

**The European Union at the Crossroads: A Look at the European Union's Challenges
through Romania's Lenses**

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Abstract

“A crisis does not fall from the sky; political crises are not unforeseeable natural catastrophes, which one stands helpless in the face of. They build gradually, accumulating explosive power piece by piece, and then after years of negligence, they are detonated. The heads of state and government behaved nonchalantly as the crisis mounted; they made no attempt to comprehend the dark that gathered over the European pathways.” (Junker, 2005, para. 6-7)

For the first time in sixty years the European Union (EU) is at the crossroads. There are both internal and external forces that are tearing the European Union apart. The challenges the EU is facing are foundation flaws found in its widening and deepening policies, the spread of terrorism, mass migration, global economic recession, the rise of nationalism, and hybrid democracies even oligarchies. Analyzing Romania’s accession and integration in the European Union and the aftermath in comparison to other countries in the EU can provide insights into the underlying problems troubling the EU.

European Union members believed receiving membership status would provide them state security, economic prosperity through free trade, a sense of belonging, and no state borders as EU policymakers advocated. However, the actual effects of accession were: loss of state protection against outside forces; free trade as shaped by the whims of EU policymakers; lack of national identity, sovereignty, and independence. The EU’s inability to recommend effective policies on how to deal with political, cultural, social and economic challenges caused division amongst its members. The fallout has created a ‘two-speed’ Europe with two emerging sides – the East versus West. With a divided Eurozone and a crisis that seems to never end the future of Europe is more uncertain than ever before with all the ingredients required for the dismantling of the Union.

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Dedication

I dedicate my thesis to my dear husband, Patrich, who always motivated me to complete my thesis. This is for you – thank you so much for believing in me, supporting me and being there for me throughout this entire process. I could not have done it without your moral support!

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Research Problem

This thesis will analyze the current reality surrounding the European Union and the internal and external problems afflicting the EU in the face of unprecedented crisis. The research questions posed in the thesis are: What are the underlying internal and external forces pressing the European Union? How did the internal problems afflict the EU? How did the external issues such as mass migration, rise of terrorism, and the 2008 global recession affect the EU and its members? And what are the domestic and regional ramifications of these internal and external forces that threaten the existence of the European Union?

This thesis will build upon Romania's case to demonstrate the intrinsic problems within the EU. In addition, throughout the thesis we will do a comparative analysis between Romania's accession and other member states to further expose the foundational cracks within the federation and the economic, political, social and cultural impact it has across the Eurozone. The EU's foundation problems have been amplified and exposed by the recent internal and external forces that threaten the survival of the European Union. It is imperative to study these internal and external threats such as the rise of hybrid democracies, terrorism, mass migration, world-wide economic instability, and the rise of nationalist political parties as they highlight how divisive, unsecured, undemocratic the European Union actually is. The thesis will culminate with relevant public policy suggestions, which will focus on the prevention of EU collapse.

The forces analyzed in the thesis are: the EU's widening and deepening policies; Romania's accession and integration process and the challenges it faces; the rise of populist movements and extreme right political parties; the 2008 economic world recession; the spread of terrorism; and mass migration. The research questions are formulated based on the EU's status quo and the external and internal challenges it is facing. Gradually over the past couple of years,

a multitude of challenges caused a breakdown in relations and policy between the EU and member states. This is exactly why it is important to analyze Romania's accession and integration process, its challenges during the accession process and after becoming a member in order to expose the intrinsic foundational problems the EU has faced since its inception.

The thesis argues the EU's simultaneous enlargement and deepening policies have caused major problems that are currently tearing the EU apart. The European Union's ambition to continue expansion in order to increase Western Europe's wealth and the EU's weight in the world created a gap between reality and utopia, ignoring the unique composition of each EU member state. The EU ought to be in a continuous state of fluidity and change to accommodate its member states and not the other way around. The Union's inability to integrate the identities, cultures, and unique composition of each member state caused major cracks within the EU's foundation which resurfaced recently in the face of crisis.

The decision to open EU membership to Central and Eastern Europe was made at the EU Summit in Copenhagen, June 1993. At the EU Summit the 'Copenhagen Criteria' were formulated to be followed by the countries that wish to join the European Union. The three 'Copenhagen criteria' that must be met in order to be granted full membership are political and economic stability and ability to adopt the *aquis communautaire* and *aquis politique*. The political conditions require stable institutions that guarantee democracy, the rule of law, human rights and rights for the minorities. The economic conditions require the existence of a functioning market society and the ability of the joining country to cope with the competitive market forces within the European Community. The third condition requires states to adopt the political, economic, and monetary union obligations.

In the case of Romania, the ‘Copenhagen criteria’ were tacitly treated by both the EU policymakers and Romania as guidelines and not as mandatory conditions for integration. The stringent accession and integration policies imposed by the EU on candidate countries and current members are well known and documented but in reality, they were not followed through by Romania and Bulgaria. Ten years since Romania and Bulgaria became EU members, both countries continue to be under strict monitorization because they were accepted in the Union without meeting the accession and integration criteria. Although the Union’s pre-accession requirements are clear and concise Romania was granted membership without completely fulfilling the required criteria being in a continuous state of transition.

The thesis argues that Romania was accepted in the EU although unprepared and unreformed because of the pressures from interested western parties who only cared about widening the Union, the homogenization of Eastern Europe and the economic advantages of having Eastern European countries like Romania joining the EU. The EU pressure to instantly adapt to the EU values, culture, and economic policy pushed Romania to abandon the organic path toward democratic maturity and choose to speed up the process in order to portray a country ready for EU integration.

Rigorous widening and deepening policies were not imposed and strictly followed upon, which led to the weakening of the EU’s authority before its members and its decision-making powers. With EU bureaucrats focusing on strategies and policies to fast-process the new members it has left the EU ill prepared in the face of internal and external challenges such as the rise in hybrid democracies and oligarchies, terrorism, historic mass migration, the 2008 great economic recession, and nationalist political parties. Hybrid or illicit democracy means a mixed of both democratic and autocratic traits: representative elections take place but the elected

political power uses repression to ward its opponents and the political elite abuses the power of the state. The oligarchy regime takes it a step further with a small group controlling the government and the country through corruption and self-interests. The EU's lack of effective and strategic policies to find common solutions to the internal and external challenges exposes the political, social, cultural and economic disunity amongst its member states. To face these challenges member nations took back their decision-making powers from the EU disregarding and even contradicting the very foundational principles of the European Union, the result is a divided Europe without a unanimous voice or a contingency plan on the brink of implosion.

Methodology

The objective of this study is to analyze the internal and external forces that weaken the very foundation of the Union. Examining Romania's accession and integration process will illustrate what went wrong with the EU's fast expansion after the Cold War as it finds itself in an unprecedented situation. The European Union currently faces internal and external threats that expose and intensify the cracks in the very foundation of the Union. The EU continues with widening its membership while current member countries are moving toward exiting the EU. The EU enlargement policies must be changed as the blueprint does not fit all joining countries; moreover, there is an EU membership contraction. The Copenhagen criterion leaves little or no option for joining members to grow organically, evolve. In addition, the focus of the thesis will also be on the current state of the Union and how it affected its members.

Through this research, the overall understanding is that European countries like Romania, were allowed to become EU members for the benefit of the West while maintaining the Eastern European countries like Romania and Bulgaria in a constant transition phase. The EU

enlargement policies favor the EU policymakers, meaning the Euro-bureaucrats working for the EU Commission, the EU's corporate lobbyists and the elite class from Romania. The multitude of internal and external forces pressing on the European Union is unprecedented since the establishment of the Union sixty years ago. These challenges have exposed a weak and unprepared EU as underlying problems in the very foundation of the Union have existed since the beginning such as: vague and open to interpretation EU entry criteria; accession to EU membership given to countries that have not reached institutional maturity and have a democratic deficit; weak sanctions or inexistent for those that go against EU policy; lack of member states' political will to act cohesively and decisively and put first the Union above national interests; EU member nations not identifying with the European culture, values and identity; and the EU institutions lacking efficiency, effectiveness, simplicity and transparency. The foundation of the Union has been slowly eroded by a speedy enlargement process to create the optics of a united and strong Europe, one culture and one identity.

