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EXECUTIVE SUMMARY

**THE DEPTH AND SIZE OF
THE EUROPEAN UNION
IN A TIME OF WAR**

EUROPAPERSPEKTIV 2024

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For the EU, Russia's unprovoked and illegitimate invasion of Ukraine in February 2022 is a rude awakening to a complex and decisive challenge. Can the Union prove itself capable of strong action in the shorter term perspective by providing direct military, political, economic and humanitarian support to Ukraine to win the war and, in the longer term perspective, solidarity in order to restore a sense of safety and security, socioeconomic development and resilience in Europe in a new European security order?

Since the outbreak of the war, the EU has exhibited broad unity in its support for Ukraine, which, according to the European Council in repeated statements in 2023, will continue "for as long as it takes". This support has taken several forms: strategic military support in the form of weapons systems, financing of munitions, and training of the Ukrainian army; financial support through macroeconomic aid and promises of funding for Ukraine's reconstruction; and humanitarian aid through the activation of the Temporary Protection Directive for Ukrainians. The support has also been political in the form of repeated condemnations of Russia's actions, the adoption of multiple, far-reaching packages of sanctions, and many other diplomatic measures. Perhaps most importantly of all are the clear signals from the EU in 2023 that it already considered Ukraine, Moldova and Georgia to be part of the European security architecture, thereby frustrating Russian President Vladimir Putin's goal of incorporating these countries into the Russian sphere of interest.

The war in Ukraine has resulted in the EU and its Member States having taken on an inescapable responsibility for the future of Europe, which in principle can only be enforced in the context of the enlargement of the EU. This momentous task was summed up by Ursula von der Leyen in connection with the publication of the European Commission's report on the enlargement of the EU in October 2023 when she said, "Completing our Union is the call of history, it is the natural horizon of the European Union" (von der Leyen, 2023). In December 2023, the European Council endorsed the Commission's proposal to open accession negotiations with Ukraine and Moldova.

After many years of enlargement fatigue, the war in Ukraine thus acted as a trigger for the EU to decide in December 2023 to begin accession negotiations with Ukraine and Moldova; to breathe new life into the ongoing negotiations with Montenegro, Serbia, Albania, and North Macedonia; and to promise negotiations with Bosnia and Herzegovina and Georgia as soon as these countries have implemented the necessary reforms. In 2024, the EU is set to begin a comprehensive and complex enlargement process which is expected to lead to a Union that, after the enlargement, could consist of up to 35 countries. According to the European Commission's (2023) own assessments, however, many of the countries in question are far from fulfilling the membership criteria in terms of economic development and their capacity to apply the EU's laws and regulatory frameworks. Moreover, these countries face major challenges in terms of consolidating their democracies, combating endemic corruption, managing border disputes, strengthening a deficient public administration, and in some cases adopting a foreign policy orientation that is in line with that of the EU. In this context, the EU's own capacity to manage an enlargement of its membership and incorporate a multitude of heterogeneous countries is of paramount importance, especially since the EU is already grappling with Member States that deny the supranational nature of EU legislation, put their own interests ahead of those of Europe, and do not shy away from opposing policy measures, common stances and reform initiatives. In light of these challenges, questions arise as to why the EU agreed to undertake this enlargement process, what the main problems can be predicted to be, and how the EU should handle the set of problems associated with widening versus deepening the Union.

Deepening and widening in perspective

It is somewhat of a paradox that the EU is facing perhaps its most complex enlargement ever just a few years after the United Kingdom, as the first country ever, decided to leave the EU in 2020. The withdrawal process, commonly referred to as Brexit, proved to be more complex and protracted than its proponents had claimed in the June 2016 referendum campaign, and has had predominantly negative consequences for both the UK and the EU. As Nicholas Aylott shows in his chapter in this book, although it retook formal legislative power when leaving the EU, the UK lost in the process access to

the EU's internal market and the right to participate in EU programmes. Paradoxically, Brexit has also meant an expansion of bureaucracy in the UK. Initially however, Brexit initiated a debate about whether the UK's decision to leave the EU would be copied by other countries, and whether this would ultimately lead to the dissolution of the EU. The Brexit negotiations put the spotlight on the principles valued by the EU Member States for keeping the Union together, values which can also guide the strategic considerations prior to the next big wave of enlargement. A first important principle for the EU Member States is that EU membership should not be undermined by allowing non-EU countries to have an influence over the design of Union policies, or to obtain undue advantages by participating in some policy areas but not others. A second principle is that membership entails rights and obligations that balance out over time and between policy areas, albeit not necessarily in every decision. A third principle is that membership has clear legal boundaries, that is, there are no degrees of membership. In the ongoing debate on the forthcoming enlargement negotiations, the third principle is increasingly in the spotlight, and is being challenged by voices from within the EU Member States.

