared to participate in Rapid Intervention Force and European Police mission	good relations with neighbours, especially Czech Republic and Poland
Slovenia	1998/ 2000	none	yes	prepared to participate in Rapid Intervention Force and European Police mission	good relations with neighbours including Austria

* chapters are "provisionally closed" before entry

sources: <http://europa.eu.int/comm/enlargement/negotiations/chapters/chap27/index.htm>

Commission of the European Communities (2002): *Regular Reports on candidate countries' progress towards Accession* (Brussels, 9.10.2002; SEC(2002) 1400 - 14011; COM(2002) 700 final)

Table 4 shows that each state is able to act with the EU in its initiatives. According to the Commission's *Regular Reports* (2002c), all, with the exception of the Czech Republic and Estonia, are able to contribute to the EU's Rapid Reaction/Intervention Force; all are ready to be associated with the EU Police Force/Mission, except for Estonia. All applicant states are said to have aligned their foreign policy positions with the EU's statements and declarations and to have associated themselves with EU joint actions.

In general, the applicant states appear to have settled any differences with their neighbours and traditional enemies (Cyprus apart). Nello and Smith (1998:56): argued that:

In the case of the CEECs, enlargement will inevitably mean that there will be a larger "lobby" concerned with relations with Russia, in particular... Once in the EU, the new member states could push for a harder stance against Russia. Current attempts by the EU to strengthen economic and political relations with Russia could be jeopardised. Likewise, EU relations with other "outsiders" in Central and Eastern Europe could also worsen where there have been problems between them and the acceding CEECs.

There is also the reverse problem: Russia may seek to pressure the EU and the new member states, particularly the Baltic republics... Estonia has had serious difficulties with Russia (over, among other issues, its treatment of the Russian minority), and it is not clear how the EU would handle a deterioration in Russian-Estonian relations.

These predictions do not seem to have been borne out by events, although they may be tested further after accession. The Commission, in its *Regular Report* on Estonia (2002e), stated that: "Relations with Russia have remained stable", and seems satisfied that Russian-origin minorities¹⁴ were being treated with more fairness in terms of their language and voting rights. A border agreement with Russia was formed and, although not formally ratified by the Russia parliament, was being applied in practice (2002e:100). Latvia, Lithuania and Poland are also reported to enjoy good relations with Russia. Cyprus and Malta have "constructive", "intensive" relationships in their areas. Additional funding for cross border co-operation programmes for Slovenia has led to strengthened relations with Austria, Hungary and Italy. Romania has improved relations with Hungary, Bulgaria and Yugoslavia, although it has an unresolved border dispute with the Ukraine (2002f:120).

The only outstanding issue listed by the Commission in its 2002 *Regular Reports* concerned Hungary. Its *General evaluation* on Hungary's readiness was the only one of all the reports to highlight concerns about the chapter on foreign and security policy. Whilst Hungary has constructive relations with its immediate neighbours, it has encountered some tension with Romania and Slovakia regarding the Law on the Hungarian Minorities living in Neighbouring Countries, adopted in June 2001, promulgated with insufficient consultation. The Commission states that this needs to be resolved and to be aligned with the *acquis* when Hungary joins the EU (2002g:131), although it has not prevented Hungary's chapter on common foreign and security policy being closed.

¹⁴ the *Regular Report* on Estonia states that over a quarter of its citizens are of Russian origin (Commission 2002e)

The picture that emerges is one that shows an enlarged EU in which former differences amongst its new members have been primarily resolved, and which is at least as able to speak with one voice as its smaller predecessor. This may be a limited vision, reflecting only the reality that the EU's foreign policy is embryonic, and that "common positions" are so broad as to be lacking in content. Enlargement, in this respect in short, may make little difference. However, there are signs of increasing authority to be found in the potential for resolving the Cyprus question and in the readiness of new states to involve themselves in foreign policy initiatives. It may be that the new states, not fully conscious of the problems surrounding the development of new foreign policies, but entirely aware of their own difficulties in that field, will encourage a larger EU to move forward faster towards converging its foreign policies at least inasmuch as it affects its newest members. International opinion may be therefore influenced by small, as opposed to all-encompassing initiatives in the field of foreign policy.

