

The New European Union: Integration as a Means of Norm Diffusion

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Although European shared norms can be identified through the Copenhagen Criteria, few scholars have examined what methods the European Union employs to ensure norm diffusion. This study examines the impact of EU norm diffusion on both member and candidate states. The European Union faces two different situations when it seeks to diffuse norms: targeting candidate states to ensure the adoption of shared European norms or targeting member states to ensure the adoption of specific norms. This paper argues that by utilizing the accession process, the European Union is actually better able to influence candidate states that wish to become members than current member states.

Keywords: EU Member States, Integration, Norm diffusion, EU expansion, Enlargement

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member states. Specifically, I examine the differences between the cases of Latvia and Estonia as well as Romania and Bulgaria to examine different approaches to integration, and which approach works best to achieve norm diffusion.

European integration has commonly been viewed as an extremely important factor in leading to the peace and stability of Europe (see Diez et al., 2006; Higashino, 2004; Wallensteen, 2002). Prior studies of European integration have determined that one of the original goals of the European Community was to achieve lasting peace in Western Europe after World War II, and more specifically to develop a lasting resolution to the Franco-German conflict (see Wallensteen, 2002). The European Community did help to lessen the tensions between France and Germany through economic interdependence and spillover effects, and this success helped to bolster the idea that further integration was necessary to achieve peace and stability in Europe. Following the breakup of the Soviet Union and the end of the Cold War, former Communist countries in Europe became independent, but were unstable. Thus, scholars argued that Europe would achieve lasting peace and stability by further integration to the east (see Higashino, 2004).

Once the European Union became fully established, norm diffusion emerged as one of the most effective ways in which integration could bring about peace and stability. This is due to the fact that as states adopt European norms, specifically those of freedom of movement, uncorrupt governments, a single market, and strong human rights, states become more democratic, which in turn leads to peace and stability (e.g. see Russett, 1993; Hensel, Goertz and Diehl, 2000). Thus, the European Union uses integration as a means of norm diffusion (e.g. see Tocci et al., 2008; Noutcheva, 2007; Noutcheva et al., 2004). The use of norm diffusion is especially prevalent in the post Cold War period, as the European Union began to focus on creating not just a

stable and peaceful Europe, but a stable and peaceful Europe with a shared identity possessing similar norms. Although several treaties of the European Union mention shared norms related to human rights and the common market, it was not until the Copenhagen Criteria were agreed upon in 1993 that European norms related to democracy and human rights were specifically articulated (see Tocci et al., 2008). This paper specifically focuses on those shared European norms articulated in the Copenhagen Criteria that must be adopted by all candidate states prior to accession.¹ Specifically, the Copenhagen Criteria state that there are three criteria that must be met by candidate states prior to accession:

- 1) States must have political stability, namely the stability of institutions guaranteeing democracy, the rule of law, human rights and protection of minorities.
- 2) States must have economic stability, namely a market economy with the capacity to cope with competition and market forces within the European Union.
- 3) States must accept the European Community acquis, specifically they must take on the obligations of membership, including adherence to the aims of the European Union.² Each of these three criteria represents the European norms that must be adopted by candidate countries prior to accession.

Although European shared norms can be identified through the Copenhagen Criteria, few scholars have examined what methods the European Union employs to ensure norm diffusion. More importantly, once the methods that the European Union employs to ensure norm diffusion are identified, it is important to ascertain which method is the most successful, which has broad policy implications as to how the European Union can influence states to adopt norms.³

This study examines the impact of EU norm diffusion on both member states and candidate states. Therefore, the European Union faces two different situations when it seeks to diffuse norms. The first situation is to target candidate states to ensure the adoption of shared European norms.⁴ The second situation is to target member states to ensure the adoption of specific norms. Logically, the European Union should be able to more effectively influence member states than influence candidate states in adopting norms, however, this paper argues that by utilizing the accession process, the European Union is actually better able to influence candidate states that wish to become members than current member states. This study concludes this by examining the case of Estonia and Latvia before accession as well as the case of Bulgaria and Romania after accession. In the case of Estonia and Latvia, the European Union was able to assist both countries in developing a policy towards Russian minorities that was acceptable to both the European Union and the Russian Federation prior to their accession to the European Union. Whereas, the case of Bulgaria and Romania shows that by agreeing to a concrete timetable on accession, the EU binds itself with few opportunities to back track and has to exert influence of these countries after membership, and once a candidate has become a member state, there is little that the European Union can do in order to influence member states to adopt specific norms. In other words, once a candidate has become a member state, the European Union can do little to ensure that states are able to move from stage one to stage two in the lifecycle of norms.

