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The boldness of the 2004 enlargement - a rewarding challenge - Ten years reinventing a European adventure

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The enlargement of the European Union on May 1st 2004 was a historical opportunity and simultaneously a huge political challenge. The inclusion of another ten central and eastern European countries represented an important contribution to overcome the long lasting division of Europe. On the first day of May 2004 Estonia, Latvia, Lithuania, Malta, Poland, Slovakia, Slovenia, Czech Republic, Hungary and Cyprus (after the failure of the referendum only the Greek part of the country) have been admitted as full members. With the inclusion of Romania and Bulgaria on January 1st 2007, the EU expanded to 27 members. On July 1st, 2013, Croatia became the 28th member of the European Union. The EU has now more than 500 million citizens. It aims to promote a comprehensive unity in an extraordinary diversity, although the diversity seems to apparently outweigh the value of unity.

However, the year 2014 brings a special opportunity to register the constant effort of the European journey towards an ever greater unity, not just the ten years of the great expansion. In 2014, several ephemerides commemorate the recent history of Europe and how they invite and lead to political introspection and exploration of new future pathways: 200 years of the Congress of Vienna; 100 years since the outbreak of WW I; 70 years since the invasion of Normandy, among others. On the grounds of their political and



social relevance, the bicentenary of the Congress of Vienna and the outbreak of World War I deserve special mention. Those wounds deeply marked the generations that have since become key players, surviving the numerous upheavals in Europe, from the end of the World War II, making the old dream of an integrated Europe as much a reality as possible.

Why was the enlargement of 2004 bold? Well – in admitting ten countries at the same time and then another two in a second moment, the European Union took a courageous and risky step forward. The expectations of the benefits of political and economic growth, under the risks of striking contrasts in the social imbalances and socioeconomic asymmetries in countries with similar scars as the ‘original’ EU-6 with a double degree of incidence (the Nazi period, 1939-1945, and the Soviet period, 1945-1990) put the Union in a quite complicated political and institutional situation. Many have considered the Union not to be fully ‘grown up’ up to this step. It is however such boldness that makes the challenge worthwhile. The higher the goal, the easier the route.¹

Also: deepening the political model of democracy, expanding the social market economy, and consolidating freedoms and rights, removing old distorted ideologies from accession commitments and their implementation contributed to clear the way. It had nevertheless an additional price: the insertion in the Western block represented a choice with consequences for the relationship with Russia and the remaining countries of the former Soviet system yet to be equated. Many other questions have been managed, such as the multilateral commercial and energy dependence.

Why is/was it worthwhile?

Certainly the challenge of political modernization – met by the EU-28 – was worthwhile (democratic institutionalization, freedoms and rights), as well

¹ See Martins, Estevão C. de Rezende. *União Europeia: política externa entre ambição e ficção*. In: Antonio Carlos Lessa; Henrique Altemani de Oliveira (eds.). *Parcerias estratégicas do Brasil: a dimensão multilateral e as parcerias emergentes*. Belo Horizonte: Fino Traço, 2013, p. 215-236.



as that of economic modernization (before and after accession), of handling the nationalist drifts, of compensating the solidarity and subsidiarity deficits – gradually but surely, of counteracting economic opportunism, of negligence [when the political struggle tightens internally]. Sure, the vessel has to be reformed during sailing. Some promises were not entirely held like the Convention of 2003 and its 'project of constitutional treaty' of 2005 and the frustrations connected to the referendums in the Netherlands and France, which revealed how internal self-reference affects the European and international project and cohesion.

But the effort is rewarding. Political maturation is evident: unity is an effective strength, despite the nostalgia and melancholia, and the economic growth could be preserved through solidarity in calm as in tempest [as of 2008]. The prospects for the future, in the form of long-term perspectives have not disappeared – on the contrary: mentalities change, overcoming disputes and frictions, the acceptance of differences together with stabilizing common elements make progress: the difference is a cultural asset and not a threat, a risk factor, a form of breakdown. So the enlargement has led to the construction of a framework of values, not a hierarchy of hegemonies. The differences and asymmetries do require however a large amount of realism: the EU-28 Club is not – obviously – a uniform reality in all views.

How does it come to this point?