The above research objectives are met by:

- Analyzing the European Union's enlargement policies and its treaty with Romania.
- Identifying key actors, the environment of their policies and their adoption mechanism.
- Drawing conclusions from case studies like Romania, Hungary, Poland, Spain, Sweden, UK, France and Greece.
- Examining the internal and external factors that exposed the cracks in the EU's foundation.

- Analyzing the internal and external factors that exposed the intrinsic issues in the fabric of the Union.
- Examining the impact of the external and internal challenges to an already fragile Union.
- Making recommendations for the development of new accession conditions in order to secure smooth transition to full EU membership.

The research approach employed in this thesis is based on the case study approach following the analytic model by breaking the problem into smaller pieces in order to solve the problem easier (Evera, 1997: 50-67). First, I identified the problem and defined the case study and conducted a high-quality literature review. Based on the research, I draw conclusions and, secondarily, identify some possible solutions to the current challenges faced by the EU. The research findings come from both primary and secondary sources relevant to the thesis topic.

1. Introduction

“We hope to see a Europe where men of every country will think of being a European as of belonging to their native land, and ... wherever they go in this wide domain... will truly feel, “Here, I am at home.” Winston Churchill



Figure 1
Source: Wikipedia Commons

In Figure 1 - Winston Churchill, Britain’s wartime Prime Minister and one of the visionary leaders who inspired the creation of a ‘United States of Europe’, was having a positive view on Europe while visiting the base camp at Caen on July 22, 1944. The Commander of the 2nd Canadian Corps, Lieutenant General G.G. Simonds pointing out a section of the front to Mr. Churchill. Also standing in the car are the Commander of the British 2nd Army, Lieutenant General Sir Miles Dempsey and the Commander of the 21st Army Group General Sir Bernard Montgomery.

The European Union was created to promote peace within Europe and as a war deterrent after the devastating consequences of the Second World War which left Europe in ruins. The founding fathers of a United Europe had a vision for a Europe that imitates the system of the United States of America. To create such a Union, a country, their

citizens must share the language, the culture and values like the US does. No system can be replicated entirely especially when trying to make a plan for how a United Europe would look like. Still, the European Union was born out of the desire to maintain peace on the European continent no matter what the cost is. The premise for a united Europe was proposed by Robert Schuman on May 9th, 1950. 'Schuman's declaration' proposed a common High Authority between France, Germany and other European countries that wanted to collaborate on the coal and steel production. The argument made by Schuman was that such collaboration would make war impossible (Deadman, 1996). Part of the proposition presented by the French Foreign Minister Robert Schuman offered a clear view of what a united Europe could achieve:

“World peace cannot be safeguarded without the making of creative efforts proportionate to the dangers which threaten it. The contribution, which an organized and living Europe can bring to civilization, is indispensable to the maintenance of peaceful relations. In taking upon herself for more than 20 years the role of champion of a united Europe, France has always had as her essential aim the service of peace. A united Europe was not achieved and we had war.” (EU online archives).

Forty-three years later, the European Union public policy has shifted 180 degrees and was against the original goal of the EU by expanding the EU to the East. From ensuring the economic growth and stability for the 15 Western members to opening the EU membership to the Central and Eastern European countries as long as the countries meet the Copenhagen accession criteria. The Copenhagen conditions are very vague, without making any clarifications regarding the pre-accession conditions therefore,

leaving the upcoming joiners uncertain with regard to which variation of public policy they should follow: the French or maybe the German?

The European Union seems to play a double role when promoting enlargement. On the one hand, the EU portrays itself as an aid donor to its members, offering them great facilities, access to non-refunding EU money for different national projects in infrastructure, agriculture, tourism and so on. On the other hand, it acts in a similar manner to a “country club owner” who charges steep membership fees. The EU gives with one hand while taking with the other (Grabbe, 2002, p. 249-268). The benefits of being part of this exclusive club are portrayed as far more rewarding and advantageous than staying in isolation and being unable to tap into the benefits offered to states that are members.

Article 6 of the Treaty of the European Union (TEU) indicates that "The Union is founded on the principles of liberty, democracy, respect for human rights and fundamental freedoms and the rule of law." These principles were emphasized in the Charter of Fundamental Rights of the European Union, which was proclaimed at the Nice European Council in December 2000. Accompanied by Article 49 of TEU, the Copenhagen conditions (known as Article 0) the accession conditions were strict and very clear. The domestic support to adopt and implement these conditions is crucial as countries can become burdens for the EU and cause regional instability (Pedersen, 1993, pp. 9-27). Pedersen argued that continuous examination of the enlargement effects is needed as the EU shifted its polarity toward East.

The continuous examination of the Union’s enlargement and its effects has been conducted by EU policymakers but lacked implementation of their findings. The EU is

first a community of interests where the creation and distribution of resources can be a barrier to unity and to full integration. Financial redistribution is a central feature of the EU integration but with the global recession in 2008 and high unemployment rates and lower income levels in the Western countries it meant less money were given to poorer member nations. In addition, member states have the desire to maintain power and privileges domestically, including through populist appeals and national status thus making the EU a community of vested and competing interests of the member states. (Wood & Quaisser, 2008, pp. 11-48). This is the case of Romania, who was accepted in the Union unchanged and unreformed to satisfy the economic interests of the West. The main economic interests of the West to have Romania are: the creation of a 'new market for western commodities like agricultural products; free movement of goods and capital; access to low paid skilled and unskilled labour; its geographical location; access to cheap natural resources like lumber, and especially oil and natural gas or to the country of oil and gas transition, as Europe is deeply dependent on energy as it continues to grow.

Although a Latin country, located in Central Europe, Romania was catalogued in the worldwide history books as part of Eastern Europe since becoming part of the Iron Curtain after World War II. To this day, labelled as a Balkan country, Romania still does not identify itself with a state from the Balkan region because of its Latin roots and western economic principles. Historically established, Romania has struggled to maintain economic, social and political stability over the past few centuries. Romania's determination to maintain political and economic stability is showcased by Romania's survival of four empires –the Roman, Ottoman, Austro-Habsburgs and Russian, as well as two world wars. The past 26 years attest to Romania's determination to democratic

convergence and consolidation. The state continues to struggle to find its political culture, identity as a nation within Europe, as well as implement and enforce political, social and economical reforms even post EU integration.

Becoming part of the European Union has been the number one priority of the Romanian government since the collapse of Communism in 1989 and a reality as of January 1, 2007. Mr. Gunther Verheugen, then the European Commissioner for Expansion, presented a favourable report on the progress regarding the institutionalized children and the macro-economic stabilization of Romania. To answer the question why Romania was integrated in the European Union, I will analyze and assess Romania's state between communism and integration in the European Union.

2. Two Schools of Thought

The plans for designing a United Europe were based on achieving a Europe with both hard and soft power and establishing the ultimate deterrent for war. Technically, the European Union was formed with the Maastricht Treaty signed on November 1, 1993 and not with the signing of the Rome Treaty in 1957 that created the European Economic Community (EEC). When the EEC was created, the institutional structure was designed for a union of just six states. The European Union was built on a number of idealistic values: the rule of law, liberal democracy, freedom of speech, freedom of belief, freedom of the press, and other fundamental human rights and freedoms. European Union policymakers believe that if European countries share these idealistic values then Europe becomes more stable, stronger and safer.

Within the European Union there are two predominant schools of thought that guided the direction and policy of the European Union: widening and deepening. The first school of thought, widening, promotes the idea of geographic expansion to attain economic prosperity and regional stability. The European Union has managed to almost double its membership from 15 country members in 2004 to 28 in 2013. To maintain regional stability, the intent behind geographic expansion of the Union was to become an equal superpower to countries like the USA, China and Russia, which was slowly achieved with every wave of enlargement. Although it struggles to maintain a coherent and decisive political will because of the multidimensional crisis it currently faces, the Europe Union has the military and economic power to conduct transcontinental missions with some success. The second notion is the idea of deepening which refers to tight EU policies that absorb all currencies into one, the euro, and promotes one economic union. Both political and economic policies have been simultaneously implemented and the effects recently magnified by the lack of a strategic plan, financial stability, infrastructure and domestic and regional policies in order to deal with a multi-layer crisis.