Conclusion

We have seen that democracies of the applicant states are likely to be strengthened and assured by means of their incorporation into the EU, although whether this will necessarily be sufficient to command the allegiance of new citizens is less certain. Respect for the EU may be gained as a result from economic and social benefits more easily than from institutional improvements and these are not assured, given the terms upon which the new states will be admitted.

An issue that has been considered prior to and during both Amsterdam and Nice, and is now one of the implied subjects of the Constitutional Convention, is the effect of enlargement upon the internal democratic processes of the EU. Here evidence is mixed. Size does matter, and the increasing number of citizens to be represented proportionately by fewer people represents something of a threat to legitimacy inasmuch as it depends upon acceptable liberal

democracy. However, the possibility for increased participation through the weight of implementation that will be required as the EU gets both wider and deeper may go some way towards redressing the balance.

Nevertheless increasing size may lead to increasing international prestige, and the signs here give grounds for optimism. The applicant states bring with them comparatively light foreign policy baggage, and their participation in the EU makes of it a potentially formidable power bloc. An EU that could extract respect on the world stage may well also command the acceptance and even the loyalty of its own citizens. However, to date the term "common foreign and security policy" has been something of a misnomer and the challenges to foreign policy co-operation seem to come less from enlargement than from existing notions of sovereign statehood.

It may be that in the end, the development of citizens' allegiance towards the EU depends upon the prospect of enlargement leading to a softening of the political and ideological boundaries of the nation state. This would enable its increasingly heterogeneous citizens to recognise that there is more that unites than divides them, in the form of values based upon freedom, tolerance and equality.

Bibliography

- Banchoff, T & Smith, M P (1999): *Introduction* in Banchoff, T & Smith, M P (eds), *Legitimacy and the European Union: the contested polity* (Routledge, London)
- Beetham, D and Lord, C (1998): *Legitimacy and the European Union* (London and New York, Longman)
- Black, I (2000): *The Guardian* (12 December)
- Commission of the European Communities (1997): *Agenda 2000: For a stronger and wider Union (Bulletin of the European Union, Supplement 5.97 (Luxembourg, OOP, 1997)*
- Commission of the European Communities (1999): *Draft of Commission information brochure for the general public on Agenda 2000* Priority Publications Programme 1999, X/D/5 Final version 31.8
- Commission of the European Communities (2001), The Directorate General for Economic and Financial Affairs "The economic impact of enlargement" (European Communities K - AA-01-001-EN- C Number 4 June)
- Commission of the European Communities, Directorate-General Press and Communication (2002): *Eurobarometer 57* (Brussels)
- Commission of the European Communities, Directorate-General Press and Communication (2002): *Candidate Countries' Eurobarometer 2001* (Brussels)
- Commission of the European Communities (2002a): *Regular Report on Slovakia's progress towards Accession* (Brussels, 9.10.2002; SEC(2002) 1410; COM(2002) 700 final)
- Commission of the European Communities (2002b): *Regular Report on the Czech Republic's Progress towards Accession* (Brussels, 9.10.2002, SEC 2002 1402) COM(2002) 700 final)
- Commission of the European Communities (2002c): *Towards The Enlarged Union - Strategy Paper and Report of the European Commission on the progress towards accession by each of the candidate countries* (Brussels, 9.10.2002 COM(2002) 700 final)
- Commission of the European Communities (2002d): *Regular Report on Poland's progress towards Accession* (Brussels, 9.10.2002; SEC(2002) 1408; COM(2002) 700 final)
- Commission of the European Communities (2002e): *Regular Report on Estonia's progress towards Accession* (Brussels, 9.10.2002; SEC(2002) 1402; COM(2002) 700 final)
- Commission of the European Communities (2002f): *Regular Report on Slovenia's progress towards Accession* (Brussels, 9.10.2002; SEC(2002) 1409; COM(2002) 700 final)
- Commission of the European Communities (2002g): *Regular Report on Hungary's progress towards Accession* (Brussels, 9.10.2002; SEC(2002) 1404; COM(2002) 700 final)
- Czerwińska, I (2002): *Warsaw Voice* (issue No. 44 (732), 03 November 2002) <http://www.warsawvoice.pl/v728/Business07.html>
- Domańska, A (2002): *Warsaw Voice* (12 October 2002) <http://www.warsawvoice.pl/v728/Business07.html>
- Duff 2000: "The Treaty of Nice: from left-overs to hangovers" (Briefing on outcome of Intergovernmental Conference and European Council of Nice 7-11 December 2000)
- Dunkerley, D, Hodgson, L, Konopacki, S, Spybey, T, Thompson, A (2002): *Changing Europe: identities, nations and citizens* (London and New York, Routledge)
- European Bank for Reconstruction and Development (<http://www.ebrd.com/pubs/index.htm>)
- European Council (2002): *Presidency Conclusions* (Brussels, SN 300/02)
- Feldman, L G (1999): "Foreign Relations and enlargement of the EU in Banchoff, T &