It was a moment that marked the fall of the Iron Curtain finally.² There were celebrated parties and speeches at several border crossings where fireworks can be seen, for example in Zittau in the border triangle between Germany, the Czech Republic and Poland.

Former German Federal Chancellor Helmut Kohl spoke of a "happy hour". Contrary to the often articulated opinion, the generally positive balance sheet of EU enlargement can be seen today. On the plus side are in the

² See Martins, Estevão C. de Rezende. *The Wall Came Down! Hope Returned! Panorama. Insights into Southeast Asian and European Affairs*, v. 1, p. 131-136, 2009.



accession countries comparatively high growth rates and, more generally, an increase in political stability. The onslaught of cheap labor from the East, who was feared in the West ten years ago, has failed to materialize.

The "big bang", the enlargement of the EU in a big way, at the time was controversial. Despite successes and dynamic development signs of a crisis are increasing since the beginning of the 2010s. The reasons are firstly the structural problems of the European Union. Secondly, they are due to changes in European and global political conditions.

Downsides of the gradual integration

European integration is largely synonymous with European economic integration. The integrated Europe is primarily an economic unit and a new system of cross-border functional division of labor with open borders inside and relative unity towards the world markets. Economic growth and prosperity have replaced, at least since the mid-80s, the peace objectives of the foundation phase as the central guiding principles of the European project. This integration method has been in the field of economy and business-related functional systems – for instance: environmental protection, employment, consumer protection, research and technology - proven as a whole, and led to a continuous expansion of the powers of the European Union in certain policy areas.

The failed constitution

Even the failed project of a new foundation of the Union on the basis of a European Constitution is part of the critical development of European integration in recent times. With the EU Constitution, the legal capacity of the system strengthened and the gap between the citizens should be bridged, and the governments promised especially to overcome the lack of legitimacy of supranational political system as a whole. After many years of discussions in the EU Constitutional Convention, the project failed, not only because of two negative referendums in France and the Netherlands (both 2005), but



ultimately, because it could not meet the expectations placed in it. Central institutional reforms of the Constitutional Treaty, including the creation of the post of President of the Council with more years in office, as well as an "EU Foreign Minister", were included in the Lisbon Treaty. But for the re-establishment of the European Union on the basis of a constitutional treaty, it did not come. The hybrid nature of the Union as an intergovernmental bargaining regime and supranational legal system remained unchanged.

Should the European Union admit in the next few years new members? The present EU Member States are divided on this issue. In the European Parliament there is the overwhelming opinion that there can be no new rounds of enlargement without a new EU treaty.

The integration process falters

After several decades of slow development and stagnation in the mid-1980s, the European integration experienced an extremely dynamic phase that lasted for approximately two decades, which was characterized by substantial progress towards integration. In this phase, the completion of the internal market, the expansion of capacities and institutional reforms within the framework of the Maastricht Treaty and the preparation and implementation of the fifth round of enlargement, the EU enlargement fails, after the fall of communism in Central and Eastern Europe. Since the beginning of the 21st century, however, there have been increasing signs of a deeper crisis. Its causes lie partly in structural problems of the European Union and partly in the fundamentally changed Europe and the world political conditions after the collapse of the Soviet Union and the end of the Cold War.

Populist movements in politics, however, are not a purely Eastern European phenomenon – fears of globalization and movements towards the right side of the political spectrum emerge in France, Belgium, Italy, Denmark and Sweden. The nationalist messages in the EU debate, heard in the results of the recent European Parliament elections, should not be over or underestimated.



The extension fears of 2004 may have been unfounded – but the EU enlargement made many people reluctant in the "old" EU.

The lack of a vision for the future

In spite of its success in steps, integration also has a problematic downside: the final form of integration - its "finality " - remains extremely vague both as a constitutional form as well as in the geographical expansion. At the same time uncertain future vision is ideally suited to integration projects in certain limited areas and advance as milestones on the way to final shape and to justify this. This (functional) integration mode thus turns out to be "disguised integration" with paradoxical consequences: progress on integration in certain policy areas are considered to be secondary consequences of political decisions that follow as a long-term goal of political union. The process of European integration is thus based more and more on a policy of side-effects. This explains the striking tendency of political actors in the European Union, process and result to swap. In addition, the high risks associated with the "historical" decisions (for the internal market, monetary union, the enlargement), in the interest of continuing the integration process are usually neglected as such. Rhetorical risk suppression and hidden risk-sharing are also direct consequences of such an approach.

