

European Union Conditionality: Coercion or Voluntary Adaptation?

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Abstract

Research on the enlargement conditionality of the European Union sustains opposite positions on the question of whether it represents a means of coercion or an invitation to voluntary adaptation. However, it reveals no dialogue between advocates of these opposed views. In an attempt to replace this gap in communication with a research agenda, this article undertakes a theoretical investigation of the main arguments for regarding compliance with conditionality either as an effect of coercion or as a voluntary choice. It is found that both of these views are worth taking seriously but also that they are premature and in need of further theoretical and in particular empirical clarification. It is suggested, moreover, that coercion and voluntary adaptation are best viewed as complementary rather than competing descriptions of complying with conditionality.

Since the end of the Cold War the European Union has made use of conditionality in an increasing number of policy areas. Lending programs, trade agreements, foreign aid, and the Eastern enlargements have been promulgated through processes in which countries are required to meet certain conditions. Conditionality is also part of an established practice in global governance, featuring most notoriously in the development programs of the World Bank and the International Monetary Fund. And although trends like China's economic engagement in Africa and the repayments of foreign debts in South America might limit the impact of Western conditionality, its scope and political significance remain incontestable. Indeed, in Angola, Belarus, Cuba, Indonesia, Macedonia, Serbia, Turkey, Zimbabwe, and many other places, people continue to be subject to conditions set for them by international powers.

A considerable amount of research has analyzed the enabling factors and transformative powers of conditionality.¹ Among the specific conditions covered in this literature are liberal democracy, human rights, the rule of law, good governance, and market liberalism. Theoretical debates have oscillated between the logic of consequences, according to which conditionality is complied with because rational actors believe such action best serves their interests, and the logic of appropriateness, according to which conditionality is complied with because of prevailing norms and identity conceptions.² However, these mainstreams of the debate have largely ignored the normatively crucial question of whether conditionality represents a means of coercion or an invitation to voluntary adaptation.³ Let me introduce this issue in brief.

From one perspective conditionality can be defined simply as the practice of setting conditions for the provision of a good from one actor or organisation to another.⁴ Membership of the EU, to use the example invoked most frequently in this article, is afforded only if an applicant country meets the Copenhagen criteria, namely a functioning market economy with institutional protection of democracy, minorities, human rights, the rule of law, and implementation of the *acquis communautaire*. This notion of conditionality appears to be dominating in official EU discourse and may also have some relationship with market liberalism. The correlated interpretation of compliance is one of voluntary choice. After all, a country may simply decline what is offered to it and thereby make irrelevant the conditions on which the offer is made.

From another perspective, more oriented towards realism or Marxism in international relations, conditionality can be defined as the practice of a stronger actor imposing reforms on a weaker.⁵ On the basis of this conception, to comply with the membership conditions of the EU is not necessarily to make a free choice, but to acquiesce in the only available means of escaping from an intolerable condition, such as lawlessness, humanitarian crises, security threats, which the target country of course never chose. The more general sense in which coercion plays a role in such cases is that applicant countries will implement reforms not because they want to, but because it is required by the EU.

The normative significance of the alternative interpretations can perhaps be grasped through their respective possible implications for democracy. Does the EU use conditionality to help liberate people from authoritarian or totalitarian structures in their past and thereby to strengthen their incipient democracy? Or is the tendency of the EU rather to use conditionality to impose its own preferred institutional structures, with little or no readiness to let the people most affected decide for themselves?

The political significance of this question should not be underestimated. The legitimacy of a rule presupposes that it is complied with because of its rightfulness.⁶ Coercion, on the other hand, is often thought to represent a *prima facie* wrong.⁷ The implication is that for coercion to be legitimate there must be a normative justification beyond what is necessary in a process of voluntary adaptation and that the outcome of voluntary adaptation is legitimate unless additional considerations point to a different conclusion. In more descriptive and sociological terms, reforms imposed on a country by an outside actor may lack legitimacy because there is no argument on the basis of which people conceive of their subordination as conforming to a relevant normative criterion. Moreover, once a new member has fully entered the Union, any perception of injustice having taken place during the period of probation may return to provoke unwillingness to compromise or to abide by common decisions.⁸ Whether these are plausible scenarios might be investigated in cases like, say, the Bulgarian proposal to restart two nuclear plants, Kozloduy 3 and 4, shut down in 2006 as required by the EU before Bulgaria's accession to the Union in 2007,⁹ or in the unexpectedly offensive rhetoric used by Poland in the negotiations over the reform treaty from March to June, 2007.¹⁰ In short, weaknesses in normative justifiability – and therefore in the legitimacy of public power – may result in a weakened capacity for problem solving.

There are good reasons, therefore, to investigate the assumptions, empirical and theoretical, that underlie the alternative possible answers to the question of whether compliance with conditionality is an effect of coercion or a voluntary choice, or whether some third interpretation is available. What I find is that both overarching interpretations of complying with conditionality – as coercion and as voluntary adaptation – must be taken seriously. Each can be grounded in conceptual assumptions which are not obviously flawed, and each can be interpreted as assuming empirical conditions which are by no means improbable. However, both positions are also found to be premature and in need of empirical and theoretical clarification. As consequence, I will indicate a number of investigations which a serious defence of either position should include and, moreover, suggest that coercion and voluntary adaptation are best conceived of as complementary rather than competing descriptions of complying with conditionality.