The question of the relationship between the widening and deepening of the EU, or rather whether an enlargement of the EU necessitates a deepening that ought to precede the incorporation of new members, was not raised seriously until the big Eastern enlargement taking place in 2004 and 2007, when the EU almost doubled its membership with 12 new members. In the enlargements preceding the Eastern enlargement, new members were incorporated into the existing structures. Even so, these enlargements also called for internal discussions on problems in the functioning of the Union, perceived injustices in EU policies and political priorities, and whether and how the new members would affect the EU's internal balance. A well-known historical example of how such a multifaceted dilemma was resolved is the reform package that surrounded the enlargement to include Portugal and Spain in 1985. In addition to reforming the rules governing the co-decision procedure, this package included establishing a new Cohesion Fund, a deepening of foreign policy cooperation, and a formalisation of the deliberations of the heads of state and government. Taken together, the reforms not only enabled the enlargement to include Spain and Portugal, but also laid the foundation for the completion of the EU's internal market.

The Eastern enlargement prompted a broad debate on how the Union would be affected by an expansion of its membership to countries whose socioeconomic development was not only at a much lower level than the existing Member States, but also shaped by a completely different economic model. In addition, for decades, the Eastern European countries had been ruled by authoritarian communist regimes, which meant that democratic institutions, practices and values were not yet firmly established there. Alongside these issues, the EU was also concerned that the administrations of the Eastern European countries would not have the capacity to act in the EU's multi-tier system, where national administrations have a major responsibility for implementing Union legislation and managing the considerable financial aid that the new Member States were expected to receive from the EU's structural funds and agricultural policy. There were also concerns about systemic corruption, ethnic discrimination and tensions, unresolved border disputes, an unpredictable political culture and an unstable relationship with the former hegemony of the Russian republic.

These concerns and their possible consequences fed into a discussion of when, how and under what conditions the EU's enlargement to the east would take place. Similar arguments can be found in the debate in 2024 and therefore it appears important to repeat them here. The EU's starting point for the 2004 and 2007 enlargements to the east was the principle that the candidate countries must have incorporated the EU *acquis* (its laws, regulations, and foreign policy statements). In addition, the Copenhagen criteria stipulated that they must also be functioning market economies robust enough to withstand the competitive conditions in the internal market; have a functioning state governed by the rule of law; and be able to uphold democratic values and democratic governance. The extent of the necessary changes resulted in some arguing that the alignment should happen before the countries joined the EU, even if it were to take a long time. Others argued that the alignment did not have to be perfect at the time of accession. Derogations, at least temporary such, should be granted and the pre-accession period should therefore be relatively short, according to this view. On the question of how accession to the EU should be organised, the Member States had differing opinions as to whether candidate countries should be granted accession when they were found to be ready on an individual basis, or whether they should be grouped together. The Member States could not agree on this issue because they had different

preferences in relation to the candidate countries. In turn, the countries seeking membership of the Union strongly opposed a logic of competition between them, which they argued would arise if entry on individual merits were to be applied. Ultimately, the issue of the terms and conditions for the enlargement – besides each candidate country's alignment – came down to the EU's own capacity to function with many more Member States. This factor was referred to as the EU's absorption capacity. Even before the start of the enlargement negotiations, three principles had been established in the European Commission's *Agenda 2000* report published in 1997. The first of these was that the EU's institutional decision-making capacity must not be impaired following the incorporation of many more members. The second principle was that certain important policy priorities, such as the Economic and Monetary Union (EMU) and the introduction of the euro, should not be jeopardised by the enlargement. The third principle applied concerned the absorption capacity of the candidate countries in economic terms with regard to financial aid from the EU, which was set at 4% of gross domestic product (GDP). The first of these principles in particular meant that the EU's institutions and decision-making procedures would need to undergo reforms before the accession of new members, and that these reforms would take into account an expansion of the EU's areas of competence through the transfer of further powers to the EU's institutions in new and existing policy areas.

Subsequently, the Eastern enlargement of 2004 and 2007 resulted in a deepening of the EU's institutional structure, a streamlining of decision-making procedures, and an increase in the EU's areas of competence, including a deepening of several policy areas. It also resulted in a higher degree of diversification of the degree of integration in different areas. The Eastern enlargement was not of course the only driver of this development, but an increased membership resulted in greater pressure from the existing Member States that wanted to achieve deeper integration, and this highlighted differences in their ambitions in relation to the EU. Diversification in Member States' participation in different policy areas has manifested in a variety of ways and is just as much about existing Member States not wanting to participate in certain policy areas as it is about protecting certain policies against members who do not fulfil the requirements, going beyond those set for EU membership. One example is the third stage in the EMU, in which the euro replaces national currencies, with another being the Schengen Agreement,

in which internal borders are dissolved. Not all EU members participate in these policy areas, and the Schengen Agreement also includes non-EU countries (Norway, Iceland, Liechtenstein and Switzerland). Participation in Permanent Structured Cooperation (PESCO) is also voluntary in the area of defence, and the Member States decide for themselves whether they want to participate in PESCO at an overarching level, and to what degree they wish to participate in PESCO joint projects. The same logic of diversification applies to the European Public Prosecutor's Office (the EPPO). These forms of cooperation are usually referred to as differentiated integration, and are permitted within the framework for Enhanced cooperation (Article 20 of the Treaty on European Union and Title III of the Treaty on the Functioning of the European Union).