The enlargement crisis as a result of the prosperity gap between West and East

The so-called Eastern enlargement proved to be a historic opportunity for the European Union, but in medium and long term has turned into a heavy burden. The political reunification of the European continent and therefore the strengthening of the global political weight in Europe, the expansion of the internal market and economic and social modernization of the accession countries belong to the success story of the eastward enlargement. The wealth gap between Western and Eastern Europe became a problematic internal division of the European social space. However, the European Union has very limited options to pass compensatory countermeasures. Also, the



conflict intensified over the distribution of EU funding. Finally, an overtaxing of supranational decision-making and management system that is designed for significantly less than 27 states threatened to block the system. With the multiplication of the number of countries accessing the EU, the possible vetoes also multiplied, especially as the influence of national interests increased in both the old and the new Member States. Overall, the eastward expansion endangered the political and institutional capacity of the European Union.

Candidate and potential candidate countries

The accessions in connection with the so-called Eastern enlargement mean that the final frontiers of the European Union have not yet closed. A particular problem is the integration of the Balkan countries (Serbia, Bosnia-Herzegovina, Montenegro, Kosovo, Macedonia and Albania). Their belonging to Europe can hardly be denied, but they are states not yet sufficiently consolidated, and ethnic conflicts in many places make political stabilization difficult. But the membership of the European Union is expected to grow from the current 28 to 34 countries.

The countries of South Eastern Europe are on the list of future extensions at the top. In this case, these countries are on their way towards EU accession in various stages of maturity. In December 2005, although the European Commission had given the former Yugoslav Republic of Macedonia the status of a candidate country, the accession negotiations have not yet begun.

All other Western Balkan countries are potential candidates: Albania, Bosnia and Herzegovina, Montenegro and Serbia (including Kosovo under UNSCR 1244 of the UN Security Council). The EU has repeatedly considered the EU membership of the Western Balkan countries at the highest political level, provided they fulfill the accession criteria. Nevertheless, the enlargement of the European Union to the candidate countries Turkey, Macedonia and potential candidates Albania, Bosnia and Herzegovina,



Montenegro, Serbia and Kosovo for the time being engaged in the distant future.

The limits of expandability

The expansion of the European Union has its limits in its expandability. It is distinguished from a break with the past development pattern of concentric circles. The wealthy core of the current mechanism of the graded hedge is also in question. The end of the extensions by accession of States to the Union on the basis of a presumed character of Europe as a geographic space is in sight. Since about 2004, the Union therefore tries to convert to expansion without accessions. Therefore the program of the European Neighborhood Policy (ENP) was developed. The EU offer to its periphery is now: various economic and political help - but no (automatic) future EU membership. At present, of course, is open how the relationship between the Union and its neighboring countries will develop long-term perspectives on the basis of lowered supply.

The EU began formal talks with Turkey in October 2005. Negotiations were partially suspended in December 2006 because Turkey refused to open its ports to EU member Cyprus. The EU is dissatisfied with the pace of reform in Turkey: on the subject of freedom of expression, the Commission referred in particular to the controversial Turkish penal code 301 ("insulting Turkishness"). This would have to be repealed or amended. It was "unacceptable" that critics, writers and academics could be politically persecuted in a European democracy. According to several Progress Reports since 2007, further improvements are needed in judicial reform, fight against corruption, greater rights for women, children and trade unions, cultural rights, as well as the control of the security forces. Because of the lasting "political turmoil", reforms slowed. Above all, the European Commission feared that non-Muslim groups would still be significantly disadvantaged. There was praise, however, for the settlement of the parliamentary elections,



when Turkey had overcome its political and institutional crisis, and in the elections all democratic standards had been met.

Brussels gives low grades to Macedonia, Montenegro and Albania. The pace of reform in these countries is far too slow. From Macedonia, the EU Commission expects it to achieve significant improvements in their administrative capacity and fight against corruption. In Macedonia, political tensions would delay the reforms. The EU has since Brussels urged politicians in Macedonia to have a constructive political dialogue. In Albania, a "highly confrontational climate" is still predominant, says the Commission report.