As we will see in the next section, this argument is in sharp contrast with much of the prevailing literature. The standard way of proceeding has been to take either one or the other interpretation for granted. In contrast, I offer the outline of a research agenda on conditionality which engages with, rather than brackets, a chief normative matter under contention.

The Debate on Enlargement Conditionality

As noted above, the issue of why enlargement conditionality is complied with has often been debated in terms of the more general controversy about whether social action follows a logic of consequences or a logic of appropriateness.¹¹ However, to explore whether compliance with conditionality is an effect of coercion or a voluntary choice, these terms of the existing debate are less helpful as they do not sufficiently discriminate between the alternative interpretations. An action can be coerced as well as voluntarily chosen regardless of whether it is performed on the basis of its expected consequences or its appropriateness in view of particular norms. The range of alternative actions may be constrained by hegemonic norms as well as by undesired consequences associated with individual actions. Anticipating the definition of coercion developed more fully in a section below, constraint on action is a sufficient condition for some degree of coercion. Furthermore, norms as well as consequences of action can be imposed by other actors. To identify the scholarly controversy over what role coercion and voluntary choice play in compliance with conditionality we should therefore not look at the explicit theoretical frameworks which have most often been applied to this topic, i.e. the logic of consequences or appropriateness. A more fruitful way of proceeding is to look at the explicit formulations which have in fact been used in descriptions of conditionality. Some authors describe conditionality as an element in a process of *learning*, *socialisation*, *norm diffusion*, and *voluntary adaptation*, while others regard it as inherently *coercive* or as an element in a process of *compulsion* or *imposition*. Let me review a few examples of the differing vocabularies.

At the one extreme of the debate we find Geoffrey Pridham, who denies outright that conditionality as practiced by the EU in the process of enlargement is coercive: 'It is necessary here to point out the limitations to democratic conditionality. Essentially, it trades on persuasion and therefore influence. There is no element of coercion, although the ultimate sanction of aborted membership negotiations can be effective'¹²

Tanja A. Börzel and Thomas Risse move one step away from viewing conditionality as voluntary adaptation by describing it as a means to 'manipulate cost-benefit calculations' of the target countries.¹³ This vocabulary does not preclude coercion: for whoever has the power to raise or lower the cost of an action has the power to present the actor with alternatives one of which he or she will be unwilling or unable to perform. This point, however, is not made by Börzel and Risse. They instead argue that 'compliance management rather than enforcement ... correspond[s] to the EU's self-understanding as a civilian power', and that '[s]ocialization also appears to be more promising since the EU has no means of

forcing the more than 120 countries with which it has signed cooperation and association agreements into compliance with democracy and human rights norms'.¹⁴ Hence the undeniable conditionality in the foreign policy of the EU does not seem to have been necessarily or even contingently accompanied by coercion, according to Börzel and Risse.¹⁵

Ulrich Sedelmeier and Frank Schimmelfennig take a stand in the middle ground between the two extremes which regard conditionality as either an instrument of coercion or an invitation to voluntary adaptation. On the one hand, Sedelmeier and Schimmelfennig avoid terms like *domination*, *coercion* and *imposition* throughout their descriptions of conditionality; on the other, they make the setting of conditions a part of their External Incentives Model, according to which prevailing actors are able 'to threaten the others with noncooperation and thereby *force* them to make concessions'.¹⁶ Such shifts in vocabulary are worth noting as indications of some possible difficulty in the application of binary conceptions of force or coercion in the context of enlargement conditionality.

A more straightforward understanding of conditionality as coercive is developed by Wojciech Sadurski, who describes it as 'imposed', 'dictated', and 'forced upon the candidate states'.¹⁷ However, Sadurski is not explicit as to whether the coercive element is limited to the act of setting conditions – something which target states have limited normative claims to influence – or whether coercion is to be regarded as inherent in compliance itself – something which the target states have very strong normative claims to influence. This final possibility of voluntariness in the concept of conditionality is denied outright by Philippe Schmitter; conceptualising international factors which may affect the democratization of states, he distinguishes between contagion, control, consent, and conditionality, the last of which he describes by saying that its 'hallmark is the deliberate use of coercion – by attaching specific conditions to the distribution of benefits to recipient countries – on the part of multilateral institutions.'¹⁸

It is striking in these contributions that, despite their diverging and sometimes competing vocabularies, none of them actually argues in favour of its preferred terminology in contrast to recognized alternatives. That is, the formulations currently stand as intuitive interpretations of conditionality rather than considered judgments. What we need to do is therefore to establish a framework for investigating whether compliance with conditionality is in the main an effect of coercion or a voluntary choice. To be precise, my intention is not to argue in favour of any of these positions, but to demonstrate that none of them can simply be taken for granted and that their use in academic debate should therefore be accompanied by

investigations like those introduced in the following sections. I will begin with some general remarks on the definition of coercion and voluntary choice.

Coercion and Voluntary Choice

The concept of coercion investigated here can be defined as an action whereby *A* makes *B* do something which *B* would not have done in the absence of *A*'s requirements. This view of coercion is more restrictive than, for instance, the definition of power as the probability that an actor will carry out his or her will independently of whether the actor meets resistance.¹⁹ Where *A* carries out his or her will by cooperating, or even integrating with *B*, we have an instance of power in this sense, but not of coercion. Coercion implies that the actions of *B* would not have been performed in the absence of *A*'s requirements, and hence that the relationship is necessarily conflictual in some sense. Coercion should also be differentiated from the notion of power as the resources possessed by an actor.²⁰ In that sense, one state can be more powerful than another without compelling the weaker state to obey its decisions. Coercion, however, implies that a capacity to dominate is actually exercised.