Widening or expansion continues to be the EU's the main policy for regionalization in order to strengthen Europe and continue to maintain peace. The pre-accession criteria are supposed to strengthen the institutions at the member-state level (Holland et al., 2011). There are currently seven candidate countries wanting to be integrated in the European Union: Albania (2014), Bosnia and Herzegovina (2008), Kosovo, FYR Macedonia (2005), Montenegro (2010), Serbia (2012), and Turkey (1999). The expectation is that all 7 countries to accept and implement the EU legislation (acquis) by the time of accession. The candidate countries will receive 11.7 billion euros between

2014-20 as part of the Instrument for Pre-accession Assistance II (IPA II) to speed up and facilitate the integration process of Albania, the former Yugoslav Republic of Macedonia, Montenegro and Turkey – a 7-year country strategy is agreed with each country covering aspects to be addressed such as democracy and governance, the rule of law, and growth and competitiveness. The EU entry criteria must be clear and not open to variable interpretation to ensure that quality of the democratic processes and institutional maturity of the candidate countries were met prior to accession. Iceland began accession negotiations in July 2010 but in March 2015, it withdrew its bid to become part of the Union as the Icelandic government believes its interests are better served outside of the European Union.

There were two major EU enlargement waves that occurred since the inception of the European Union. The first major wave occurred between 1958 and 1995 when countries from Western Europe gradually ascended to European Union member status. These countries were: Belgium, Germany, France, Italy, Luxemburg, Netherlands, Denmark, Ireland, United Kingdom, Spain, Portugal, Austria, Finland and Sweden. Greece was not included in the first wave although it became a EU member as of 1981. The reason for not including Greece is because its ascension to EU member status was not based on the EU accession criteria but as a means to stop the spread of communism within Western Europe. The second major wave happened between 2004 and 2013, when countries from the Eastern European bloc, which were previously under the Iron Curtain, gradually started to ascend to EU member status. These countries were: Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia, Romania, Bulgaria and Croatia.

The Eastern enlargement has been of concern since the early 1990s when the Copenhagen European Council (CEC) was established, which provides the general criteria for the EU membership, stated that “the Union’s capacity to absorb new members, while maintaining the momentum of European integration, is also an important consideration in the general interest of both the Union and the candidate countries” (European Council, 1993, p. 6). The Copenhagen European Council’s concerns are valid as not only the new candidate countries must adapt to the EU standards but also the Union must reform its institutional framework. The Union lagged behind in reforming its institutions therefore weakening the process of accession (Steunenberg, 2002, pp. 81-93). The eastward expansion of the EU was driven by economic interests of the wealthy Western European countries that offered them access to new markets to sell their manufacturing and agricultural products, free movement of goods and capital, and access to cheap labour and primary natural resources. This is also the reason why expansion to the East will continue to take place in the near future.

While widening policies were designed to create political homogeneity the deepening policies on the other hand, were designed to create the Economic and Monetary Union (EMU), a common currency without a common economic government. The EU is not a state deriving its authority from its member states. The economic program was successful with the euro becoming the second strongest currency in the world after the American dollar. State members gave up their national sovereignty and democracy entirely in favor of the EMU. When the European Economic Community was renamed the European Union, it was also the time when the rules governing the common currency, the euro, were agreed to. The European Union Central Bank has control over the single currency,

the monetary policy and the interest rate policy but the control over the economic and fiscal policy remains at the national level. The functionality and rules of the European Central Bank depends on the common political will of its member states (Wood & Quaisser, 2008). The EMU gave economic powers to the Western European countries over the Eastern member countries, as only 19 of the EU member states are part of the EMU (Varoufakis, 2016, pp. 27-98).

Based on the European Union's direction, economic deepening occurs with the core Western countries and political widening targets the Eastern European countries or the peripheral EU countries. For Western Europe, the European Union is the mechanism to impose their doctrines and economic policies on the weaker member nations for their economic and political advantages - one currency, one monetary union, one Schengen Space. On the other hand, when integrating Eastern European countries in the Union it is done for the purpose of widening the borders of the European Union while keeping the weaker countries in a continuous transition phase under monitorization to preserve the strengths of its institutions as they lack inclusiveness of all 28-member states. Applying the two different principles creates a two-tier or multi-tier state class system and an inconsistent, opaque, and untrustworthy EU governing body.

The Union has struggled to make up for the lack of a common language, value system and culture by creating a free trade zone, one currency, and free mobility within the EU space. Europe is finding more difficult to deal with outside elements that threaten the EU's economic, political and social stability. Between 2008-2017 the European Union dealt with a global financial recession, an unparalleled mass migration and the rise of populist and extreme right-wing political parties. The Standard Eurobarometer 83

survey of spring 2015 asked the question whether Member States are close or distant in terms of shared value. The response shows a divided Union with 51% believed they were close in shared value versus 42% believed they were totally distant. In the previous year, 2014, the results were opposite – 42% believed Member States share the same values and 50% did not shared the same value.

The survey was conducted among the 28-member states - see Figure 2.

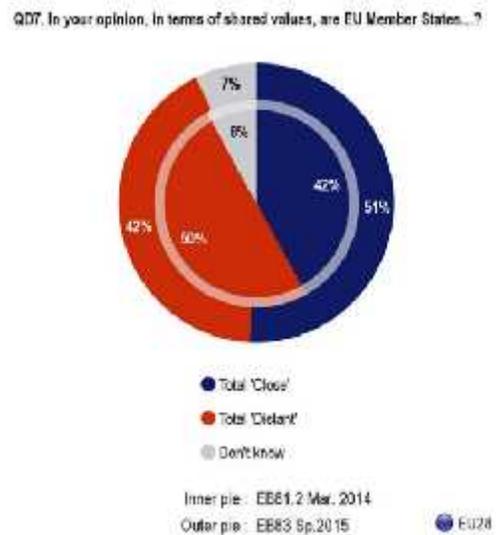


Figure 2
 Source: Eurostat

Both widening and deepening processes are erroneous. The widening process is flawed because it does not allow the candidate countries to organically ascend and integrate in the European Union after reaching institutional maturity. In Romania's case it did not reach institutional maturity prior to accession constantly patching national policies to match the EU standards but still received membership status. This is significant because there has to be a genuine desire from the candidate country and its people to reform its institutions and develop the mentality of 'one Europe' in order to

begin the accession process. This has turned out challenging for candidate countries and even member nations as national agendas and interests tend to overshadow the EU plan. Deepening was originally designed for the Western member states making it much more difficult for the EU to implement deepening now when it has many more and diverse members. The European Central Bank has decision-making powers over the monetary policy.

The attempt to build a European supranational democracy has backfired. The plan to turn member state citizens into Europeans through a common currency, common citizenship, and freedom of movement has resulted, paradoxically, in strengthening the forces of extreme nationalism. If the Economic and Monetary Union (EMU) is extended to new EU members more problems may arise concerning the functionality and the effectiveness of a Union that does not have democratic legitimacy and credibility. Therefore, the EU institutions would lack inclusiveness of all 28-member states within its institutions and the result is that European Union citizens do not identify and are not invested in the culture, values and experiences of the Union (Copsey, 2015, pp. 24-98). The President of the Commission of the European Communities stated in 2005 shares concerns regarding the EU's credibility as it lacks ability to effectively implement legislation at national levels: "Failure to apply European legislation on the ground damages the effectiveness of Union policy and undermines the trust on which the Union depends. The perception that 'we stick to the rules but others don't, wherever it occurs, is deeply damaging to a sense of European solidarity. Prompt and adequate transposition and vigorous pursuit of infringements are critical to the credibility of European legislation and the effectiveness of policies" (COM, 2005, para.13). The economic

misfortunes of other countries besides Greece, like Ireland, Portugal and Spain assert that the fault was not entirely on the governments but the result of the EU's policies and processes. "It was not Greece but Germany and France who were behind the faulty design of the European Economic and Monetary Union which envisaged a common currency without any instruments to help the weaker members of the euro-zone align with the stronger ones" (Zielonka, 2014, pp. 5-6).