Norm Diffusion and the European Union

Finnemore and Sikkink (1998) argue that there is a lifecycle of norms. The first stage is norm emergence, where a norm is identified, and certain individuals called norm entrepreneurs try to push states, international organizations and networks to adopt these norms. These individuals have to develop a platform (usually organizations) to try and reach and influence states to adopt a new norm. Finnemore and Sikkink (1998) also argue that as norm entrepreneurs become successful in pushing states to adopt norms, a threshold is reached that leads to a second stage in the lifecycle of norms.

Finnemore and Sikkink (1998) argue that the second stage in the lifecycle of norms is the cascade stage. This stage is where states begin to adopt and institutionalize this norm and in turn try to influence other states into adopting this norm. Often these norms will be institutionalized in international law. In the case of the European Union, these norms are institutionalized in treaties such as the Copenhagen Criteria and Treaty of Madrid.

According to Finnemore and Sikkink (1998), the final stage in the lifecycle of a norm is internalization. This is where a norm is so widely accepted that they are internalized by actors and are taken for granted. They argue that the process of internalization can be very slow and time consuming. In fact, they state that in some cases, internalization requires generational change. In the case of the European Union, the norms specified in the Copenhagen Criteria have been internalized, and it tries to influence other states to move from stage one to stage three in the adoption of these norms. This paper is mainly concerned with the process of norm diffusion and the

ability of the European Union to influence states to move from stage one to stage two in the lifecycle of these norms.

Since its inception, the European Union has believed itself to be distinct from other organizations and states. It prides itself on not being a military power, but rather an ideational or normative power that is able to be used among member states or to influence other states (see Manners, 2002, 2006; Grabbe, 2006; Jabko, 2006; Sjurgen, 2006; Schimmelfennig and Sedelmeier, 2004).⁵ Although many of the European Union's official documents prior to the Copenhagen Criteria only implicitly discuss the norms espoused by the European Union, subsequent official documents such as the Treaty of Madrid specifically state that the European Union should be guided by those normative values upon which the European Union was founded in matters of international affairs (see Tocci et al., 2008). By pursuing integration, the European Union can influence other states by the power of its ideas and norms and ensure democratic member states that share European normative values. Thus, the European Union's normative power is diffused differently depending upon whether the norm diffusion is targeting a member state or a non-member state. Thus, different strategies are required in order to ensure norm diffusion depending on whether a member or non-member state is targeted.

Scholars have argued that since the European Union is a normative actor, that it is able to project that power to influence the norms of other states (see Manners, 2002, 2006; Grabbe, 2006; Sjurgen, 2006). Scholars have often noted the transformative nature of the European Union (see Grabbe, 2006; Schimmelfennig and Sedelmeier, 2004). Grabbe (2006) argues that the European Union has extensive transformative power to affect domestic policies of states who wish to become members. She states that the way in which the European Union is able to transform

the domestic policies of non-member states is through the accession process. The European Union is able to promise future membership to Central and Eastern European states in exchange for the adoption of the shared norms of the European Union.

Given that the European Union wishes to influence states through norm diffusion, a logical question arises as to whether or not non-member states would be interested in joining the European Union, and what their motivations are for joining. Caplanova et al. (2004) argue that states in Central and Eastern Europe are very much in favour of joining the European Union. They argue that this is largely due to self-interest. Citizens of those states see financial, free movement and security gains to be made by joining. Not only will citizens have access to the European market, but they will also be able to freely move, thus providing them with expanded human rights. Moreover, due to the rotating European presidency, states would be able to be the focus of much more attention than they would ever be able to as separate nation states. The increased focus would in turn bring more prestige and financial gain. Even though membership in the European Union would mean a reduction of state sovereignty, citizens are overwhelmingly in favour of joining the European Union as the benefits to membership far outweigh the costs.