Both the conflictual and the exercised nature of coercion also serve to distinguish the concept from the formula of power to which it bears most explicit resemblance, namely Robert Dahl's notion that *A* has power over *B* to the extent that *A* can get *B* to do something that *B* would not otherwise do.²¹ When *A* is able to dominate *B* but chooses not to do so, *B* is not coerced by *A*, although *A* retains power over *B*, according to this definition. Moreover, if *A* transfers resources to *B* and thereby enables *B* to act in compliance with *A*'s requirements as *B* would have wanted even in the absence of those requirements, we have an instance of power in this sense, but not of coercion. Coercion, but not power as defined by Dahl, implies that *B* would have acted otherwise in the absence of *A*'s requirements regardless of what resources *B* is in possession of. Hence coercion is a stronger concept, i.e. more restrictively defined, than power according to any of its definitions mentioned above.

Perhaps the most important implication of coercion is that it constrains the target actor's scope of voluntary choice. The scope of voluntary choice is then preliminarily understood as the range and diversity of alternative possibilities of action. The wider the range of actions across which *A* is able to coerce *B*, the narrower the scope of voluntary choice available to *B*. Not all action alternatives should count as instances of voluntary choice, however. If someone points a gun at your head and demands, 'Your money or your life!', he or she is in a sense offering you alternative actions, though the effect of his or her offer, for

most people, will be indistinguishable from that of coercion. To eliminate situations of this kind from the notion of voluntary choice we must narrow the definition somewhat.

In the context of enlargement conditionality, one influential but ultimately untenable way of undertaking the narrowing of the notion of voluntary choice (required for avoiding the problematic implications just noted) is to distinguish between negative and positive conditionality.²² If the conditionality of *A* affects the interests of *B* in a positive way (in comparison with the status quo) *B*'s action in compliance with the requirements of *A* is then seen as, on the whole, a voluntary choice. If the conditionality of *A* affects the interest of *B* in a negative way (again in comparison with status quo) *B*'s action in compliance with the requirements of *A* is the outcome of coercion and should by implication not count as an instance of voluntary choice.²³ An illustration of how this distinction operates in existing research on enlargement conditionality is provided by Schimmelfennig, Engert and Knobel): 'Under a strategy of 'reinforcement by reward', the international organization withholds the reward if the target government fails to comply with its conditions, but it does not intervene either coercively or supportively to change the cost-benefit assessment of the target government by inflicting extra costs ('reinforcement by punishment') or offering unconditional assistance ('reinforcement by support')²⁴. The point to be illustrated is that a *coercive intervention* is here supposed to differ from *unconditional assistance* as well as *withholding of rewards* on the basis that only the coercive intervention is "inflicting extra costs [in comparison with status quo]". That is, while negative conditionality is coercive, positive conditionality is not.

This distinction may be sensible if the actors involved are essentially equal, but it does actually not discriminate between the concepts of coercion and voluntary choice in the case of interactions that are unbalanced or asymmetrical already in the status quo. Depending on what social background conditions we are willing to imagine, even an unambiguously coercive alternative such as "Your money or you life!" can be seen as proposing a positive as well as a negative effect on the status quo of the target. If for instance uttered by a pharmaceutical company rather than a gunman, the choice given to the target actor might be as constrained, but the pharmaceutical company would not worsen but improve his or her status quo.²⁵ Hence coercion and voluntary choice cannot be separated on the basis of a distinction between negative and positive effects.

A less problematic way to account for the observation that some action alternatives do not indicate voluntary choice, and that the application of the latter concept must accordingly be somewhat narrowed, is to define the maximal level of voluntary choice as the

absence of coercion, rather than as the presence of certain action alternatives. Voluntary choice is then defined as maximal where an actor does not at all decide what actions he or she will perform on the basis of requirements imposed by other actors. Since instances of this kind may be extremely rare in contexts of political interest, this definition of maximal voluntary choice may be suspected of unduly expanding the scope of coercion at the expense of voluntary choice. However, that implication is balanced by a contrary one. Maximal coercion can be identified in an equivalent way, namely as the absence of voluntary choice: coercion reaches its highest point when the target is left with no alternative action at all. Since such instances would also seem to be rare in contexts of political interest, the general implication for research is to go beyond a classification of extreme cases in terms of either coercion or voluntary choice (although that remains an issue) and assess the balance between these concepts in areas of action where some alternatives are constrained while others are not. That is achievable by identifying actions performed only because they are required by other actors *and* identifying available alternative actions.

An important theoretical implication of this way of reasoning is that a particular act of compliance can be an effect of coercion as well as of voluntary choice. There is surely no contradiction involved in the two propositions that an actor is coerced to perform a certain action (in the sense that the action is not a result of an unconstrained choice and that the actor would have acted otherwise in the absence of requirements imposed by another actor) and that the same action is a result of voluntary choice (in the sense that the actor could have acted differently). Coercion with regard to one set of alternative actions does not imply coercion with regard to all alternative actions. It is therefore possible to distinguish between coercion and voluntary adaptation at a conceptual level while recognising that in practice the two phenomena may indeed work in tandem. With these clarifications in mind, let us now consider the arguments on the basis of which compliance with conditionality can be conceived of as a voluntary choice and as an effect of coercion.