In Bosnia-Herzegovina, Muslim, Croat and Serb leaders continue to meet without really forgive or tolerate each other. The country is still far from a democratic state.

Serbia has still not delivered all suspected war criminals to the International Crimes Tribunal in The Hague. The political parties in Serbia are deeply divided, delaying the implementation of the necessary reforms. Additional efforts should be made in the area of democratization and rule of law, in particular the need to fight corruption. Ten years after the war in Kosovo, Serbia applied for EU membership on 22 December 2009. The Kosovo issue could prove one of the biggest obstacles on the road to the EU, since it is in disagreement with EU rules. 22 EU members have so far recognized Kosovo as a sovereign state.

Perspectives

Early in the second decade of the 21st century, the European Union is facing new, often unexpected challenges without having completely overcome the previous expansion and constitutional crises. The financial and economic crisis of 2008/09 and especially the euro crisis in 2011 have shown that the EU is not sufficiently prepared for international crisis management. It lacks the necessary financial resources to put in place efficient crisis management programs. For the first time, the weaknesses and risks of the European monetary union became apparent. These have to do with the fact that Europe



has a less than optimal currency area due to the heterogeneity of its economies and the underdeveloped European labor market. In addition, there is a lack of a central economic government at the European level. In the global and European economic crises, the European Union thus appears a rather weak actor. It is dominated by the individual states, who are trying to combat the causes and consequences of economic crises at national level and in the interests of their own markets in the first place. This is an expression of a long-term trend of less ability to influence national preferences even in the EU. Even the "historical" decisions to achieve the monetary union and the introduction of the euro and the EU's eastward expansion, not to mention the developments in the Common Foreign and Security Policy, were initiated and implemented primarily by the governments of the Member States. This led to a tendency of loss of power of the supranational Commission.

But the great challenges of contemporary society, such as demographic shrinkage, the conversion of social security systems and the expansion of education systems, among other points, cause doubts about the significance of European policy towards the necessary reforms on combined national and European levels. Under these conditions, the expectations of citizens are increasingly redirected at the national level with their skills for social policy as well as for health and education.

The European Union is therefore at the beginning of the 21st century again in a situation where they are asked to reconsider their basic guiding principles and order. This raises the issue of whether the European Union should develop into a European federal state or whether they should focus on their core competencies and should remain an association of economic purposes. Despite the difficulties encountered, the 'European adventure' is a project, a challenge that draws strength from its experiences of possible weakness. Why is it so? Let's look briefly at two inspiring principles of the European itinerary until now.



Persistence

This principle is reflected in goal setting and its projection in action programs. These goals and these actions seek to establish policy, internal and external peace, and social well-being through economic development. This proposal gets precise contours after 1945, but already shows clear signs of persistence from the XVIII century.

The idea of Europe and its intellectual history among Europeans indicate a persistent thought to build a political and ideal entity that helps overcome the painful centuries of fragmentation of the European board. Rousseau, in his *Jugement sur le projet de la paix perpétuelle* (1761), states that the ambition of expanding territories and increasing power is incompatible with a federal project. The same idea of federation is also found in Immanuel Kant. His writing *On perpetual peace* (1795) presents the proposal of a "federal organization of Europe with Republican states", founding and preserver of peace, based on two basic ideas: a) the civil constitution of every state should be republican (in the democratic sense) and b) international law must be based on a federalism of free states (which will herald the integration by successive addition, in principle, in terms of sovereignty and state autonomy).

The experience of two world wars, both having initiated in Europe – it is worth remembering – is what inspires the position of Winston Churchill, whose famous speech in Zurich on September 19, 1946, presents the European peace project: "[re] create the European family in a regional structure which will be called United States of Europe". These "United States of Europe", also mentioned by Konrad Adenauer, should set a regional organization of the United Nations and the establishment of a Council of Europe under a federal system.

The transition of the "hot" war ending in 1945 to the "cold", which will last approximately until the end of the 1980s, is also the passage of European idealism to seal initiatives aimed at integrating the space in Western Europe. The persistence of the objectives and actions is bearing fruit.