The goals of both the European Union and European non-member states are mutually inclusive. The European Union wishes non-member states to adopt shared European norms and non-member states are willing to adopt those norms as long as they are considered for membership. Thus, it is only logical to assume that the European Union would use the accession process in order to influence the adoption of norms by non-member states. In fact, Schimmelfennig and Sedelmeier (2004) argue that the desire for norm diffusion by the European Union coupled with the desire of

Central and Eastern European states to join the European Union has enabled the European Union to affect the domestic policies of candidate countries to an unprecedented degree. Moreover, Grabbe (2006) argues that states who wish to become member states are willing to fundamentally transform just to be considered for membership, which enables the European Union to affect domestic policies of non-member states prior to those states becoming candidate states.

The scenario of radical transformation of domestic policies in exchange for consideration of candidate status is only effective if there is enough time to transform prior to accession. It is possible to legally recognize European norms on paper, while not affecting procedural change. Through the adoption of the Copenhagen Criteria, the European Union was able to clearly state the criteria for membership, which allows states to work towards concrete goals in order to gain membership. However, the Copenhagen Criteria are both beneficial and detrimental to the European Union. Once a state has satisfied the criteria, it can become a member state. However, a state can comply with the criteria by legal transformation while not implementing the criteria procedurally. Noutcheva (2006) argues that both Romania and Bulgaria are going to be a problematic case for the European Union. On the one hand, she argues that they have passed the necessary regulations to barely satisfy the European Union. However, policy changes of this magnitude require years to take effect, and by promising membership to both Romania and Bulgaria, the European has few choices but to accept them as member states. Although the Copenhagen Criteria might force the European Union into accepting a state as a member state that might not be entirely ready, Grabbe (2002) argues that the criteria are vague enough that the European Union still maintains the power in the relationship with conditional states.

Despite the caveat about the length of time needed to adopt the norms prescribed by the European Union, the accession strategy is the most effective at influencing non-member states to adopt prescribed norms. The majority of states that wish to join the European Union are willing to adopt shared European norms.

The Case of Latvia and Estonia as an Accession Strategy Success

Relations between Russia and the Baltic States have always been strained. During Tsarist times, modern day Latvia, Estonia and Lithuania were often used as territories from which to attack Russia. Moreover, during Peter the Great's reign, the Baltic States became prime territory necessary both as a buffer zone from the West, but also as necessary territory to gain access to the Gulf of Finland and thus more access to trade and military might (see Riasanovsky, 2005). Thus, the Baltic States were little more than a strategic territory necessary to expand the Russian Empire.

During World War II, Germany used the Baltic States as a base of operations from which to launch an attack on the Soviet Union. The Baltic States at first welcomed the Germans as liberators, saving them from Russian control. However, once Germany lost World War II, the Baltic States once again became a part of the Soviet Union. In order to ensure that the citizens of the Baltic States never again were able to collaborate with other countries against the Soviet Union, the Soviet Union began to relocate Russians to the Baltic States. They required that Russian be the main language taught in public schools, and over time the Baltic majority in the Baltic States began to decline. In Latvia, a little over half the population was ethnically Latvian (32.8% ethnically Russian), whereas in Estonia, approximately two-thirds of

the population was native Estonians (27.9% ethnically Russian) (see Wright, 1999). In both countries the most significant minority group was composed of ethnic Russians.

In 1991, the Soviet Union collapsed, and the Baltic States immediately declared their independence. The Baltic States had continuously been recognized as sovereign governments by the world community during the time that they were a part of the Soviet Union, and even had seats that were held vacant for them at the United Nations for when they were free of the Soviet Union. Thus, when the Soviet Union collapsed and the Baltic States declared their independence, the world community was quick to support the fledgling countries in their quest to become democracies. Large amounts of capital investment went to the Baltic States, and they were able to begin to rebuild an infrastructure that was vastly inferior to that of Western countries (see Lane et al., 2002).