Conditionality as voluntary choice

Compliance with enlargement conditionality is in the main a matter of voluntary choice. This conclusion would seem to follow from two premises. First, an action is voluntarily chosen to the extent that alternative actions are available to the actor. Second, all applicant countries have the option of not entering the European Union and thus of not complying with the enlargement conditionality.²⁶

In support of the second premise of the argument, it should be noticed that the possibility of not complying with the conditionality attached to membership is often realized in practice. Not all European countries are in the process of joining the Union, and one country has even declined membership twice (Norway in 1972 and 1994). Moreover, a number of applicant countries – including Slovakia under Meciar, Croatia under Tudjman, Serbia and Turkey under several regimes – have failed, by choice or otherwise, to comply with the conditions for accession. Furthermore, the Union does not act in any way to impair a country's possibility of abstaining from membership. A country which abstains from membership will have no 'extra costs'²⁷ imposed on it by the Union, beyond the loss of such future benefits as would flow from membership thereof. The new members from Central and Eastern Europe, after all, were not subdued by threats of economic sanctions, much less military ones.

To establish a common debate among researchers with opposing views on the coercive or voluntary nature of conditionality, some limitations of these observations should be noted. The observations that some countries have demonstrated their ability to abstain from membership does of course not imply that all countries possess that ability. There are, after all, some economic and geopolitical differences between, say, Norway and Latvia, affecting their respective ability to reject membership of the EU. This objection leads on to empirical research questions: Is there any common characteristic among countries that are able to reject membership or resist the conditions of the EU? Big members like Poland, as well as applicants like Turkey, may have stronger positions than smaller members like Latvia, or applicants like Macedonia. Wealthy countries like Sweden and Austria may have weaker positions than wealthier neighbours like Norway and Switzerland. To the extent that membership and sustained compliance with conditionality can be explained by such factors, the reason for rejecting the position of conditionality as an invitation to voluntary adaptation increases – and *vice versa*: to the extent that compliance with conditionality cannot be explained by such factors, there support for the hypothesis that compliance is an act of voluntary adaptation. Strange as it may seem, empirical investigations of compliance with conditionality have paid little or no attention to this issue.

Moreover, it is debatable whether an applicant country's decision to comply with EU conditionality is voluntarily chosen just because the Union does not itself impair its possibility of abstaining from membership. A country may be unable to abstain from membership not because of what the EU does, but because of what some other international power threatens to do – or because of structural constraints within the country itself. Let us say

that the alternative to Romania's integration westwards were a continuation of the economic distress that had led to the humanitarian crises of the early 1990s, when international broadcasters depicted the country as a wasteland of hollow-eyed children starving to death in state institutions. The typical dramatization of Western media aside, the drop in GDP per capita from 2,313 to 848 US dollars in current prices between 1989 and 1992 was real enough.²⁸ So when, at the Copenhagen summit in 1993, the EU announced its enlargement conditionality, the Romanians should have been ready to listen. Such observations are obviously not sufficient to conclude that Romania was coerced to comply with EU-conditionality. Romania did certainly not comply in any immediate and complete way throughout most of the 1990-ties. The claim is that voluntary choice need not have been the only or even the main mechanism behind Romania's action.

Or say that the alternative to Latvia's accepting membership of the EU had been domination by its sometime occupier, Russia. The situation was particularly sensitive since Latvia had denied its Russian minority full citizenship and created tensions with the Russian state as a result. Depending on whether the threat was mainly military or economic, the main provider of Latvian security could have been either the EU or NATO (both included Latvia in 2004). However, the close relationship between these organisations implied that any hypothetical attempt by Latvia to join one while rejecting membership of the other would certainly have impeded its accession to both organisations. Not only were the leading states of the EU also members of NATO, but the enlargement conditionality of *both* organisations included, among other things, democracy and the rule of law.²⁹ Moreover, a unilateral rejection of membership of either EU or NATO would have called the westernisation of Latvia into question, and provided Russia with a motive to interfere more assertively in that process.³⁰

Whether the Romanian and Latvian alternatives to membership of the EU should count as characteristic of voluntary choice any more than does the pharmaceutical company's alternative can and should be debate. More definitely, however, the examples demonstrate that an assessment of the possibilities of abstaining from membership, as presumed in the initial argument for viewing compliance with conditionality as a voluntary choice, must account for costs imposed on applicant countries by third powers or their domestic structures. To do this we must once again extend the empirical research agenda. This time we should ask: Do candidate countries seem likely to suffer from severe economic and security costs if they fail to agree with conditions imposed for membership of the Union? To the extent that further investigations point to an affirmative answer, the case for regarding conditionality as an

element in voluntary adaptation is weakened – and *vice versa*. Empirical contributions may come in various forms. Public opinion surveys and elite interviews can cover the general perceptions of economic or security crises while analyses of the correlation between compliance with conditionality and traditional indicators of power (such as size of population, economy, and military) as well as various measures of vulnerability (such as territorial and organizational proximity to a potentially aggressive foreign power, and the degree of economic self-sufficiency) can further indicate whether compliance with conditionality tends to occur as a consequence of foreign domination. Objective measure of crises – such as the rate of infantile death or territorial violations by third parties – can be used as further indicators of the need to integrate with more stable and economically more prosperous neighbours. Hence the balance between coercion and voluntary choice in actions of compliance with conditionality can, and should, be empirical investigated.³¹