Another type of differentiation is the type that arises from an enlargement, where derogations are granted at the request of the candidate country. Most often, this concerns areas where compliance with the EU *acquis* would be costly and time-consuming, for example in environmental policy. Derogations have also been requested by existing Member States to mitigate the effects of enlargement on certain sectors and for specific groups. Prior to the Eastern enlargement, existing Member States were permitted to apply a seven-year derogation on the free movement of labour, and the application of the EU's common agricultural policy in the Eastern and Central European countries was protracted, even after the accession of these countries. Certain permanent derogations have been granted in limited areas with restrictions, such as the sale of *snus* (oral snuff) that is permitted in Sweden but is prohibited in other EU countries. However, the basic principle for derogations from alignment with the EU *acquis* is that they should be temporary. In cases where the EU has been particularly concerned about the candidate country's capacity to align itself to EU membership, a special monitoring of the implementation of EU laws and regulations has been applied. This was the case when Bulgaria and Romania joined the EU in 2007. They were subject to a monitoring mechanism that was in force until 2023, when these countries' memberships were finally completed. This form of integration can be described as a gradual approach to full membership, where the country becomes a member, but with time-limited restrictions applied to its participation in specific policy areas.

These forms of differentiated integration are frequently used in the EU and are based on decisions within the framework of the Treaties, involve the EU institutions, including the Court of Justice of the European Union, and are based on temporary and limited derogation from the rights and obligations of membership. Therefore, they do not fundamentally challenge the formal definition, content and boundaries of EU membership. Other forms of differentiated integration have been discussed at various times but, unlike variable and gradual integration, they constitute different statuses when it comes to membership. The form of European integration that is *à la carte* is based on a low level of ambition for common policies and allows countries to pick and choose, like on a menu, which parts of EU policy they wish to participate in. Another variant – concentric circles – is instead based on the level of integration not being the same for all countries, and that countries group themselves into different levels (circles) based on the degree of policy/supranational integration they advocate. A supranational EU membership forms the inner circle and is surrounded by other concentric circles entailing less and less binding forms of cooperation.

In the debate on how to shape the EU's forthcoming enlargement to the east and to the Western Balkan countries, these themes are seen again, albeit in somewhat new guise. A fundamental theme is whether the necessary reforms of the EU's institutions and policies must be implemented before the Union can accept new member states. This is especially true in a situation where external factors require the EU to enact a (relatively) rapid accession, even though the new Member States are not in a position at that time to fulfil the obligations of membership nor have had time to implement the EU *acquis*. The problem is that extensive reforms are most likely to require a Treaty change, which is time-consuming and fraught with great uncertainty, which could further jeopardise the enlargement. The EU is therefore faced with a very difficult choice that includes major risks and challenges. Which alternative is seen as the least costly – enlargement with or without internal reform – is fundamentally linked to two competing views on the function of the enlargement. Is it essentially a tool – a means of achieving higher goals – such as peace in Europe? Or is it existential for the EU in a stable European security order?

What is at stake in the forthcoming enlargement

When the President of Ukraine, Volodymyr Zelensky, submitted Ukraine's application for membership of the EU the week after the Russian invasion, accompanied by Moldova's application on the same day, the President of the European Commission, Ursula von der Leyen, could only welcome these countries' desire to join the EU. Since then, the EU's institutions and Member States have continued to support the accession ambitions of Ukraine and Moldova, and have breathed life into the enlargement negotiations that have been ongoing for many years with most of the Western Balkan countries. At the end of 2023, the European Council decided to design an enlargement process that would allow up to seven, and perhaps more, countries in Eastern Europe and the Western Balkans to join the EU in the foreseeable future. The question is no longer whether, but how, the EU should incorporate these countries. Without a doubt, the EU's decision was driven by strategic reasons. In its November 2023 Communication on EU Enlargement Policy, the European Commission wrote that "EU enlargement is a driving force for long-term stability, peace and prosperity across the continent. EU membership is a geostrategic investment in a strong, stable and united Europe based on common values. It is a powerful tool to promote democracy, the rule of law and respect for fundamental rights" (European Commission, 2023, p. 2). The European Council in its decision in December to open accession negotiations adopted a similar language to the Commission stating that "enlargement is a geo-strategic investment in peace, security, stability and prosperity" (European Council, 2023). Despite the fact that the EU's decision was taken with vigour and in a spirit of solidarity, there are many reasons why this enlargement will put the EU's leaders and its institutions to the test. Future enlargement will exhibit some similarities with the eastern enlargement of 2004 and 2007, but also major differences.