Due to the Soviet occupation and vast immigration of Russians into the Baltic States, the Baltic States had to grapple with the concept of what it meant to be a citizen of one of the Baltic States. Both Estonia and Latvia had very different approaches to their citizenship laws. In Estonia, the first version of citizenship law was fairly inclusive. Any person who could trace their roots back to Estonia prior to German occupation in 1940 was to receive automatic citizenship, and any person who either had proficiency in Estonian or who had lived in Estonia for ten years could apply for naturalized citizenship. However, there was a lot of opposition to this proposal, and it was replaced by a more exclusive proposal where only those who could trace their roots back to Estonia prior to German occupation in 1940 would become automatic citizens, and those who didn't meet those criteria could apply for citizenship if they had been living in Estonia for two years (where the clock for residency began in 1990). Therefore, people could apply for citizenship in 1992, and

become citizens after a mandatory one-year waiting period only in 1993 (see Barrington, 1995). This new law clearly favored the ethnic Estonians over other ethnic minorities as nearly three-quarters of non-ethnic Estonians could claim automatic citizenship.

The new Estonian citizenship law began to foment ethnic discontent where those ethnic groups, specifically the Russian minority began to resent the ethnic Estonians. Moreover, since there was now a basic linguistic requirement to achieve citizenship, ethnic Russians were further disadvantaged. Since the Estonian government did not help set up adequate schooling to ensure that those who did not speak Estonian could get the necessary schooling to achieve fluency, ethnic Russians felt even further disadvantaged as they believed that it was not possible to achieve citizenship (see Wright, 1999; Barrington, 1995). Both Russia and the European Union strongly criticized the Estonian government for adopting such non-inclusive citizenship laws, and urged the government to change its citizenship regulations.

Contrary to Estonia, Latvia did not have a parliament or Saeima prior to 1994, and thus had a citizenship policy but not a citizenship law. The policy stated that only those who could trace their citizenship prior to 1940 were Latvian citizens. Ethnic Russians therefore could not attain Latvian citizenship. Since a majority of Latvian politicians preferred that Russians not be Latvian citizens, there was little incentive for them to amend the citizenship guidelines (see Barrington, 1995).

When a citizenship law was finally passed by the Saeima, many ethnic Russians found that they would not be eligible to apply for Latvian citizenship until after the year 2000. Moreover, since many ethnic Russians were denied the right of permanent residency, which was a precondition to citizenship, many ethnic Russians would not be able to apply for citizenship at all (see Barrington, 1995). In addition,

there was also a language requirement which further disadvantaged ethnic Russians (see Morris, 2004). Just as in Estonia, the citizenship laws directly disadvantaged a minority group, which led to strong criticism from both the European Union and Russia. In fact, the European Union became an extremely vocal critic of both states' citizenship laws. This was mostly due to the fact that starting in the early 1990s the European Union began to become more concerned with human rights around the world. Specifically, they were concerned with the protection of minority rights. They declared that the rights of minority groups were fundamental rights and advocated that universal standards be codified internationally (see Papagianni, 2003).

In both Estonia and Latvia, politicians were content with the way in which their citizenship laws were structured, and had little incentive to change them in accordance with the specified norms of the European Union. In fact, the language and citizenship laws became more stringent. For example, almost one-third of Latvia's residents were not eligible for citizenship (see Morris, 2004). Latvian politicians tended to view the situation as a suitable response to years of Soviet oppression and urged Russia to pay more attention to the plight of Russians within its own borders than to ethnic Russians in Latvia (*ibid.*).

During the early 1990s, especially in Estonia, the European Union was very concerned about the strength of the state and ensuring its survival. Despite pressure from international organizations in Europe, the European Union did not pressure Estonia to moderate its citizenship laws until the late 1990s, whereas the European Union did urge Latvia to moderate its citizenship laws, but was not able to affect change in Latvia's domestic policy towards its minority populations (see Papagianni, 2003).