The premise that the EU does not impose any extra costs on candidate countries abstaining from membership can also be challenged at a more fundamental theoretical level. The EU is a dominating regional organization which has taken over the supreme decision-making power of its member-states concerning the transnational movement of persons, goods, services, and capital. Hence a country choosing not to enter the organisation will experience a severe constraint on its possibilities of sustaining and developing a variety of relationships with even its most neighbouring states. Moreover, a non-member may well perceive this situation as worse even than the one which would obtain if the EU had never existed. With many potential partners of exchange in the region, the non-member would have a stronger bargaining position than it could have if it were forced to come to terms with a single dominating power.

The empirical side of this critique is obvious. Of course membership will serve as a facilitator of transnational exchange among EU-countries. But one of its ontological assumptions prompts further inquiry: namely the contention that the EU imposes costs on its neighbouring non-EU countries by constraining their transnational exchanges. Is it correct to describe such effects as *costs imposed*, rather than *potential benefits withheld*, by the EU? That would seem to depend on what territorial level is given ontological priority – individual states or the world as a whole (or some territorial level in between). Assuming that individual states are prior to larger territorial units, a single state is not coerced by others when it is prevented from participating in international exchanges. While any state can agree to conduct exchanges with other states, it must, in the international realm, abide by the possible veto of those other states. This is merely a corollary of the conception of sovereignty as supreme

authority within a territory.³² If, on the other hand, the political unit from which a deviation is to be justified consists of some larger territorial unit, such as the world as a whole, the people in one country will indeed be coerced if, without their consent, they are rendered unable to engage in exchange with their counterparts in other countries. This position can be further supported by the common assumption that state boundaries are products of historical contingency rather than moral reflection,³³ or the related view according to which the world, in a moral sense, is owned jointly by all its inhabitants.³⁴ From these viewpoints it is the presence, not the absence, of barriers to transnational exchange that must be agreed upon by people in both states, for such barriers to be judged the result of voluntarily chosen policies. Hence, in the last instance the view of conditionality as an invitation to voluntary adaptation calls for a normative investigation of what action alternatives should be available to particular states.

Conditionality as coercion

One sense in which conditionality could be regarded as coercive is that an applicant state will sometimes have to undertake changes which it expressly dislikes. Latvia long refused to provide full citizenship to members of its Russian minority but has gradually moved into greater compliance with EU norms.³⁵ In Eastern Europe there has been considerable popular support for the use of the death penalty, though in all countries it was speedily abolished in the course of application and accession to the EU.³⁶ The reduction of the Bulgarian nuclear programme in 2006 as a consequence of EU requirements appears to have been opposed by about 75 percent of the population as well as a majority in parliament.³⁷

It seems initially plausible to say that an external power was constraining choice in these cases, but the conclusion requires that some objections be met. Consider the relevance of the empirical instances of coercion just mentioned. The relevant actions of candidate states, it could be argued, are not certain particular reforms — some of which are obviously not desired — but rather the decision to enter the accession process itself, a decision endorsed by all candidate countries. As long as we observe the right unit of analysis, there will then be no direct evidence of coercion. If the accession process is aborted, so are the particular changes it required. The voluntariness of the accession process as a whole removes coercion from particular reforms within that process. Of course, we might still come to believe that conditionality is coercive if some future research agenda established that, for certain countries, there are no sustainable alternatives to rejecting conditionality and the membership contingent upon it. But if there are no adequately conceptualised cases which show that

applicant countries have performed any of their actions unwillingly, there is little reason to embark on such a research agenda in the first place.

However, the view of coercion as a spurious phenomenon fabricated by inadequate conceptualisation of the units of analysis ignores a fundamental element in the structure of the original argument. The two alternative focuses — on the process as a whole and on particular changes — are essentially equal in that the truth conditions of each are dependent on those of the other. It is not only that the decision of a candidate country to call off its process of accession will free it from unwanted reforms; it is also that the decision not to undertake such reforms will prevent it from acting as a member within the Union. In both cases the candidate country has a choice, but in neither can it avoid coercion in the sense of acting otherwise than it would have done had the EU not chosen to require particular actions. There appears therefore to be no valid reason to disregard instances of coercion in such cases merely because they are part of a process which, as a whole, is not coercive. While some actions are not coerced, some are.

A more fruitful objection against the view of compliance as an effect of coercion would be that what may first appear to be a case of coercion may in reality turn out to demonstrate that people have simply changed their political views between the time when their state resists compliance with conditionality and the time when the state complies. While Slovakia did not comply with enlargement conditionality under Meciar, it did comply under Dzurinda. How can we know whether like changes is an effect of coercion or a voluntary choice? One way to answer this question is to investigate the reasons for why the change took place. If the change takes place because of changing conceptions about what is intrinsically valuable, it is not an effect of coercion. In that case the actor would have performed the action regardless of what is required by another actor, and then there is no coercion, according to the definition of coercion presented above. If, on the other hand, the change takes place for instrumental reasons alone, i.e. because the change is judged necessary for protecting fundamental values which themselves remain unaltered, then, by the same token, compliance takes place because of coercion. A serious defence of the position that conditionality is in the main an act of coercion must therefore develop into a research agenda on deliberative democracy and, more specifically, coercive and non-coercive formation of public opinion. This is certainly not an impossible endeavour, as illustrated by ongoing research on related issues,³⁸ and so it indicates what can and should be done in the area of enlargement conditionality.