Indisputably, the biggest difference from previous enlargements is the geostrategic context. Russia's war in Ukraine, its aggressive strategies aimed at influencing Moldova, and Russia's and China's strong economic and political positions in several of the Western Balkan countries make the EU's enlargement to include these countries particularly important. These contextual factors are influencing the question of how the enlargement will be carried out and whether strategic considerations should trump decisions on the candidate countries' fulfilment of the EU's membership criteria. Many argue that only by opening

enlargement negotiations with Ukraine and Moldova will the EU signal that these countries have inevitably become part of the Western sphere. The countries themselves have made the choice to embrace democratic values and governance, and turned away from the autocratic, corrupt and arbitrary Russian political model. However, the EU enlargement process is based on a comprehensive Europeanisation of the state apparatus, form of government and policy areas reformed in line with a modern, democratic welfare state. This transformation will take a long time, challenge domestic elites and is usually not able to deliver the material wealth that the population is hoping for quickly enough. From this perspective, the EU must find ways to tackle the geostrategic challenge, at the same time as it seeks to prevent confusion about the EU's intentions and the benefits of EU membership from getting the upper hand. It also means that, even as negotiations on EU membership for Ukraine, for example, begin before a peace agreement is reached with Russia – which is not the case when it comes to membership of NATO – membership of the EU cannot replace membership of NATO when it comes to extending security guarantees to Ukraine and Moldova.

Another difference, albeit in degree rather than in nature, is the economic, political and social development of the candidate countries compared to the EU average. Compared to the countries joining the EU in 2004 and 2007, the differences this time around are even greater. In terms of GDP per capita, in 2022, Luxembourg was at the top at around USD 125,006, followed by Ireland at USD 103,983 and Denmark at USD 67,790. The lowest per capita GDP in 2022 for the current Member States was in Bulgaria at USD 13,974. These figures can be compared with a per capita GDP of USD 4,534 for Ukraine, USD 5,714 for Moldova, and USD 6,675 for Georgia (World Bank, 2024). This concerns Ukraine primarily, whose size and extensive agricultural sector would challenge the distribution of funding in the EU's current structural and investment funds and agricultural policy. Calculations show that all current net recipient countries in the EU's budget would become net contributors, and the biggest transfers would go to Ukraine. These calculations were made on the Ukrainian economy *before* the war. The EU will also be responsible for organising the reconstruction of Ukraine and the cleanup of the environmental damage caused by the war with the participation of the international community. In addition to these economic factors, there will be institutional and political changes brought about by the

next enlargement. On top of this, there will be the inevitable impact on the development of the EU's foreign and security policy, as countries with very problematic experiences of Russia, such as Ukraine and Moldova, will then be members.

Finally, it should be noted that experiences from the negotiations with the Western Balkan countries, which in some cases have been going on for several years, have been far from unambiguously positive. Alignment to the EU has been problematic, as countries such as Serbia have repeatedly sought partnerships with China within the framework of the Belt and Road Initiative, whose terms and conditions run counter to the EU *acquis* in areas such as environmental and labour law. Furthermore, some EU countries have blocked the progression of these candidate countries with reference to obstacles that are not motivated by alignment to EU laws and regulations but by national particularistic interests, such as Bulgaria's language and national identity demands in relation to North Macedonia.

The unspoken challenges also include the problem of certain current EU countries' failure to observe democratic values and rights, as well as the erosion of the rule of law and free media. This is experienced as an underlying problem that cannot be allowed to worsen in an enlarged Union. A similar challenge concerns the problem of endemic corruption and co-opting of the state apparatus by political elites linked to organised crime.

Where does the EU stand today?

In November 2023, the European Commission declared that the Union was ready to begin accession negotiations with Ukraine and Moldova; to intensify ongoing negotiations with Serbia, North Macedonia, Montenegro and Albania; and announced that Georgia would become an official candidate country alongside Bosnia and Herzegovina, which was granted this status in December 2022 (European Commission, 2023). The Commission pointed out that the process concerning Kosovo, which applied for membership in December 2022, is problematic because not all Member States recognise the country's independence and that the process has been slowed by internal unrest and tensions between its ethnic Albanian government and the Serbian minority. With regard to developments in Turkey, the

Commission confined itself to noting that the country remains very far from resuming accession negotiations with the EU. The Commission's view on the situation and its proposals on how the EU should proceed was endorsed by the European Council in December 2023. As mentioned above, the EU's motivation for recommitting itself to a comprehensive and complex enlargement is primarily geopolitical. This does not mean, however, that the EU intends to compromise on the demands placed on countries that want to be members. Being aware of the development levels the candidate countries and experiences gained from ongoing negotiations with the Western Balkan countries raises the question of how the EU can successfully pull off this complex project without jeopardising its strength and cohesion.

The European Commission set out a number of principles for the enlargement in its November 2023 Communication. The most important principle is that membership is granted on the basis of the progress made by the candidate country in aligning to the EU *acquis*, recognisable from previous enlargement rounds. However, the process of applying EU laws and regulations must be preceded by alignment with certain fundamental principles which, according to the Commission, relate to: "the rule of law, fundamental rights, the functioning of democratic institutions, public administration reform and the economic criteria" (European Commission, 2023, p. 8). In itself, these principles are no different from those expressed in the Copenhagen criteria, but have been given a higher priority in the Commission's Communication. This priority should be understood in light of the experiences of the enlargements in 2004 and 2007 and the EU being at a loss to handle Hungary's and Poland's (previous) failures to observe the EU's fundamental values and principles. The EU faces the dilemma that demands for reform and transformations can be placed on candidate countries until they become members, but that the EU loses that power after membership is completed. Once they become members of the EU, countries can block measures aimed at obliging them to comply. Another principle reinforced in the Commission's assessment of the candidate countries' alignment to the EU *acquis* is that what counts as progress is the observance in practice of reforms, not just the formal introduction of new laws and regulations; and that monitoring this may continue after the country formally becomes a member. Finally, in a call to prospective member states, the Commission stresses that the decision to join the EU is "a strategic

choice”. This is intended to emphasise that it is assumed that “Partners must embrace and promote EU values firmly and unequivocally” and that “alignment with the EU’s common foreign and security policy is a more significant signal than ever of shared values and strategic orientation in the new geopolitical context” (European Commission, 2023, p. 2).