In 1993, the European Union developed the Copenhagen Criteria. One of the requirements established by the Copenhagen Criteria is that states must be stable, guarantee democracy, promote human rights and protect the rights of minorities (see European Commission, 2008). Moreover, in 1995, the Madrid Conference strengthened the Copenhagen Criteria to not only include laws that promote the Copenhagen Criteria, but also the implementation of those laws. This allowed the European Union the ability to truly transform a state's domestic policy instead of just having states amend their laws in order to qualify for membership to the European Union (ibid.). However, the effects of the Copenhagen Criteria did not immediately change the behavior of states that wanted to become members, but once the European Union articulated the fact that candidate states had to meet every condition of the Copenhagen Criteria, states had to transform.

The adoption of the Copenhagen Criteria drastically affected both Estonia and Latvia. Minority rights became fundamentally tied to their quest for accession to the European Union. Estonia was quicker to adapt to the new requirements to qualify for accession (see Papagianni, 2003) than Latvia. However, by 1997, Latvia realized that the only way to gain membership to the European Union was to moderate its strict citizenship laws. Latvia's moderate political parties were able to thwart the efforts of far-right parties and moderate the citizenship laws (see Morris, 2004). Over the next several years, both Estonia and Latvia diligently worked to create and implement laws to strengthen the rights of their minority populations that would satisfy both the European Union and Russia. They were rewarded in 2001 with candidate status and in 2004 with accession to the European Union.

The case of Estonia and Latvia illustrate how the European Union is able to effectively use the strategy of accession in order to influence states to adopt European

norms. Left alone, neither Estonia nor Latvia would have adopted measures to protect the rights of their minority populations. However, when the European Union insisted that their membership was contingent upon the adoption of moderate citizenship laws and greater protections of minority rights, maintaining the status quo became too costly, and politicians in both countries began the process of transforming their respective countries. It should be noted that in the case of Estonia and Latvia, the European Union allowed enough time to pass to allow for full implementation of the norms dictated by the European Union. In cases where not enough time is allowed for full implementation prior to accession, the use of accession to influence the adoption of norms is not an effective strategy. Thus, the European Union was able to influence Estonia and Latvia to move from the first stage in the lifecycle of a norm through the third stage of norm internalization.

Bulgaria and Romania as Accession Strategy Failure

The European Union allowed itself to be bound to a strict timetable and therefore was not able to effectively use the accession strategy. An example of a failed strategy of using accession to influence the adoption of norms is the case of Bulgaria and Romania. It could not use the necessary time to influence the states to move from the first stage to the third stage in the lifecycle of a norm. Once Bulgaria and Romania became member states, the European Union could not utilize the accession strategy, and thus had to utilize a different strategy to influence both states to adopt shared European norms.

On May 16, 2006, European experts were fiercely debating whether or not the European Union would accept Bulgaria and Romania as member states. Bulgaria and Romania had been warned by the European Union that they had to reduce corruption

and ensure judicial independence among other reforms (see Noutcheva, 2006). The problem was that although both countries had enacted laws that conformed to the European Union accession requirements, they had not been able to implement those laws. Most experts agreed that implementation of those laws would take years to be successful, and many wondered if there was enough will in those states to actually implement the new laws (*ibid.*). The European Union was backed into a corner. It had very few options. It could either accept the states as member states, or it could deny them entry. Some argued that the European Union could delay the accession until implementation had taken place, but that would have taken years, and the European Union had promised to make a concrete decision by May 16, 2006. The question arises as to how the European Union failed so spectacularly in using accession as an effective strategy to influence states to adopt European norms.