The EU is first a community of interests. Europe's division between East and West is nothing new – the Economic and Monetary Union was designed with the strategy to continue deepening the Western countries while maintaining the Eastern European countries in the periphery without a plan to actually include them in the EU decision-making process. These intrinsic problems have defined Europe's challenges for decades. The reaction is gradual and organic as evidenced by political fragmentation caused by the absence of a coherent political will and political pressures from all member states to address the growing challenges of effective governance across the EU, state inequalities, and questioning whether or not they share values. "East versus West, old versus new, and core versus periphery. But in 2016, they will reach a crucial point as an identity crisis emerges between open Europe and closed Europe – and a combination of inequality, refugees, terrorism and grassroots political pressures pose a fundamental challenge to the principle on which the European Union was founded" (Eurasia Group, Top Risks 2016, p. 6). The gap between Europe's powerful Western nations and its impoverished peripheries is so wide that there might not be a remedy or solution in sight.

3. Romania Caught Between East and West

Romania's acceptance in the European Union provides insights into the EU accession and integration process. It is imperative to analyze a current country member's accession and integration process to better understand the process and its aftermath. Romania is the ideal case study because of Romania's communist history combined with its geopolitical location in Eastern Europe as the EU continues to move to the East.

Throughout history, Romania was constantly conquered or under the influence of an empire. First under the Roman Empire, second under the Ottoman Empire, third under the Austro-Habsburg empire and lastly under the influence of USSR or Russia of today until the 1989 Revolution for Independence from Communism. Romania is still considered by Western Europe a young democracy although 27 years have passed since the state's dramatic Exit from Communism which ended with the execution of the Dictator, Nicolae Ceausescu and his wife Elena, on Christmas Day of 1989. With a semi-presidential system, the president and the parliament are elected individually, bestowing upon the president and its parliamentary majority complete control of the government. The president appoints the cabinet at the recommendation of the party that won majority in the Parliamentary elections.

Romania's constitution was adopted in 1991 only two years after the 1989 Revolution and communist rule. There was a sense of urgency to establish a modern constitution in order to send a message that Romania will never return to Communism. Romanian parliamentarians drafted the constitution primarily modelled after French, Italian and Spanish constitutional systems as well as European Union democratic principles.

Speeding the process to adopt a modern constitution in order to shift the political culture of an entire country by 180 degrees has been in the detriment of the nation. There was no time for a real and in-depth debate around what should be included in the constitution other than a debate on whether Romania should be a Monarchy or a Republic. The reason for such a debate was because Romania was a Monarchy before the Communist regime. The result of the debate is outlined in Article 1(2) of the Romanian Constitution – Romania is a Republic. The Romanian people were not consulted or engaged in the drafting of the new and modern constitution. Romania's Constitution was adopted after only 18 months of debate and to put it under perspective as to how important are the constitutional debates are, Poland needed 7 years to draft their Constitution and adopt it after the collapse of their Communist regime. Still, Romania was determined to become a liberal and constitutional democracy and a member of the European Union as soon as possible even without engaging its people in the process.

Article 1 in the Romanian Constitution establishes Romania as a Republic:

“(1) Romania is a sovereign, independent, unitary and indivisible National State.

(2) The form of government of the Romanian State is a Republic.

(3) Romania is a democratic and social state, governed by the rule of law, in which human dignity, the citizens' rights and freedoms, the free development of human personality, justice and political pluralism represent supreme values, in the spirit of the democratic traditions of the Romanian people and the ideals of the Revolution of December 1989 and shall be guaranteed.

(4) The State shall be organized based on the principle of the separation and balance of powers – legislative, executive, and judicial – within the framework of constitutional democracy.

(5) In Romania, the observance of the Constitution, its supremacy and the laws shall be mandatory.”

(Constitutional Court of Romania 2003: 1).

With the collapse of Communism on December 22, 1989, from 1990-1992 the National Salvation Front (FSN) self-appointed themselves as the ruling party with Ion Iliescu as the country's new leader. Iliescu became the first president elect from 1990-1996 running and winning a second mandate from 2000-2004. What is of importance

regarding Ion Iliescu is that he helped to bring down the Ceausescu Communist regime with him also being an ex-communist and part of Ceausescu's inner circle. Ion Puiu, the vice-president of the National Peasants party, and who spent 17 years in a Communist prison said: "Iliescu amazed all Rumanians by constituting the Council of National Salvation as a political body and entering the elections. They want to put Communists back in power again and even worse, put back Ceausescuism. Only the words are different. The situation is the same. The methods are the same as with Ceausescu" (Binder, New York Times, 1990).

By June of 1990 there were major protests by the opposition in the Bucharest's University Square against the new ex-communist president Iliescu. The protestors were attacked by the police and thousands of miners from the Jiu Valley, who were requested in Bucharest by president Iliescu and led by Miron Cozma. The result was six people died and almost 1,000 wounded. Miron Cozma, the leader of the miners, was convicted in the "Mineriade file" in 1999 receiving a sentence of 18 years in jail. President Iliescu pardoned Miron Cozma at the end of his second mandate in 2004. The pardon was revoked a few days later because of intensive mass opposition and protests. President Iliescu was not charged of any wrong doing in the "Mineriade file" at that time.

Although Romania, labelled itself as a young democracy after adopting a liberal constitution in 1991, in reality those who rose to power after the Ceausescu regime were not new faces but high-ranking ex-communists who were part of the President's political party the National Salvation Front (FSN). It was a difficult transition from communism to democracy, especially since the transition was an incomplete break from the past moving more toward an opaque democracy. Some politicians labelled Iliescu's political parties

first the National Salvation front and later the Social Democratic Party (PDSR) as neo-communist regimes, an extension of the Leninism School. Anti-presidential protests were often silenced by the police and supporters of the FSN, especially between 1990 and 1992. The rise of the political elites and corruption became embedded within the Iliescu administration.

The secret services known as the Romanian Intelligence Service (SRI) was established on March 26, 1990 and became known as President Iliescu's "personal security service". SRI monitored and interrogated anti-Iliescu protesters, labelling them hooligans and parasites to silence those who speak against the president and his political party. SRI became a political police force. Freedom of speech was eroded as journalists who spoke against the Iliescu regime and SRI were marginalized such as being fired from their jobs which is an intimidation tactic. SRI continues to this day to be the main secret service in Romania. Economic, social and healthcare reforms were slow.

The economic decline was accelerated during the 1990s. Privatizations of public monopolies were conducted behind closed doors by politicians for their own personal interests as non-transparent transactions, raising questions about the fairness of the process. Cumulative GDP contractions in the first 3 years after the collapse of communism were at about 25 percent. These practices continued to cast a shadow over Romania's desire for democracy and European integration. Throughout Iliescu's mandates, he and the FSN were constantly subjected to severe criticism by political opponents at home and abroad for its opaque democratic regime.

The real transition to democracy started with the election of Emil Constantinescu as Romania's president between 1996 and 2000. President Constantinescu was the

Democratic Convention of Romania (CDR) party leader and also one of the founding members. CDR was established as a democratic opposition party to Iliescu's political party. Upon his election as President of Romania, the Western countries celebrated and congratulated Romania for the new direction and path that was on. During Constantinescu's presidency, he committed to focus on economic, judicial and administrative reform, and made a priority improving Romania's human rights record and fundamental freedoms.

Constantinescu's legacy includes the EU accession negotiations which began in Helsinki in 1999 and Romania expressed its interest to be a NATO candidate. During Constantinescu's presidency, he improved the status of ethnic Hungarian minority group by including an ethnic Hungarian party in his coalition governing party. The relationship between Hungary and Romania began to improve with Romania's government allowing Hungary to have a Consulate in Cluj, Transylvania in 1997. The situation for the Roma minority group and homosexuals did not change during his presidency and they continued to be discriminated against and were victims of police brutality and abuse (Human Rights Watch World Report, 1998).