A second objection against the view of compliance as an effect of coercion, with considerably broader implications than the first objection, is that the underlying concept covers too much ground. The basic definition, that *A* coerces *B* to the extent that *A* gets *B* to do something *B* would not have done in the absence of *A*'s requirements, captures not only actions performed by candidate countries but also some of those performed by the EU itself in the course of its enlargement. The changing of composition and voting rules in European institutions is an obvious example, and the reform of the common agriculture policy might have been another. It would then seem misleading to conclude from the empirical instances mentioned above that the EU-side is dominating the other if in fact both sides dominate each other.

The empirical side of this matter is unsure. Researchers put different emphases on the division between the EU and the candidate countries, as well as on the tendency of the EU to alter its own policies and institutions, in the enlargement process. Pridham argues that the EU did not adapt very much to its new members in the Eastern enlargement;³⁹ Friis that the Eastern enlargement exercised a strong influence on the EU to modify its foundational treaties;⁴⁰ Börzel and Risse that the political procedures of the enlargement are similar to the open method of co-ordination with its vision of mutual learning and adaptation in accordance with a common goal.⁴¹ Such variation in emphasis indicates that we do not yet know with any precision the extent or direction of the coercion the parties on either side of the enlargement negotiation table are exercising. Comparative analyses of the scope and importance of wanted and unwanted adaptations in the candidate states, as well as in the EU and the old member-states, remain therefore an important research agenda. Central objects of study will include public attitudes to particular changes required by accession/enlargement; parliamentary opposition or consent to changes required by enlargement/accession; and views of negotiating officials with regard to wanted and unwanted changes. Only when we can account for the more definite results of such research will we know whether the description of enlargement conditionality as a means of coercion vis-à-vis applicant countries can be justified.⁴²

Conclusion

Research on European Union conditionality sustains opposite positions on the normatively significant question of whether it represents a means of coercion or an invitation to voluntary adaptation. However, it reveals no dialogue between advocates of these opposed views. In view of the investigation undertaken in this article, both of the contrasting answers appear

initially plausible but ultimately premature. On the one hand, the view of conditionality as coercion takes for granted what empirically appears to be controversial, namely that applicant countries are in fact adapting in unwanted directions to an extent which present members are not. On the other hand, the view of compliance as voluntary adaptation confuses the concept of voluntary choice with improvement of status quo: in the absence of acceptable alternatives, an offer to improve the status quo does not imply voluntary choice. These critiques, and others not summarised here, are broadly consistent with the position of authors who alternate between viewing enlargement conditionality in coercive and in voluntaristic terms.⁴³ This article furthers that position in two respects. First, by specifying what questions need to be addressed in order to assess the balance between coercion and voluntary choice in complying with conditionality, it breaks with the dominating tendency to base such assessments on intuitive judgements. Secondly, it explains how coercion and voluntary choice can be thought of as conceptually distinct while operating together in the empirical context of conditionality.

There are several literatures which would benefit from the research agenda illustrated by this argument. First, and most naturally, such it would add to the normative relevance of empirical results in the literature on Europeanization and conditionality.⁴⁴ Secondly, it would further the debate on the policy and identity of the Union as an actor in international politics.⁴⁵ Thirdly, it would yield new insights into why member states establish particular patterns of cooperation in the Union once it has been enlarged;⁴⁶ injustices in the accession process can produce resentment against particular states and institutions in future negotiations. Fourthly, it would qualify arguments which posit legitimacy as an essential ingredient for the efficiency and sustainability of global governance.⁴⁷ In view of all this, there appears to be good reason to join a second generation of studies on enlargement conditionality – one which engages in, rather than brackets, the normatively crucial matter of whether compliance is a product of coercion or voluntary choice.

NOTES

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¹ For the impact of European conditionality see for instance, Geoffrey Pridham, 'Complying with the European Union's Democratic Conditionality: Transnational Party Linkages and Regime Change in Slovakia, 1993-1998' *Europe-Asia Studies* 51, no. 7 (1999): 1221-1244; Heather Grabbe, 'How does Europeanization affect CEE governance? Conditionality, diffusion and diversity' *Journal of European Public Policy* 8, no. 6 (2001): 1013-1031; Jacoby Wade, *The Enlargement of the European Union and NATO: Ordering from the Menu in Central Europe*. (Cambridge: Cambridge University Press, 2004);

Ulrich Sedelmeier and Frank Schimmelfennig (eds.), *The Europeanization of Central and Eastern Europe* (Ithaca: Cornell University Press, 2005); Milada Anna Vachudova, *Europe Undivided: Democracy, Leverage, and Integration After Communism* (Oxford: Oxford University Press, 2005).

² Helen Sjursen, 'Why Expand? The Question of Legitimacy and Justification in the EU's Enlargement Policy', *Journal of Common Market Studies* 40, no. 3 (2002): 491-513; Sedelmeier and Frank Schimmelfennig, *The Europeanization of Central and Eastern Europe*.