In 2002, as the European Union was about to make an announcement that it would offer conditional status to Bulgaria and Romania, the governments of Bulgaria and Romania were able to extract a promise of a concrete timetable for accession in exchange for implementing reforms aimed at reducing corruption and ensuring the independence of the judicial branch (see Noutcheva, 2006). At the time, the European Union thought that this was a good agreement to make in following the strategy of accession to ensure the adoption of European norms. The only difference in their strategy was that they would have to agree to a concrete timetable for accession rather than making vague promises about future accession. This seemed like a small price to pay for influencing the adoption of European norms and ensuring such a drastic transformation in both Bulgaria and Romania. Thus, they agreed to a concrete timetable where Bulgaria and Romania would have four years in which to enact the necessary reforms, and the European Union would announce its decision on accession

in May of 2006. After all, the decision should be clear. The European Union should accept both states if they enacted the necessary reforms and deny both states if the reforms had not been enacted to the satisfaction of the European Union.

From the beginning of their candidacy period, both Bulgaria and Romania began to enact the necessary legislation to combat corruption and ensure the independence of the judicial branch. They worked closely with the European Commission to formulate the legislation in a manner that would satisfy the European Union and ensure membership. Thus, they were able to demonstrate a willingness to work with the European Union to ensure a complete transformation. They were always able to do just enough to demonstrate a willingness to change, but not enough to enable a change. Corruption is just too deeply rooted in both countries to be easily reduced. Those that seek to reduce corruption must be willing to take on powerful interests, and there was little political will to take on the powerful interests (see Noutcheva, 2006). Corruption continued at an extremely high level of government, and despite the pressure from the European Union, nothing could be done to solve the situation.

Thus, on May 16, 2006, experts were fiercely debating whether or not Romania and Bulgaria deserved to become member states to the European Union. The European Union decided that despite the problems still faced by both Romania and Bulgaria, that they should be granted membership to the European Union effective January 1st, 2007. However, the European Commission published reports for both countries detailing the necessary steps that Bulgaria and Romania had to follow.⁶ They also added a provision stipulating that if adequate steps are not taken to reduce corruption while ensuring the independence of the judicial branch, that Bulgaria and Romania might lose their status as members of the European Union. However, no

state has ever lost its membership to the European Union, and it is unlikely that the member states would agree to revoke the membership of either Bulgaria or Romania.

The European Commission also stated that it would publish a report a year after the accession of Bulgaria and Romania detailing the amount of progress that had been achieved as well as what steps still needed to be taken to comply with European norms. The idea behind the report was that if the report was a rebuke of the efforts made by Bulgaria and Romania, that the other member states would be able to shame them into adopting the necessary European norms.

The Bulgarian and Romanian case spectacularly illustrates how the strategy of norm diffusion through accession can fail. By agreeing to a concrete timetable for accession for Bulgaria and Romania, the European Union bound itself and closed a powerful retaliatory tool. Without a timetable, Bulgaria and Romania would have had to adopt the shared norms prior to accession. However, with a timetable, Bulgaria and Romania were able to become members, and the European Union had to devise a different strategy to influence Bulgaria and Romania to adopt the shared European norms. Thus the European Union was no longer the most powerful actor in the accession process. The European Union ceded its position of power to Bulgaria and Romania.

Bulgaria and Romania could transform the necessary laws to comply with the adoption of European norms, yet neither country would have to effectively implement those new laws. As long as enough steps were taken so that the European Commission could say that both countries were trying to comply, they could force the European Union to accept them as member states. Once they became member states, they anticipated that there were very few options that the European Union could utilize to force them to comply with the directives of the European Union (see

Noutcheva and Bechev, 2008). Thus, the European Union was effectively able to influence Bulgaria and Romania into the second stage of the norm lifecycle, but couldn't ensure that they would move into the third stage.

Moving both Bulgaria and Romania into the third stage of the norm lifecycle is an extremely difficult task. On January 1, 2007, Bulgaria and Romania completed the accession process and became members of the European Union. The European Commission continued to pressure both Bulgaria and Romania to enact the necessary reforms required by the European Union. In the event that neither country complies with the necessary reforms, the European Union would have two options. The first option is to publish a scathing report in the hope that it would shame the new member states into fully adopting the necessary norms. Moreover, by publishing a scathing report, member states would then be aware of the non-compliance and would be able to pressure the Bulgarians and Romanians into compliance. The probability of this option succeeding is very small, but the cost of this option is also very small. Few member states would be opposed to such a report being published.