In February 2020, the European Commission launched a new methodology for the enlargement towards the Western Balkan countries in order to strengthen the credibility of the process in terms of both candidate and Member State undertakings. In its Communication, the Commission stresses the importance of a more predictable process grounded in positive and negative conditionality and based on real progress and stronger political involvement. Unlike previous enlargements, the negotiations are taking place in six thematic clusters, where cluster 1 (the fundamentals) is dealt with first and last in the negotiations in order to maximise the EU’s ability to persuade the candidate countries to stick to their undertakings regarding the rule of law, fundamental rights, the functioning of democratic institutions and public administration reform. Positive conditionality includes support of various kinds, such as financial support for reforms and participation in the work of the EU’s institutions, authorities and programmes; while negative conditionality refers to the principle of reversibility, that is, that the enlargement process can be suspended, even withdrawn, if deemed necessary. The proposals contained in the 2020 Communication are already being applied in negotiations with some Western Balkan countries and are mentioned in the Commission’s October 2023 Communication as the fundamentals in the enlargement process for the remaining countries.

What is not mentioned in the European Commission’s Communication is its position on the EU’s absorption capacity and potential needs for reforms of EU institutions, decision-making procedures and financial frameworks. This being an ultimately political issue for the EU Member States, the European Council addressed the question at its summit in December 2023. The European Council stated that successful integration implies that the Union’s policies are geared towards the future, that their financing is sustainable and that the EU institutions must continue to function in an efficient manner. The political leaders pledged to revisit the issue of future reforms and draw up a road map for the way ahead at the latest in the summer of 2024.

Consequently, the issues concerning necessary reforms ahead of the next enlargement are hotly debated throughout Europe and a number of proposals on how to deal with this problem have been put forward. A recurring theme is that reforms of institutional and budgetary nature are inevitable as are a reform of the EU's decision-making rules. Furthermore, commentators argue that the members of the College of the Commissioners should be reduced after an enlargement or, if that is not possible, at least organised into groups where commissioners have different statuses as in the UK's system of ministers of state and junior ministers. Moreover, the number of Members of the European Parliament should be maintained at the current level and the EU's Common Foreign and Security Policy ought to allow decisions taken by a majority of the member states.

According to Italian political scientist Sergio Fabbrini (2023), these proposals concern the constitutional order of the European Union at its core as they regulate how relations between different constituent units should be organised, the degree of centralisation that should be allocated to the EU institutions contra the Member States, and what should actually be 'common' within the Union. From such a perspective, Fabbrini advocates that in the future, the EU should develop into a *multi-tier Union* where the external tier is the European Political Community proposed by French President Emmanuel Macron in 2022. It would take the form of a European confederation and comprise cooperation with up to 40 or more countries based on common interests in different areas identified in intergovernmental agreements. The intermediate tier would consist of a community organised around the internal market in which the EU's institutions would have approximately the same responsibilities and functions as in the first half of the 2020s. The Community would include the EU's existing members, but with the distinction that countries that do not recognise the supranationality of EU law would no longer have a place in the Community. The core tier would be a union, a kind of European confederation, formed around the countries in the euro area which, through a constitutional pact, would render further power to a common federal government.

Although Fabbrini's model for a future political order for Europe is more of a thought experiment than a fully-fledged plan, other reports stress that the EU should consider combining the great enlargement to include countries to the East and in the Western Balkans with a major overhaul of the EU's structure,

in particular an overhaul of the principles for the previous enlargement process. This perspective emphasises a *staged accession* in which the membership of existing EU countries may also be made conditional from policy, budgetary and fundamental rights perspectives.

The forthcoming enlargement of the EU will inevitably raise questions about the future composition of the EU, as well as questions about the deepening of the EU's powers and the scope of its policies. In the context of an enlarged EU, the principles of subsidiarity, the rights and obligations of membership, the balancing of the regulation of different industries and policy areas, and the development of the meaning of European identity and citizenship are once again topicalised.

In the 27th edition of the book series, researchers highlight questions about the depth and size of the EU in terms of its members, policy areas and security in a time of upheaval and war. How has the UK's withdrawal from the EU affected the political dynamics of the Union, and what lessons can be learned from Brexit? What do the contours of a larger Europe potentially look like, and what premises will apply for the accession of new members? Does European solidarity require a collective defence of the EU? How will new refugee flows to the EU be handled under the shadow of a hostile neighbourhood? What should EU citizenship entail, and how can solidarity between workers be framed? How is the future of the EU's labour market dynamics being shaped in light of artificial intelligence? These and other questions are discussed by researchers in economics, law, and political science in the nine chapters of this book.