³ But see, for instance, Kjell Engelbrekt, 'Multiple Asymmetries: The European Union's Neo-Byzantine Approach to Eastern Enlargement', *International Politics* 39, No. 1 (2002): 37-52.

⁴ Jeffrey T. Checkel, 'Compliance and Conditionality', *ARENA Working Paper Series* 18/2000. Available at www.arena.uio.no/publications/working-papers2000/papers/00_18.xml. Accessed 2007-11-27.

⁵ Adrian Hyde-Price, "'Normative" power Europe: a realist critique', *Journal of European Public Policy* 13, no. 2 (2006): 217-234; cf. James Hughes, Gwendolyn Sasse and Claire Gordon, *Europeanization and Regionalization in the EU's Enlargement to Central and Eastern Europe. The Myth of Conditionality* (Houndmills: Palgrave Macmillan, 2004), 3.

⁶ David Beetham, *The Legitimation of Power* (Basingstoke: Macmillan, 1991).

⁷ Scott Anderson, 'Coercion', *The Stanford Encyclopedia of Philosophy (Spring 2006 Edition)*, ed. Edward N. Zalta, available at <http://plato.stanford.edu/archives/spr2006/entries/coercion/>, accessed 2008-06-18.

⁸ Helen Sjursen and Karen Smith, 'Justifying EU foreign policy: the logics underpinning EU enlargement' in *Rethinking European Union Foreign Policy*, ed. Ben Tonra (Manchester: Manchester University Press, 2004), 129.

⁹ *World Nuclear Association*, 'Nuclear Power in Bulgaria' (Mai 20, 2008), available at <http://www.world-nuclear.org/info/inf87.html>, accessed 2008-06-17.

¹⁰ Recall among other unforgettables: 'the square root or death', a polish slogan that referred to a certain distribution of voting points in the Council of Ministers; see *Spiegel Online International*, 'The Unloved Neighbors (sic)' (June 20, 2007), available at <http://www.spiegel.de/international/europe/0,1518,489510,00.html>, accessed 2008-06-17.

¹¹ For a review of the debate, see Sedelmeier and Frank Schimmelfennig, *The Europeanization of Central and Eastern Europe*.

¹² Pridham 'Complying with the European Union's Democratic Conditionality', 1223. See also Sjursen, 'Why Expand?', 495.

¹³ Börzel, Tanja A. and Thomas Risse, "One Size Fits All! EU Policies for the Promotion of Human Rights, Democracy and the Rule of Law", draft paper (2004) available at

http://www.atasp.de/downloads/tandt_stanford_final.pdf, accessed 2008-06-18, page 26.

¹⁴ *Ibid.*, 29.

¹⁵ For a similar position within a more rationalist theoretical framework, Frank Schimmelfennig, Stefan Engert, and Heiko Knobel, 'Costs, Commitment and Compliance: The Impact of EU Democratic Conditionality on Latvia, Slovakia and Turkey', *Journal of Common Market Studies*, 41, no. 3 (2003): 497.

¹⁶ Sedelmeier and Schimmelfennig, *The Europeanization of Central and Eastern Europe*, 10, my italics.

¹⁷ Wojciech Sadurski, 'Accession's Democracy Dividend: The Impact of the EU Enlargement upon Democracy in the New Member States of Central and Eastern Europe', *European Law Journal* 10, no. 2 (2004): 371-401, 375, 379, *et passim*.

¹⁸ Philippe C. Schmitter, 'The Influence of the International Context Upon the Choice of National Institutions and Policies in Neo-Democracies' in *The International Dimensions of Democratization. Europe and the Americas*, ed Laurence Whitehead (Oxford : Oxford University Press [1996] 2001), 30. See also, e.g., Hyde-Price, "'Normative power Europe": a realist critique', 227; and Stephen R. Hurt, 'Co-operation and coercion? The Cotonou Agreement between the European Union and acp states and the end of the Lomé Convention', *Third World Quarterly* 24, no. 1, pp (2003): 166.

¹⁹ Max Weber, *Economy and Society* (Berkeley, Los Angeles and London: University of California Press, [1922] 1978), 53. My interpretation of Weber's formulation accords largely with that of Isidor Wallimann, Howard Rosenbaum, Nicholas Tatsis and George Zito in their 'Misreading Weber: The Concept of "Macht"', *Sociology* 14, no. 2 (1980): 264.

²⁰ Kenneth N. Waltz, *Theory of International Politics* (New York : McGraw-Hill, 1979): 129-31; cf. Linus Hagström, 'Relational power for foreign policy analysis: Issues in Japan's China policy,' *European Journal of International Relations* 11 no. 3 (2005): 396-399.

²¹ Robert Dahl, 'The Concept of Power', *Behavioural Science* 2 (1957): 201-215. Reprinted in *Power: Critical Concepts*, ed. John Scott (London and New York: Routledge, 1994), 290.

²² E.g. Pridham, 'Complying with Democratic Conditionality'; Sjursen, 'Why enlarge?'; Schimmelfennig, Engert and Knobel, 'Costs, Commitment and Compliance'.

²³ For an application of this idea in a more general context, see also Rudolph J. Rummel, *Understanding Conflict and War: Vol. 2: The Conflict Helix* (Beverly Hills: Sage, 1976), Ch. 21.