Publishing a scathing report also could have very real financial repercussions for Bulgaria and Romania. By officially bringing attention to the problem of corruption and the fact that the judicial branch is not independent of the other branches of government, other states and private corporations will reconsider investing money in their respective economies. High levels of corruption increase the cost of doing business in those countries, and businesses would be more likely to pursue investments in other European Union member states that do not have such a problem with corruption.

An official reprimand from the European Union also has the added effect of making it more difficult for Bulgaria and Romania to receive funds from the

European Union. Structural funds as well as other funds from the European Union would dry up, as the European Union could not be sure that the funds were being used for their intended purpose. Thus, by writing a scathing report on the progress of Bulgaria and Romania, the European Union is trying to affect through peer pressure as well as financial pressure. The question remains as to how effective this pressure is in influencing Bulgaria and Romania to adopt shared European norms.

The final strategy that the European Union can choose to employ is to revoke membership from both Bulgaria and Romania. The problem with this option is that there is finality in this decision. There is no room to make the threat to revoke membership and then revoke their membership in the future, as the threat as made at the time of accession. Moreover, the cost of invoking this option is extremely high, as there will be differing opinions about whether or not such a severe option is even an option. Since no member state has ever had membership revoked, revoking membership would create a very dangerous precedence. Those member countries that are not able to follow every European directive would then have to fear expulsion. Thus, revoking membership from both Bulgaria and Romania would be the “nuclear option,” and one that would only be used should there be no other option.

The European Union chose to pursue the first option. In January of 2008, the European Commission published a scathing report for each country.⁷ The report for each country possessed details on the lack of progress in adopting necessary reforms. Although the European Commission recognizes that some progress has been made, it strongly states that not enough progress is being made.

The publication of the reports caused quite a reaction from the media, and negative attention was focused on both Bulgaria and Romania. The question is whether or not this strategy can actually work. Will bad publicity and peer pressure

from other member states be the catalyst of change, or will Bulgaria and Romania choose just to whether this storm of bad publicity and peer pressure now that they are member states? Moreover, will investors and the risk of financial repercussions prove to be enough to influence Bulgaria and Romania to adopt shared European norms. Prior to accession the incentive to adopt reforms was high, but upon accession, the incentive to adopt reforms has significantly diminished unless the European Council decides to revoke membership status and agree to reinstate the country upon compliance.

The case of Bulgaria and Romania also raise an interesting dilemma for the European Union, namely what strategy should be employed if the elites have desperately tried to enact the reforms prescribed by the European Union, but that its citizens are reluctant to accept the reforms. This problem is especially prevalent with the issue of corruption. The elites can pass the necessary reforms, and direct federal agencies to enforce the new regulations. However, there would be little incentive for local jurisdictions to comply as they would not receive the same benefits that the federal agencies and elites would receive from the European Union.

Prior to accession, the dilemma of elites that have tried to enact reforms with resistance from their constituents is not a serious dilemma. The European Union would continue to promise accession to a candidate state contingent upon the successful internalization of the shared European norms. However, once a state becomes a member state, this dilemma once again becomes very serious. A country's elite can create instability in a country by insisting on necessary reforms despite the dissent of its citizenry. The elites must then employ a cost-benefit analysis to determine whether or not the continued enactment of reforms is worth the domestic audience costs. Prior to accession, membership in the European Union would

outweigh domestic audience costs, however, after accession, domestic audience costs may outweigh the benefits of continuing to enact the necessary reforms. Thus, after accession, the European Commission is forced to make a determination about the progress of member states in adopting the shared European goals. In the case of Bulgaria and Romania, the European Commission believed that although some progress had been made towards the adoption of shared European norms, that there were still many reforms that needed to be enacted in order to satisfy the European Council.

Despite the fact that a scathing report can have financial consequences from both the European Union and investors and that peer pressure can be a powerful tool, it remains to be seen whether the use of a report can be an effective tool of norm diffusion. The case of Bulgaria and Romania will provide future insight as to whether or not writing a scathing report will be effective. However, the current evidence indicates that the measures will prove unsuccessful (see Noutcheva and Bechev, 2008).