- Smith, M P (eds), *Legitimacy and the European Union: the contested polity* (Routledge, London)
- Fella, S (2000): "A Europe of the peoples? New Labour and democratizing the EU" in Hoskyns, C and Newman, M (eds): *Democratizing the European Union* (Manchester, Manchester University Press)
 - Fukuyama, F (1992): *The End of History and the Last Man* (New York, Avon)
 - Gerloff, A (2002): "Stumbling blocks on the road to EU enlargement (Dresder Bank, Corporate Center Economics, Economic and Financial Market research)
 - Grabbe, H (2001): *Profiting from EU enlargement* (London, PriceWaterhouseCoopers, Centre for European Reform)
 - Havlik, P (2001): "EU Enlargement: Economic Impacts on Austria, the Czech Republic, Hungary, Poland, Slovakia and Slovenia" (Vienna, The Vienna Institute for International Economic Studies, WIIW Research Reports, No. 280)
 - Klausen, K K & Selle, P (1995): *Frivillig organisering i Norden* (Oslo and Copenhagen: TANNO and Jurist- og Økonomforbundets Forlag) cited in Goldsmith, M and Klausen, K K (1997): "European Integration and Local Government - Some Initial Thoughts" in Goldsmith, M and Klausen, K K (eds): *European Integration and Local Government* (Cheltenham, Edward Elgar)
 - Macpherson, C. B (1972): *The real world of democracy* (New York; Oxford, Oxford University Press)
 - Marks, G; Hooghe, L & Blank, K (1996): "European Integration from the 1980s: State-Centric v. Multilevel Governance" (*Journal of Common Market Studies* 34 (3) pp 341-378)
 - Mather, J (2000): *The European Union and British democracy: towards convergence* (Basingstoke, Macmillan)
 - Mather, J (1999): "The sources of European Union legitimacy: Political theories old and new" (*Contemporary Politics* 5 (3))
 - Nello, S & Smith, K (1998): *The European Union and Central and Eastern Europe* (Aldershot, Ashgate)
 - Newman, M (2001): "Allegiance, Legitimation, Democracy and the European Union" (European University Institute, EU1 Working Papers HEC no 2001/5)
 - Nugent, N (1999): *The Government and Politics of the European Union* (Basingstoke, Macmillan)
 - Richter, S (2002): "The EU Enlargement Process: Current State of Play and Stumbling Blocks" (Vienna, The Vienna Institute for International Economic Studies)
<http://www.wiiw.ac.at/summCA17.html>
 - van den Broek, H (1996): "The Challenge of Enlargement" (Speech/96/150 European Union Rapid 7/6/96)
 - Verheugen, G (2002): Speech to European Parliament (Speech 02/464
http://europa.eu.int/rapid/start/cgi/guesten.ksh?p_action.gettxt=gt&doc=SPEECH/02/462|0|RAPID&lg=EN;
 - Verheugen, G (1999): European Parliament hearing (Strasbourg)