It is during the Cold War period, more than in any other, that the persistence of the ideal of European unification and its institutional framework reassured itself. The discussions were intense and repeated. The political and military crises in the distance - the Korean War and Indochina - and nearby - the Soviet blockade of Berlin and the bellicose dissolution of Yugoslavia, to name two examples - instead of promoting the headwind, remarkably enhanced the circulation of the idea of integration and cohesion. Robert Schuman's speech on 9 May 1950 represents the first step of gradual and functional, and concrete practices, marked by perseverance that mark until the days of the European decision-making actions today. A process that suffers breaks and tensions, but - to the present - did not yield a single step back.

Perseverance

The EU integration process thus truly begins in the 1950s. The Westphalian (1648) and Viennese rule (1815), as well as that of Versailles (1919), are maintained initially, at least in theory, as well as the respect for sovereignty of States. Intergovernmental balance begins to be gradually developed by a modified public international law, in which the doctrinal rigidity of the full sovereignty version - regardless of economic, political or military power of each country - could be relaxed in the eyes of the politicians responsible for managing the reconstruction, without representing any reduction or subordination. In this perspective, the path to decision-making requires perseverance. The political and legal changes extend up for more than fifty years, even if the pace is not the same at all times. But the persistence of ideals should be accompanied by perseverance in acts.

The effectiveness of the supranational institution (or more than one institution, at least at the stage until 1992), equality of States, the majority decision, the transfer of competence (without going back, for there are not a mere transient delegation), the choice of strategic sectors of activity with autonomous development - seemingly simple actions, but of great political



complexity and especially zealous perseverance, given the arduous path of its deployment – all represent strategic and political value to the Union. It is, however, in the frame of these lasting actions and their regular recovery that will take place the largest institutional transformation in contemporary states since the spread of liberal democracy and the most successful model of regional integration in the modern world. Perseverance in actions, together with the persistence of goals, made the emergence of the early European communities back in the 1950s, and since then has moved the process of community building.

Long-term actions, placed in equally long-term perspective – expressions therefore of perseverance – took place: the Franco-German reconciliation, the German-Polish reconciliation, co-management of basic industries, political convergence on democracy, rights and freedoms, among others. Such actions have contributed and still contribute to the standing journey of overcoming political, economic and cultural links with many centuries of existence and hostile practices in Europe fractures. Without this improvement, there can be no united Europe. The federation of European nations in the Schuman thought that the founding moment had its place in Western Europe.

The cumulative experience of the generations of 1914-18 and 1939-45, however, did not allow the protagonists of the "zero hour" of the community to nourish integration illusions or expectations in a too optimistic process. It would be naive to expect a complex and multifactorial construction such as the European Union to go down a (relatively) homogenous route as a traditional unitary state (as the United States and each of its 'large' member states such as France or Britain in the past).³ It would have been equally naive to consider that the building (and especially the operation) of a 'club' with 28 member states, marked by common and unusual stories, would automatically obey to the mere formal injunctions of the normative

³ See Martins, Estevão C. de Rezende. *Parcerias intraeuropeias: 50 anos do Tratado do Eliseu (1963-2013)*. *Revista Brasileira de Política Internacional*, v. 56, p. 60-84, 2013.



statements within the frame of legal or political apparatus. If the Euro-optimism may seem to be *bon enfant*, the Euro-skepticism is anachronistic and misleading. The first one has the obvious advantage of European integration in a way that should not be compared with the nationalistic hegemonies of the 19th century, nor with the economic and commercial hegemony of outdated 'empires' (deceptively) surviving in the 20th century, such as the British or the French. The second one can infer nothing but a nostalgic longing for a possible glory inherited from an idealized past. During the campaign for elections to the European Parliament in May 2014, neo-nationalists threats were again brandished. Overall, this is much ado about nothing. This seems to be, once again, a case of domestic policy issues that contaminate one interregional area of the European Union without the policy, management and objectives of the Union been effectively known and discussed, examined and weighed. Therefore, prudence, both of individuals and of governments or states, is a kind of third operating principle - yesterday, like today or tomorrow.