Conclusion

Building upon the fact that the European Union is a normative power that utilizes norm diffusion, this paper has identified the different strategies that the European Union can utilize in order to influence states to adopt European norms. The European Union can influence either non-member states or member states to adopt prescribed norms.

The policy implications of this study are quite clear. The case studies used in this study convincingly prove that the European Union is much more effective at influencing non-member states than member states. The Estonian and Latvian case

illustrates that non-member states are generally willing to adopt European norms provided that they are offered membership. Thus, the accession process is the most valuable and important strategy that the European Union can utilize to ensure that non-member states adopt prescribed norms.

The important caveat to utilizing the accession strategy to assure norm diffusion is that enough time must be allowed in order to allow candidate countries to fully internalize the prescribed norms. In the case of Estonia and Latvia, enough time had passed since beginning the transformation process that both countries were able to institutionalize the prescribed norms and successfully integrate into the European Union. The case of Bulgaria and Romania, however, shows that if enough time is not allowed to pass for reforms to become institutionalized, that necessary reforms will not be enacted, and that new member states will not be able to successfully integrate into the European Union. Thus, although the most effective strategy to ensure norm diffusion is to use the accession strategy, the European Union must allow for institutionalization of European norms to occur prior to granting membership. If the European Union does not fully allow for the institutionalization of reforms, it will have no choice but to accept a candidate who will not be able to fully integrate into the European Union or deny membership to a candidate country and risk alienating some of the other member states.

Finally, once a state becomes a member state, the options for norm diffusion become very limited. The first option to influence a member state to adopt norms is to publicly shame it into action by publicly chastising a member state for failing to adopt shared European norms. This chastisement has the added benefit of providing financial consequences through a decrease of investment from both the European Union and other investors including foreign investment. However, the chastisement

option has a small probability of success. The second option is to revoke the membership of the member state, which is an option that must only be considered as a last resort and would set a very dangerous precedent. Thus, the only real policy solution to ensure norm diffusion is to target non-member states by using the accession strategy with no concrete time limit. Choosing any other policy would not lead to ensured norm diffusion.

In this paper, I have examined the strategy of the European Union to affect norm diffusion among candidate states through the accession process. I have done this by examining the use of the Copenhagen Criteria to numerate the specific norms that must be adopted and internalized by candidate states prior to membership. However, I do not examine whether or not those norms have been fully internalized by those member states who were members prior to the adoption of the Copenhagen Criteria. Future studies should examine whether or not the member states have fully internalized the norms that they have codified in the Copenhagen Criteria or if it is merely a question of ‘do as I say and not as I do’. If it is the case that not all of the member states of the EU prior to the adoption of the Copenhagen Criteria have not internalized the norms that they have codified in the Copenhagen Criteria, then the post Copenhagen Criteria member states will more resemble the ideal member state of the EU than the original EU member states themselves.

Notes

1 Interestingly, these are the codified European norms. In other words, I do not argue that those member states that became members prior to the adoption of the Copenhagen Criteria have fully internalized these stated norms. Rather, these are the norms that they publically espouse. In fact, the original member states of the European Union have their own issues with minority rights, but since they are already members, they do not need to adopt the codified norms.

2 See http://europa.eu/scadplus/glossary/accession_criteria_copenhague_en.htm

3 For exceptions to this see Noutcheva et al., 2004; Diez et al., 2006.

- 4 One of the assumptions of this paper is that not all of the member states of the European Union share the same norms, although a majority of member states share core values. These norms have evolved since the advent of the European Union, however, due to the European Union's expansion to the east, new member countries will not necessarily share the same norms as the original members of the European Union (see Higashino, 2004; Noutcheva et al., 2004).
- 5 For an alternative view of what drives European Union foreign policy, see Youngs (2004); Hyde-Price (2006).
- 6 See European Commission Report available at http://ec.europa.eu/dgs/secretariat_general/cvm/progress_reports_en.htm
- 7 See European Commission Report available at http://ec.europa.eu/dgs/secretariat_general/cvm/progress_reports_en.htm

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