From Romania's past, the conclusion is that Romania was determined to integrate in the European Union as soon as possible after the end of the Ceausescu regime but it struggled to make any tangible progress and reform. The shortcomings regarding Romania's ability to transition quickly to democracy pointed to one major commonality: its inability to implement judicial reform and the rule of law, and fight against institutionalized corruption. The communist roots and practices were deeply embedded in the fabric of the Romania's political culture. Appointing and electing ex-communists in

high-profiled political positions lead to the creating of an opaque democracy. The government lacked transparency in decision-making; police used force to end protests and silence government opposition; human rights were constantly obstructed especially for the Roma minority group and homosexuals, and corruption amongst the political elitists became the norm. Political instability, corruption, discrimination against minority groups and low living standards cast shadow over Romania's economic progress. There was clearly a disconnection between what Romania thought of how the transition toward EU integration is and what EU meant by real reform.

4. Romania's Accession to the European Union

“Enlargement serves the EU's strategic interest in stability, security, and conflict prevention. It has helped to increase prosperity and growth opportunities, to improve links with vital transport and energy routes, and to increase the EU's weight in the world” (Commission Report, 2008, IP/08/1638).

The European Union has been the most desired “club” in Europe. The largest enlargement happened in 2004 when eight countries were accepted in the EU. Later, in 2007 the accession to EU member status was granted to Romania and Bulgaria and to Croatia in 2013. Presidents from countries like Bulgaria and Romania made their primary goal to obtain the membership of such an elite club, in order to have access to the EU's economic benefits and legitimize their democracy. Romania made multiple attempts without success to be accepted in the European Union. Romania stands out as the first Central – Eastern European country to have begun a relation with the European Community, which later in June of 1995 it has materialized in Romania's official application submission for EU membership. However, the official start of membership negotiations began in February 2000 in Brussels.

The former Enlargement Commissioner, Gunter Verheugen, gave a vote of confidence in June 2004 “Romania is in a decisive phase – it may be hard but it’s possible,” although Romania’s progress was only on paper and Romania lacked the ability to implement and enforce the political, social and economic reforms. Romania still had to make more progress on judicial reform, human rights, organized crime and corruption. In the final recommendation report from Mr. Olli Rehn, European Commissioner responsible for Enlargement (COM, 2006), Romania was praised for its efforts and progress and the accession date was set for 1 January 2007. In the same report, the European Commission also decided to continue monitoring Romania and Bulgaria as the two countries still needed to show progress in all three Copenhagen conditions. Romania was accepted in the EU in 2007, although the Eurobarometer poll suggested only 41% of people in the 15 states that were part of the EU before 2004 supported further enlargement.

Unexpectedly in 2014, Romanians elected Klaus Iohannis, an ethnic German Lutheran mayor from a Transylvanian town of Sibiu, as the new President of Romania. This appointment gave many Romanians from both the Diaspora and Romania hopes that the political elite in Bucharest will be stripped of the institutionalized corruption and stay course for judicial reform. Romanian minority groups, like the Hungarians and ethnic Germans also celebrated Klaus’ election as president in the hopes of better representation and more minority rights. Welcoming the new Romanian president was done also by Angela Merkel, who personally congratulated Klaus for becoming the new leader in command in Romania.

However, the celebration was short lived and the fragile path to full democracy was tested once again when the November 2016 parliamentary elections were won by almost half of the votes, 46 percent, by the Social Democratic Party (PSD). The President of the Social Democratic, Liviu Dragnea, desired to be appointed the new Romanian Prime Minister, a decision that was not shared by the Romanian President. Frictions between the Romanian President and the new political party in power were apparent from the beginning with President Klaus refusing to appoint Dragnea in the Premier position because of his penal criminal record. President Klaus' refusal to appoint Dragnea in the most powerful position came after the President committed to "stay true to the integrity criteria" for the appointment. Although the Social Democratic party continued to pressure the President to appoint Dragnea as Premier the Constitutional Court of Romania (CCR) ended up deciding it was illegal to have a person with a criminal record in such role. On December 30, 2016, the President finally appointed, Sorin Grindeanu, a PSD member since 1996 and the former Minister of Communications under the Ponta Government, at the recommendation of Liviu Dragnea, the President of the Social Democratic Party.

Unprecedented, the European Commission established the Mechanism for Cooperation and Verification (MCV) for Romania and Bulgaria in order to ensure the adoption of reform. Ten years since Romania and Bulgaria were accepted in the EU, (MCV) continues to pressure the two countries toward reform. Political instability, corruption, and slow judicial reform still defines Romania's peripheral place within the Eurozone. For Romania, the main benefit of being in the European Union has economic connotations as the EU provides funds to build roads, subsidise research, protect the environment, and support domestic tourism. The European Commission is responsible for

implementing the EU budget but not responsible for managing the EU funds. The management of the EU funds is done through indirect and shared management with other bodies, such as decentralized agencies, joint undertakings, national agencies, and international organizations. Between 2007 and 2014 over 288,000 projects had been recorded and EUR 136 billion spent (European Commission. 21.06.2016).

The amount of funds given for projects in Romania by the European Union has tripled since Romania's integration. In 2015 the Union spent in Romania EUR 6.538 billion. According to the European Commission Financial Transparency System in 2007 there were 158 recipients from Romania who received a total of EUR 361.305.396 in financial aid. In 2008 the number of Romanian recipients receiving financial assistance from the EU continued to grow to 243 for a total of EUR 311.941.112 and nearly doubling in 2009 to 634 for a total financial support of EUR 5,253,642.652. Total Romanian contribution to the EU budget in 2015 was EUR 1.319 billion (European Commission, Financial Transparency System, 2016).

Germany's outgoing European commissioner, Günter Verheugen said: "There is no consensus over where the borders of the EU should lie in the future, and there is no consensus over how we should define our role in the world" (Speigel Online 2010). Romania and Bulgaria were denied entry in the Schengen Zone indefinitely. The current Romanian Senate President, Calin Popescu Tariceanu, is hoping that by 2018 the Mechanism for Cooperation and Verification will no longer apply to Romania - making Romania will become a full EU member.

Although it is understandable why Romania has the desire to become a full EU member but the reality might be different and a close look at Romania's corruption,

human rights and judicial reform rankings over the years is needed. Romania's economic growth at 5.6 percent is acknowledged by the International Monetary Fund and the European Commission but still warned Romania that it lagged behind in judicial reform. In this chapter, Romania showed that its interest is to receive financial assistance without having to genuinely commit to implementing the EU standards. The fact that Romania gets away with disregarding the EU's accession and enlargement policies speaks to EU's authority and influence over its members to implement the EU's fundamental principles and policies. The Mechanism for Cooperation and Verification specifically designed for Romania and Bulgaria is clearly not functioning properly as both countries are caught in a perpetual transitioning stage with access to the EU's funds. The fast expansion process for Romania and Bulgaria allowed both countries to become EU members in 2007, unreformed and being in the early stages of democracy shows that the foundation of the EU is flawed. Europe proves that its core fundamental principle is to protect the economic interests of the western parties and not to create real deepening, unity and equality amongst all members.

5. Democracy, The Rule of Law, Human Rights and Protection of Minority Groups:

A Must Have or Have Not

“It may seem perverse that this historically unprecedented global expansion in the accessibility of democratic ideas might not be altogether welcome to an advocate of democracy... Yet a term that means anything means nothing. And so, it has become with ‘democracy,’ which nowadays is not so much a term of restricted and specific meaning as a vague endorsement of a popular idea.” (Dahl, 1989, p. 2)

When discussing liberalism and democracies one would say that they can mutually be exclusive and one doesn't necessarily coincide with the other. Some argue that liberal-democratic values are the bedrock for peace and stability. To begin the EU accession negotiations, a country must meet the first Copenhagen criterion: “stability of institutions guaranteeing democracy, the rule of law, human rights and respect for and protection of minorities” (EUR-Lex, Article 49). The applicability of this criterion is questionable. Both Romania and Bulgaria lacked implementation and enforcement of the adopted EU reforms transforming the mandatory requirement for states to be members of the Union liberal democracies an after-thought, a guideline.