In the first chapter, *Mats Öhlén* analyses the EU's future enlargement plans. He argues that the EU's future enlargement process has gained new momentum in a time of war, and contends that the central question is how the EU can, and should, handle the dilemma of the risks and opportunities that an enlargement entails. In his chapter, Öhlén presents several political science perspectives on the EU's enlargements based on various driving forces: economic, geopolitical, and normative. In addition, he discusses how the EU's enlargement processes have changed over time and become increasingly protracted due to new Member States being young democracies that very much need to be evaluated before membership can become considered.

Öhlén goes on to analyse two regions where the issue of enlargement of the Union has been raised recently: the Western Balkans and the Eastern Partnership. These two regions differ in terms of their challenges in relation to an EU enlargement, making a comparison relevant. Moving on, Öhlén discusses the EU's own capacity for enlargement, which is particularly relevant in light of the enlargement fatigue that occurred after the Eastern enlargement of 2004 and 2007. Öhlén also presents the proposals for reforms of the EU's institutions that have been highlighted in connection with discussions of future enlargements and discusses the proposals circulating to rendering the EU more flexible so that it can handle a more heterogeneous membership. The chapter concludes with a discussion on the dilemmas facing the EU and how the EU ought to address these. Öhlén's key message is that a successful handling of the problems surrounding enlargement must be based on the EU internally getting behind the fundamental issue, which is that the Member States and the institutions must agree on whether or not an enlargement of the Union is desirable, and if so, showing patience and perseverance with the process. Only then will the EU be able to credibly pursue the process moving forward, while the applicant countries will have a greater incentive to enforce the necessary reforms.

In the second chapter of the book, *Ester Herlin-Karnell* discusses whether the EU has adequate mechanisms for collective self-defence. She does this through an analysis of the solidarity clause in the Treaty on the Functioning of the European Union, as well as the provision of mutual assistance in the Treaty on the European Union. Herlin-Karnell discusses how the design of the EU's rules stems from the international regulatory framework and in particular how in some respects it resembles regional military alliances such as NATO. She also shows that Kant's legacy has shaped the rules on self-defence in the UN Charter, and explains how this insight can help us understand the limits of using self-defence within EU law. According to Herlin-Karnell, this Kantian legacy is relevant at many levels in EU law, as the EU is in part a peace project and in part based on the idea that trade promotes peace. Both of these ideas have their origins in Kantian ideas.

Furthermore, Herlin-Karnell compares self-defence in situations of war with the rules of self-defence in criminal law as it is generally designed in most countries, as this comparison is often made in political theory concerning 'the just war'. The author then discusses the particular role and capacity of the EU in

collective self-defence, and security questions in a broader sense. Herlin-Karnell concludes that Kant's categorical imperative can act as a compass for EU security cooperation and when it comes to the question of collective self-defence, the EU and its Member States should behave in the way they themselves would like to be treated.

In chapter three, *Pehr-Johan Norbäck* takes a historical look at the UK's complicated relationship with Europe. The chapter shows how the debate on the UK's participation in the European integration process started already in the early 1950s when the UK chose not to join the predecessor of the EU, the European Coal and Steel Community. According to Norbäck, the explanation for the UK's initial reluctance to participate in the European integration project can be traced back to the country's unique historical and constitutional development – that, as an island nation, it has never been defeated or occupied by a foreign power – and to the UK's past as an imperial power. Norbäck argues that the UK was more or less forced to seek membership in the then European Economic Community to reverse a downward spiral of weak economic growth and diminished political influence in the world. To that extent, the UK's accession was more the result of a cost-benefit analysis than of any genuine passion for European integration. This may have facilitated its decision to leave the EU when Euroscepticism increased during various crises and economic and technological shocks.

What, then, can the EU learn from Brexit? Norbäck reminds the reader that the UK differs in so many ways from other EU countries and that it is therefore difficult to draw general conclusions on why a country might want to leave the Union based on Brexit. The Brexit process shows how difficult and costly it is for a Member State to leave the EU after many years of membership, but at the same time highlights that the main lesson of Brexit is not to be found in how 'imprudent' it is to leave the Union. Instead, he stresses that Brexit has become a reminder to the remaining EU members of the value of protecting the internal market and the EU decision-making process, and how this created a willingness and determination to unite and act effectively. Although there were major differences in how the different Member States would be impacted, and despite the fact that in many Member States there were groups that wanted to follow the lead of the UK's withdrawal, they managed to stick together throughout the long and complicated Brexit process. Furthermore, Norbäck argues that the unity and cohesion after

Brexit has given the EU greater confidence to act in subsequent crises, which is in stark contrast to how the euro crisis, for example, was handled in 2012. The EU weathered the COVID-19 pandemic and was able to present an (almost) united front in relation to Russia's war of aggression against Ukraine, with joint sanctions packages and even jointly funded military aid to Ukraine. Norbäck therefore concludes that the EU's most important lesson from Brexit is what the Union can achieve when it is united.