²⁴ Schimmelfennig, Engert and Knobel (2003: 497).

²⁵ Cf. Scott Anderson, 'Coercion', *The Stanford Encyclopedia of Philosophy (Spring 2006 Edition)*, ed. Edward N. Zalta, available at <http://plato.stanford.edu/archives/spr2006/entries/coercion/>, accessed 2008-06-18.

²⁶ Arguments will be named as follows. P1 is the first pro-argument (or a premise which together with others make up a pro-argument) for a given thesis. P2 is the second pro-argument for a given thesis. P1P2 is the first pro-argument for the second pro-argument for a given thesis. Counter-arguments are named C1, C2, C3, etc. For instance, C2P3P1 is the second counter-argument against the third pro-argument in support of the first pro-argument for a given thesis. See Arne Naess, *Communication and argument: elements of applied semantics* (Oslo: Universitetsforlaget, 1966).

²⁷ Schimmelfennig, Engert and Knobe, 'Costs, commitment, and compliance', 497.

²⁸ UN statistics, available at <http://unstats.un.org/>, accessed 2008-06-12.

²⁹ The conditionality of NATO was more limited, though; see Friis, 'EU enlargement ... and Then They Were 28'.

³⁰ As in the Romanian case, Latvia had an option not to comply with the EU, and to accord with Russian demands instead, but it appears to be clear nonetheless that the action was not undertaken as an effect of voluntary choice alone.

³¹ For an example of how empirical research on enlargement has begun to move in this direction, see Christina J. Schneider, 'Enlargement processes and distributional conflicts: The politics of discriminatory membership in the European Union', *Public Choice* 132, no. 1-2 (2007): 85-102.

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- ³² Dan Philpott, 'Sovereignty' *The Stanford Encyclopedia of Philosophy* (Summer 2003), ed. Edward N. Zalta, available at <http://plato.stanford.edu/archives/sum2003/entries/sovereignty/>, accessed September 2007.
- ³³ Cf. Jürgen Habermas, 'Constitutional Democracy: A Paradoxical Union of Contradictory Principles', *Political Theory* 29, No. 26 (2001): 766-81.
- ³⁴ E.g. *Left-Libertarianism and Its Critics: The Contemporary Debate*, eds. Peter Vallentyne and Hillel Steiner (Basingstoke: Palgrave, 2000).
- ³⁵ Schimmelfennig, Engert and Knobel, 'Costs, commitments, and compliance'.
- ³⁶ Manners, 'Normative Power Europe'; Craig S. Smith, 'Many in Eastern Europe support death penalty', *International Herald Tribune Europe* (November 20, 2006). Available at <http://www.ihf.com/articles/2006/11/20/news/death.php?page=1>, accessed 2007-11-28.
- ³⁷ See fn. 5 above.
- ³⁸ André Bächtiger and Jürg Steiner, eds., *Acta Politica: Special Issue on Empirical Approaches to Deliberative Democracy*, 40 (2005), no. 2 and 3.
- ³⁹ Geoffrey Pridham, 'European Union Accession Dynamics and Democratization in Central and Eastern Europe: Past and Future Perspectives', *Government and Opposition* 41, no. 3 (2006): 373-400.
- ⁴⁰ Lykke Friis, 'EU enlargement ... and Then They Were 28', *The European Union: How Does it Work?*, eds. Elisabeth Bomberg and Alexander Stubb (Oxford: Oxford University Press, 2003).
- ⁴¹ Börzel and Risse, 'One Size Fits All!'.
- ⁴² Some of the most useful empirical studies for these purposes are those by Andreas Bågenholm, *The Dynamics of Enlargement: The Role of the EU in Candidate Countries' Domestic Policy Processes*. Report 2006: 4. (Stockholm: SIEPS, 2006). Available at <http://www.sieps.se/publ/rapporter/bilagor/20064.pdf>, accessed 2007-11-30 and Thomas Plumper and Christina J. Schneider, 'Discriminatory European Union membership and the redistribution of enlargement gains', *Journal of Conflict Resolution* 51, no. 4 (2007): 568-587.
- ⁴³ Börzel and Risse, 'One Size Fits All!'; Sedelmeier and Schimmelfennig, *The Europeanization of Central and Eastern Europe*.
- ⁴⁴ See introduction.
- ⁴⁵ E.g. Thomas Diez, 'Constructing the Self and Changing Others: Reconsidering "Normative Power Europe"', *Millennium: Journal of International Studies* 33, no. 3 (2005): 613-36 versus Ian Manners, 'The European Union as a Normative Powers: A Response to Thomas Diez', *Millennium: Journal of International Studies* 35, no. 1 (2005): 167-180.
- ⁴⁶ E.g. *Unveiling the Council of the European Union: Games Governments Play in Brussels*, eds. Daniel Naurin and Helen Wallace (Basingstoke: Palgrave Macmillan, forthcoming 2008).
- ⁴⁷ E.g. John Gerard Ruggie, 'International Regimes, Transactions, and Change: Embedded Liberalism In the Postwar Economic Order', *International Organization* 36, no. 2 (1982), 379-415; *Global Liberalism and Political Order: Towards a New Grand Compromise?*, eds. Steven Bernstein and Louis W. Pauly (New York: State University of New York Press, 2007).