Liberal democratic tactics are agreed in principle, meaning that European neighbours have to agree with these values in order for them to work. Peace in Europe is supposed to be perpetuated by good governance, economic prosperity and sterling human rights under the Treaty on European Union (Treaty on European Union, pp. 2 – 15). But members such as Hungary and Poland are falling short of the mark politically, economically, and legally. According to the Economist's Democracy Index, Hungary has the second-lowest ranking of democratic equality in the EU (The Economist's Democracy Index, pp. 5 – 16). Its trade prospects within the European Union are dimmed by consistently failing the economic criteria to join the Eurozone since 2002

(Commission of the European Communities, 2017, p. 17). Finally, Human Rights Watch recently condemned Brussel's lack of action on several of human rights abuses in Hungary, ranging from turning a blind eye to domestic violence to preventing disabled people from voting – these actions eroding the liberal values in which Europe believes.

The European Union failed to reform itself, acknowledge and adapt with respect to the unique political, social and economic composition of each EU member. It allowed countries like Romania to become a member despite the Romanian government's adoption of an "amateur economic policy", which is the most enduring curse on Romania (Pippidi-Mungiu, 1999, p. 160). Tom Gallagher blames the failure of Romania to consolidate democracy due to the long-running problems primarily internal and not external (Gallagher, 2005). Between elite strategies and low political standards, Romania is the only country amongst the 28 EU members that manage to outsmart the Brussels functionaries. At the same time, Mr. Gallagher acknowledges the fact that Romania is situated in a sensitive location in Europe being frequently caught in the middle of collisions between great powers, both world wars, and rival social systems. Crucial is also the fact that Romania like other member states is facing constant pressures from external elements such as world economic downturns, like experienced in 2008, the rise of terrorist groups like ISIS, mass migration, and internal challenges.

Romania continues to be in a unique state of transitional democracy, as its institutions have not yet reached maturity, meaning implementing the EU accession criteria which are key elements in establishing a liberal democracy and moving toward economic integration. Rebuilding its pluralistic and representative institutions needs to happen sooner than later in order to be accepted in the Schengen Space.

There has been progress in reforming the judicial system in Romania by establishing independent and impartial institutions that would improve transparency and accountability by executing the rule of law in their fight against corruption. There were two such institutions: The National Anticorruption Directorate (DNA) and the Romanian Fight Against Fraud Department (DLAF). The National Anticorruption Directorate was established in 2003 to fight against official misconduct at all levels. The other institution established in 2005 is the Romanian Fight against Fraud Department (DAFAD) whose mandate is to fight against fraud involving EU funds. DNA prosecuted 1,170 cases of abuse since 2014 with damages worth over 1 billion euros (Mutler & Ghirda, 2017).

Developing countries are dependent on international support, thus directly influencing the foundation of democracy. External factors and elements sometimes cause more problems and tragedy than averting them. Democracy is not automatic and it requires each country to adopt their own unique tempo (Snyder, 2000: 22-44).

Romania's transition to a full democracy did not happen because of government's inability to institutionalize democracy and judiciary independence. European Union accession should only have happened once Romania has reached full democracy. Its premature accession tried to accelerate the natural course of democracy which caused Romania a democratic backslide. Ten years later, the end result is more than clear than ever: Romania has institutionalized corruption and is headed toward political and social regression.

Judicial reform needed to be enforced as high officials continue to live above the law. In 2009 alone, almost 7,360 corruption decisions were taken, out of which 784 cases arrived in front of a judge, and only 89 cases were appealed. Romania institutionalized

corruption under the eyes of the European Union. The institutionalization of corruption has become embedded in Romania's political culture. Until 2010, none of the high officials went to jail, declared Mihai Precasariu, President of the National Council Claims Settlement. Jonas Mercier declared Romania a country that institutionalized corruption giving all EU countries a lesson in corruption (La Croix, 2010). Two more years passed until politicians or individuals part of the elite were charged and actually given sentences.

Romania continued to be specially monitored by Brussels since joining the EU in 2007 due to the high-level of corruption embedded in the political culture of the country. Adrian Nastase, former Premier between 2000-2004, was sentenced to four years and six months in prison in June of 2012 for receiving building materials and furnishings worth 630,000 euros from a construction entrepreneur and for gathering illegal funds during the 2004 electoral campaign for the Social Democratic party of which he was the President. Nastase took bribes while he was the Prime minister and president of the Social Democratic party. Both sentences were to run concurrently. He served only 547 days in jail – 1/3 of the sentence after being released on parole for good behaviour. Nastase has interdiction until 2022 to be elected in public positions and to occupy a leadership position within a political party. A controversial Romania law reduced sentences by 30 days per book if scientific books were written and published while in jail. While in jail, Nastase wrote 3 scientific books that were published in December of 2012, May of 2014 and June of 2014 for which 105 days were forgiven from the sentence.

Writing scientific books while in jail has become a common practice by all politicians and influential people that had to serve time. Gigi Becali, owner of Steaua Football Club and a former Euro Parliamentarian, who made his fortune through

suspicious means, was sentenced to 3 years in jail for land swapping with the former Minister of Defence, Victor Babiuc and former General Dumitru Cioflina. Gigi Becali wrote five books while jailed. Another former politician, Nicolae Vasilescu wrote 9 books in jail – an unbelievable number. Romanian businessman, Gheorghe Copos, who served a four-year sentence since April 2015 wrote five books while being jailed 400 days before being released on probation – he was also found guilty of plagiarism for at least one of the five books. The list of jailed politicians and businessman who wrote and published multiple books while in jail is endless. The Justice Ministry stated that in 2015 340 books were published by prisoners. The controversial Romanian law was suspended in 2016.

One month after taking office as Prime Minister of Romania, Victor Ponta, was accused in June of 2012 by the science magazine “Nature” of plagiarising more than half of his doctorate thesis. The allegations stated that Ponta copied word by word more than half of his PhD thesis. Ponta received his PhD in Law in 2003. His thesis supervisor and mentor was none other than Adrian Nastase, former Premier between 2000-2004 and 2012 convicted criminal for high-level of corruption. Ponta continuously denied allegations but the evidence provided was overwhelming and so the Ethical Committee at the University of Bucharest determined that his 2003 PhD thesis was plagiarised. It made news all over the world and caused political instability in Romania. After the misconduct scandal started Victor Ponta was asked by the President at the time, Traian Basescu to resign, which he refused. Ponta should have handed in his resignation from the Prime Minister role and president of the Social Democratic Party but he continued on and denied any wrongdoing. Because of the plagiarism allegations, the Ponta government

began losing political confidence and credibility which culminated with him losing the 2014 presidential elections to Klaus Iohannis even though he was the front runner. On December 16, 2014, Ponta gave up his doctorate and as a consequence he lost his tenured university professor position held from 2004-2010 at the Romanian-American University in Bucharest. Ponta was also ordered to reimburse the university 200,000 RON, which is the equivalent of almost \$50,000 Canadian dollars, for receiving a salary as a tenured professor (Marinas, 2014).

Another case that stands out, is the long corruption scandal at Romania's third largest company, Oltenia Energy Complex" (OEC) that has over 15,000 employees. The company was established in 2012 after the merger between Oltenia National Lignite Company and three other energy entities: Rovinari, Turceni and Craiova. OEC became a major player in the energy sector managing four power plants and ten lignite mines. OEC has received from the European Bank for Reconstruction and Development (EBRD) a refinanced loan of EUR 200 million for the desulphurization installation for Turceni Power Plant Number 6.