The fourth chapter of the book by *Nicholas Aylott* also analyses Brexit, but from a different angle. The chapter asks how Brexit has affected development within the Union. The answer to that question is, of course, complicated by everything else that has happened in and around the EU during the period, such as the COVID-19 pandemic and Russia's war against Ukraine. Therefore, and with the preferences of the actors in mind, Aylott chooses to ask the counterfactual question: What would have been different if the UK had still been a member of the EU during these crises?

The chapter's overall argument is that Brexit has accelerated integration between the remaining EU Member States. Aylott shows that, without the British naysayers, the EU managed to agree on a comprehensive recovery fund after the pandemic, partly financed by the sale of the EU's own bonds on the international financial markets. It is unlikely, according to Aylott, that the UK would have agreed to such a transfer of economic policy power to the EU institutions. In the case of Russia's war, the UK probably would not have opposed the strong support the EU has given to Ukraine, as the UK's own support has been no less clear. On the other hand, as a Member State, the country probably would not have accepted the strengthening of the EU's own instruments in order to channel resources to Ukraine. These include, for example, the European Peace Facility and the Union's renewed ambition to strengthen its role in world politics.

According to Aylott, Brexit strengthened the EU in yet another way. Some feared that the UK referendum would trigger a wave of Euroscepticism in other Member States as well. At first, there were signs of precisely that. However, in the turbulence of the Brexit process, the voices most critical of the EU were silenced and support for the Union has increased slightly among its citizens. The most likely explanation for this is that the constitutional crisis provoked by the UK referendum has had a deterrent effect on EU citizens. The chapter concludes with a warning that Brexit's accelerating effect on

European integration will not necessarily last. In the long term, the UK's economic growth may experience an upturn, while the Union may face very major challenges.

In the fifth chapter of the book, *Katarina Hyltén-Cavallius* writes about the opportunities for and limitations of deepening the meaning of Union citizenship, while expanding access to the free movement of people to third-country nationals residing in the EU. The main questions of the chapter are the legal meaning and effect of citizenship of the Union, and who should be covered by its status or alternatively access its associated rights. In her chapter, Hyltén-Cavallius describes the link between the status of Union citizenship and the free movement of people. She points to the trends in the case law of the Court of Justice of the European Union and other developments in the law which show that this link already exists and may continue to be disengaged under primary legislation. This would allow more people to be granted the right to exercise freedom of movement within the EU and thus to benefit from the protection of fundamental rights in the EU Charter, which are channelled through free movement. She also points out that there is already a trend in EU law that is chiselling out a distinctly legal content in the status of being a Union citizen and what this status means – wholly outside of the context of free movement.

In this context, Hyltén-Cavallius highlights EU law's protection of the political rights of Union citizens, the protection against a Union citizen being forced to leave the EU's territory, and the protection against the loss of Union citizenship when an individual's national citizenship is revoked by a Member State. In concrete terms, Hyltén-Cavallius proposes that EU law should continue to develop new constitutional depth concerning the status of Union citizenship, such as protection for the EU's values. She also believes that the EU legislator should adopt the European Commission's proposal to amend Directive 2003/209/EC in order to strengthen access to rights in the internal market for third-country nationals who are long-term residents of the EU.

In the sixth chapter of the book, *Ann-Christine Hartzén* discusses the importance of the EU continuing to promote improved living and working conditions for its citizens without jeopardising competition between workers from different Member States. The discussion of this problem is grounded in the importance of social progress to ensure that its citizens will continue to support the EU, and the set of

problems that arise when EU law is confronted by the different levels of and regulatory models for social protection in the Member States. The chapter begins with Hartzén presenting the problem area by highlighting how differences within the EU have increased during the 2000s, and how these differences have led to conflicts and tensions that have spawned a breeding ground for EU scepticism, with Brexit as a concrete result of this. Hartzén then discusses the background to and design of the Minimum Wage Directive as an example of how the EU can address citizens' needs for social improvements. In the chapter, Hartzén highlights the Minimum Wage Directive's specific regulatory model as a clear example of how the EU can reconcile the need for initiatives that improve conditions for its citizens, without also risking undermining existing regulatory and protection models. In the chapter's conclusions, Hartzén makes it clear that this form of regulatory technique may be a way forward for the EU in the future when it comes to increasing opportunities for strengthening solidarity between workers in different Member States.

In the seventh chapter of the book, *Özge Öner* and *Hans Seerar Westerberg* analyse how well the EU Member States have succeeded in integrating refugee immigrants into the labour market. Öner and Seerar Westerberg begin by showing that there is variation in the EU in how refugee immigrants are seen in different Member States, and over time. The strains of a common migration policy for the EU are then discussed against the background of the Union's fluctuating and sometimes inconsistent approach to migration.