The Counter Balance and Bankwatch Romania, whose purpose is to prevent any bad practices by recipients of money from public banks, launched an investigation into OEC. Bankwatch Romania is looking into the state capture mechanisms from OEC since 2012 after OEC refinanced a loan from the European Bank of Reconstruction and Development. They discovered multiple dubious legal assistance contracts signed by the Sova and Associates law firm for which OEC paid EUR 560,000. The main characters are Dan-Coman Sova and Victor Ponta, both members of the National Parliament but also local officials. The public company, Oltenia Energy Complex, said on numerous

occasions that it had never received any money from the EU loan and that the money was captured by the state. Until 2013, nobody was sentenced even though evidence of corruption was presented by the prosecutors and was constantly discussed and presented in the mainstream media. Therefore, the European Bank of Reconstruction and Development must do its due diligence and become more transparent when dealing with national and regional authorities that are opaque and corrupt, like in the case of the Romanian Department for Energy that refused to make public the support letter for the loan. Mr. Alexandru Mustata, who wrote the report for Bankwatch Romania and a member of CCE Bankwatch stated that “It is important that financiers of large infrastructure projects are familiar with the companies before signing contracts, and to monitor them afterwards. Transparency of both the loaner and the loaned are equally crucial. It would facilitate the intervention of national public institutions, the press and civil society organisations State capture of European Union funds have been a common practice in Romania” (Maruta, 2016).

Romania’s first President after the 1989 Revolution, Ion Iliescu, from 1990-1996 and from 2000-2004, was charged with crimes against humanity back in 2005. The charge was due to Iliescu’s personal involvement and coordination of the 1990 “Mineriade” violent suppression by the government between the peaceful demonstrators opposing Iliescu’s new regime and the miners that were pro-Iliescu regime in Bucharest between 13-15 June 1990. The violence caused four dead and three others wounded by gun shot, 1,380 injured and 1,250 were arbitrarily arrested. After the protests were quashed, Iliescu personally thanked the miners for their “high sense of civic duty.” The moment when Iliescu thanked the miners for helping the government with the protesters

was caught on camera. Two years after the charges were made they were dropped on technicalities while Iliescu considered the allegations absurd. At that time the judicial system was formed of former Communists and close to Ion Iliescu. In September 2014, the European Court of Human Rights criticized the Romanian government for failing to fully examine the crimes committed and put on trial people responsible for "crimes against humanity committed against Romanian civilians in the tortuous transitional period to democracy" and demanded to find the authors. (BBC, 2015, para 5)

In March 2015, The Military Prosecutor's Section within the Prosecutor's Office attached to Romania's High Court of Cassation and Justice re-opened investigations and questioned Iliescu again. On June 13, 2017, Ion Iliescu, now 87, with the former Prime Minister Petre Roman, Virgil Magureanu, the intelligence chief at that time, two leaders of the powerful miners' union; a former deputy prosecutor and others were officially indicted for crimes against humanity by the Prosecutor's office. The date of indictment coincided with 27 years since the "Mineriade." There is no set date for when the trial begins (Euroactiv, 2017).

In conclusion, transparency and accountability of the Romanian government and its officials has been opaque since the 1989 Revolution. Decriminalization of corruption has taken place indirectly until 2017 with the judiciary branch unable to convict any Romanian politicians or influential businessmen between 1990 and 2012 for corruptions even though charges were made and evidence was provided. There has been judicial progress by establishing the DNA, DLAF and DFAFD but more still needs to be done. Most recently, the new elected Social Democratic party in power passed a decree to decriminalize major corruption offences, a movement that reversed the progress made by

Romania regarding implementing and executing the rule of law. Romania has managed to ascend to EU member status while institutionalizing corruption and its disregard for the rule of law under Brussels' close monitoring. The case of Romania is very interesting because it showcases the EU's deep foundation cracks as it outwitted the European Union and still not meeting the pre-conditions for EU accession even post accession. The next subsection will analyze corruption at regional and national level with an in-depth look at the events that unfolded in Romania in 2017, the causes for the need to decriminalize corruption, the domestic implications at the EU level and the aftermath.

5.1 Corruption: A Trend Across Europe and a Part of the Romanian Political Culture

Since the 2008 Great Recession the entire Europe has experienced an economic downturn and increased corruption within the governments. To measure corruption, we will look at the Worldwide Corruption Perceptions Index (CPI) done yearly since 1995 by the Transparency International, The Global Coalition Against Corruption, a non-political NGO since 1993, who takes a stand against corruption by exposing illicit practices that undermine governmental transparency and accountability. - Jose Ugaz, Chair of Transparency International stated that "In too many countries, people are deprived of their most basic needs and go to bed hungry every night because of corruption, while the powerful and corrupt enjoy lavish lifestyles with impunity" (Transparency International, 2017, para. 4)

To put it under perspective, Romania ranked 63rd in 1999 on the corruption perception index with Ghana and Egypt. Bulgaria received the same ranking as Romania.

Greece ranked 33rd, Hungary 31st and Poland 41st on the corruption perception index. By 2007, when Romania was accepted in the EU, it ranked 69th on the worldwide chart of corruption, behind Columbia and Ghana. Between 1999 and 2007, Romania went up six spots and worse lagged behind countries like Columbia and Ghana who have been socially, economically and politically been paralysed by corruption. Greece climbed to 56th place, Hungary to 39th, Poland to 61 and Spain climbed 3 spots to 25th on the worldwide chart of corruption. Greece and Poland experienced the biggest increases in corruption by more than 20 spots.

Moving forward to 2016, over two-thirds of the 176 countries and territories fell below the midpoint of the CPI scale of 0 (highly corrupt) to 100 (very clean) with a global average score of 43 which indicates endemic corruption within the country's government. Among Romania, Hungary, Poland, Spain, Bulgaria and Greece only Poland and Romania showed determination to fight corruption and dropped on the CPI scale, respectively to 29th and 57th place. Still, Romania was ranked below countries like Malaysia, Rwanda, Brunei, and slightly above Cuba, who all deal with economic, political and social instability. Spain climbed to 41st rank on the CPI scale, Hungary climbed to 57th rank at the same level with Romania, Bulgaria climbed to 75th rank, Greece to 69th spot. The rise of endemic corruption in half of the EU member nations signals weak institutions at the member state levels, lack of domestic and regional strategies to overcome economic crisis, rise in unemployment rates and a lower standard of living.

The numbers are alarming; corruption and organized crime thrive in democratic countries like never before and lower in dictatorship and communist states. Italy ranked

60th on the CPI scale in 2016 behind Romania. Out of the 28 EU member states only 15 made it below the 43rd ranking: Denmark, Finland, Sweden, Netherlands, Germany, Luxembourg, Belgium, Ireland, Estonia, France, Poland, Portugal, Slovenia, Lithuania, and Spain barely making it. The reality is that half of the EU member states are dealing with widespread corruption at all government levels that constantly tests the unity of the Union (Transparency International). The increase in corruption levels across EU member states represents one of the effects of the 2008 global economic recession which triggered high unemployment rates, increased poverty especially amongst children and elderly, and income inequality. The Corruption Perception Index shows how unstable, fragmented and divided European Union. Nearly 20 billion euro was set aside under ‘cohesion funds’ between 2007-2013 for Romania and 6.7 billion euro for Bulgaria. However, because of corruption and poor management Romania received only 3.5% of the funds and Bulgaria 18%.

In Romania, there was an attempt to decriminalize corruption on January 31, 2017 despite strong opposition from the European chiefs and DNA officials. The new elected Grindeanu government approved an emergence ordinance that in fact decriminalized corruption. President Klaus Iohannis called the decriminalizing abuse of power “a day of morning for the rule of law.” After the Social Democratic Party (PSD) was elected as the new government in December of 2016, PSD’s President, Liviu Dragnea, requested President Klaus to appoint him as the new Prime Minister of Romania. President Klaus Iohannis refused appointing Liviu Dragnea as the new PM due to his past criminal record and a breach of the “integrity criteria” a person must hold in order to be appointed in high-level government positions.

The “Integrity criteria” expected of those in high level governmental positions to act with integrity has been constantly broken and ridiculed by the actions of elected parliamentarians. Moreover, with the spike in convictions of political figures and powerful businessmen, another phenomenon has been on the rise - politicians and influential people reaching “Star or VIP” status after being jailed and following their release from prison to occupy high political functions within the Romanian government. In the last five years, politicians with criminal records became normalized and treated as an accepted component of a Romanian parliamentarian’s resume. It indirectly obstructed the rule of law and legalized corruption.