Öner and Seerar Westerberg emphasise that, since the refugee crisis in 2015, refugee immigration has been debated in many Member States, and that these discussions often raise the problems associated with the social and economic integration of newly arrived migrants. In addition, Öner and Seerar Westerberg conclude that work and being able to support oneself are key adjustment mechanisms for successful integration. In order to gain a more detailed insight into the labour market integration of individuals who have immigrated to Europe, where their need for asylum or protection has been the main reason for migrating, Öner and Seerar Westerberg analysed statistics from Eurostat. More specifically, they present figures on how many refugees are in work, how many are unemployed, and how many remain completely outside the regular labour market. Furthermore, they analyse how refugee

immigrants in one country compare to the population in general in this labour market. Finally, they argue that the EU must make better use of the diversity of untapped capabilities and skills among refugee migrants and promote an inclusive labour market. This could potentially improve the EU's economic competitiveness and innovation capacity.

In the book's eighth chapter, *Andrea Spehar* highlights the motley development towards a common asylum and migration policy. The overarching question discussed in the chapter is to what extent the new pact on migration and asylum negotiated in 2023 solves the fundamental problems of the EU's common migration policy. Spehar argues that the main reasons why the EU finds it difficult to live up to and maintain a humane, legally certain, and sustainable migration policy are the abiding lack of EU policies that deal with different forms of migration and the lack of solidarity between Member States. In addition, Spehar believes that the EU's handling of the refugee crisis in 2015 in particular confirmed these two shortcomings. On the one hand, a few Member States took responsibility for the great majority of asylum seekers, and on the other hand, asylum seekers are not treated equally in all EU Member States. This meant that asylum seekers sought out some Member States over others.

Spehar then discusses the EU's objective of reducing the number of refugees reaching the EU's external borders, as well as the desire to curb irregular migration. This has been expressed in both a strengthening and externalisation of the EU's external border. Spehar argues that instruments such as trade agreements and aid policies have increasingly shaped the EU's handling of migration since 2015. As part of this, a considerable number of its policy and economic initiatives have targeted states and areas outside the EU's borders. Spehar argues that the new pact on migration and asylum reinforces the image of the EU as 'fortress Europe' where borders and security are of paramount importance. She argues that, despite the European Commission proclaiming a fresh start, the new pact on migration and asylum is primarily a pragmatic reformulation of old ideas. However, there are some innovative additions, intended to convince reluctant states to remain part of the EU's common migration policy. The requirement of solidarity between states and what this is deemed to mean continues to be a stumbling block.

In conclusion, Spehar recommends that the EU should review its labour immigration policies and establish additional legal pathways to access the EU labour market – not only for highly skilled third-country workers, but also for medium- and low-skilled workers. Furthermore, she argues that the EU should increase the number of safe routes to international protection. For persons in need of protection, legal pathways could include resettlement programmes for quota refugees, other types of humanitarian admission and reception programmes, and opportunities to apply for a humanitarian visa.

In the ninth and final chapter of the book, *Robin Teigland* and *Mikael Wiberg* investigate the implications of artificial intelligence (AI) and digitalisation for the EU labour market and the consequences this may have for the depth and size of the EU. Digital technologies and AI, in particular generative AI such as ChatGPT, raise many questions related to tomorrow's labour market, and there is considerable uncertainty as to where this development will lead in the long term. In their chapter, Teigland and Wiberg raise a number of questions. What will Europe look like in a decade? What role will digital technologies play, also taking into account the development of AI? And what alternative ways forward can be discerned?

In order to answer these questions, they use a method called disciplined imagination – a way of working with scenarios with the aim of analysing the future. Teigland and Wiberg draw up a scenario matrix and take the reader with them to 2035. There, they explore how four distinct yet plausible scenarios for how the EU and the world, as well as the nature of technology and the labour market, might develop. In developing these four scenarios, they questioned many assumptions about technology, the labour market and even society and its development that are considered self-evident – both within the EU and in relation to other countries in the world. Thus, these four scenarios allow the reader to break free from the situation in 2024 – a current situation marked by significant concerns and an uncertain development.

Although none of these scenarios can be seen as more likely than any other, a number of policy recommendations are proposed at the meta level. Teigland and Wiberg also present ideas on the regulation of AI that could help the EU move towards what they consider to be the most desirable scenario for the Union – which they call 'Aim for the stars'. To get there, Teigland and Wiberg argue that the EU needs to implement policy measures along both axes of the scenario matrix, that is, along

what they call technology for exploration and a high willingness to integrate. If the right questions are asked about the future and appropriate measures are taken, they argue that the EU could be well placed to move towards a sustainable future labour market.

The nine chapters of this book thus deal with the different dimensions of the EU's future development under the umbrella of an impending enlargement. This enlargement will set the tone for the political dynamism in the EU for many years to come, but the development of the EU is of course not solely dependent on how the enlargement process is organised and implemented. As highlighted in the book's analyses, the EU's economic competitiveness and capacity to adopt new technologies play a major role in the financial frameworks within which the Union acts. Another major question is how the ongoing strong pressure of immigration is handled by the EU and its Member States, where failure would inevitably lead to increased political tensions within the EU. Other questions related to security, European citizenship, and the labour market's capacity to integrate the labour force also affect the EU's ability to respond to internal and external challenges. Besides the EU's enlargement and policy, security threats, increased tensions between the great powers, attempts by external powers to influence the EU, the inroads made by Eurosceptic parties, and many other challenges all play a major role in what the depth and size of the EU will be in the future.

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