With President Klaus refusing to appoint Dragnea in the PM role because of a 2016 two-year suspended jail sentence he received for vote rigging, decriminalizing corruption was Dragnea’s only option. At the pressures of PSD’s President, Liviu Dragnea, on January 31, 2017, the Emergency Ordinance 13 was adopted by Sorin Grindeanu’s new government during a 10:00pm session. This ordinance was not hard to pass as multiple members of the Social Democratic Party and the junior Alliance of Democratic Liberals, which forms the current government coalition face corruption charges that bars them from serving as ministers. The emergency decree effectively decriminalized official misconduct where financial damage was less than 200,000 Lei (\$61,822CAD). Also, Ordinance 13 pardoned over 3,000 prisoners for non-violent crimes to help reduce overcrowding in prisons. The emergency ordinance decriminalizing abuse of office was published at 3:00am in the official government monitor making it automatically a law (Mutler & Ghirda, 2017).

Criticism came swiftly from around the world with the embassies of the United States, Canada, France, Germany, Netherlands, and Belgium in Bucharest issuing a joint statement saying that ordinance 13 “undermined Romania’s progress on rule of law and the fight against corruption over the past 10 years” which also “only undermine Romania’s standing in the international community and risks damaging partnerships that are based on common values, inherent in the guiding principles of the EU and NATO.” Passing the emergency ordinance 13 definitely shows that Romania does not share the values and guiding principles of the EU or NATO. Romania’s commitment to European integration is questionable (Mutler & Ghirda, 2017).

Passing the ordinance of legalizing political corruption sparked mass protests by Romanians across the country, in major European cities, and the USA for 13 days – the biggest protests since the 1989 revolution. Anger, outrage and embarrassment erupted in Romania. Romanian citizens had a political awakening saying enough is enough.



Figure 3

Source: Dumitrescu, I.B. (2017, January 22). The title of the photo is: PSD don't forget this is not your country. Flickr website

Figure 3, on the previous page, shows the anger Romanians felt and how determined they were to take back the political power given to the Grindeanu government. Hundreds of thousands protested day and night, young and old, small and tall to ensure that no one is above the rule of law and that democratic principles continue to be implemented and abided by all citizens of Romania. The protests were effective with the decree eventually being annulled on February 5, 2017.



Figure 4

Source: Wikimedia Commons. Picture taken by Petre, M. (2017, January 22). Title of the illustration is: Protest against corruption – Bucharest 2017 – Piata Unirii.

Figure 4 above – More than 600,000 protested in Bucharest alone on Day 6 of protests.

Political instability shortly followed, as Sorin Grindeanu and his cabinet received a Vote of No Confidence in June 2017 from his own political party, the left-wing Social Democrats. Despite the resignation of 25 of the 26 ministers in his cabinet, Grindeanu, after appointed by the PSD at the end of 2016 had refused to step down when his party

withdrew its support. Analysts believe that the reason why Grindeanu was ousted is because he failed to push the controversial anti-corruption laws. “Liviu Dragnea only wants one thing – amendments to the anti-corruption laws” that prevent him from becoming premier, a former PSD member, Alin Teodorescu, told Agence France-Presse. Mihai Tudose, once accused of plagiarising his PhD, has become Romania’s new Prime Minister on June 29, 2017. The nomination was done by the Social Democratic party and accepted by President Klaus Iohannis.

The corruption in Romania is pervasive at all levels of government. The election of Klaus Iohannis as President of Romania had created the hope that, corruption would be eradicated. The enthusiasm was cut short when the Grindeanu government won the parliamentary election in December 2016. President Iohannis showed the upmost respect for the rule of law by denying Grindeanu to become Prime Minister as he did not meet the “Integrity criteria” because of his criminal record. The PSD’s plan to institutionalize corruption after one month of being in government has awoken the Romanian spirits. The last time Romanians were in the streets was in 1989 when they took down the Ceausescu’s communist regime. The Romanian people’s determination to fight against the political elite and corruption shows that there is still hope for the future generations to live in a country free of corruption that obeys the rule of law.

5.2 Human Rights and the Protection of Minority Groups in Romania

Romania has made progress on human rights and protection of minority groups since adopting its Democratic Constitution in 1991 but still more improvement needs to be made to tackle inequality, poverty, domestic violence, minority group rights. In the last few years, Romania has been going through economic progress but social stagnation and political backwardness. Romania became a member of the United Nations in 1995 and UN Human Rights Council in 2006 with a mission “to promote respect for the principle of universality of human rights and fundamental freedoms.” (UN Geneva).

The contributive factors conducive to democracy include elements from Lipset’s theory of modernization like higher literacy rates, education, urbanization, wealth. “The more well-to-do a nation, the greater the chances that it will sustain democracy” (Sorenson, 1998, p. 25).

Romania and Poland made tremendous progress between 2008 and 2015 by integrating their most vulnerable members into the society with a reduction of 6.8 and 7.1 percentage points in the share of people affected by poverty or social exclusion. What is known is that Romania still, has one of the highest rates of people in poverty or social exclusion in the EU. Currently, almost 40% of the population – including over 500,000 people such as farmers have an average monthly pension of less than 80 euros versus those who worked in the police, army, communist party, diplomats, judges, parliamentarians and prosecutors have an average pension of 700-1,400 euros per month. The discrepancy in pensions is creating unjustifiable inequality while keeping a large segment of the Romanian population under poverty.

Child poverty has worsened since Romania became a EU member in 2007. Eurostat highlighted that in 2015, 51 percent of all children under 18 in Romania were at risk of poverty, compared to 50.5% when it joined the EU in 2007. Across all 28 EU countries, Romania had the highest risk of poverty for children ahead of Bulgaria, which dropped 16.2% from 61% when it joined the EU to 45.2% in 2015. The child poverty crisis is happening in multiple EU member states as it is still recovering from the 2008 recession. According to the World Bank, 70% of the rural population in Romania lives under poverty line (McGrath, 2015).

The Roma minority group has been a vulnerable minority group because of the lack of policies from the Romanian government with respect to accessible housing, healthcare, education and mainstream employment. They are described as nomadic (traveling across Europe) or sedentary (settling in one location and establishing roots). They migrated from Northern India to all corners of the world: Europe, USA, Australia, Latin America, and Asia. The Roma ethnic group has been reluctant to integrate in the Romanian culture to protect its identity. They have no territory base but share a language, common values, culture and identity. Due to Roma's nomadic characteristic and presence within all the EU member nations, they ought to be able to access health care, education, employment across all member states and thus integrate in the European community while being able to preserve their identity.

The poor socio-economic conditions that Romas are living in - often result in high criminality rates, high illiteracy rates and health problems amongst Romas. In Romania Romas' life expectancy is at least six years less than non-Romas. Poor health and high illiteracy rates amongst Romanian Roma is a barrier for finding employment. The Roma

population in Romania is the fastest growing demographic, contrary to non-Roma people. This is a great opportunity for economic growth. According to the World Bank, enrollment in preschool is extremely low at 37% compared to 63% of non-Roma children. By grade 9 only 29% of Roma men and 18% of Roma women attend high school. Poverty characterises the day to day living of the Roma people with constant employment discrimination against the Romas. Through European funds, the Romanian government has taken action to establish programs that would aid Romas in improving their standard of living in Romania. The government offers Romas monetary incentive if they register the birth of their children to receive identity cards. Special schools have been built to provide Romas a safe space where children can learn.

Romania has made progress in the past decade regarding the implementation of the EU human rights standards. Although nobody denies the fact that Romania adhered to the EU's human rights standards, the numbers demonstrate that the progress was minimal with respect to high income inequality and poverty levels that place Romania at the bottom amongst the 28-member states. Minority groups like the Romas have experienced marginalization not only in Romania but across Europe being viewed as 'a problem that nobody wants to deal with' and not as another minority group that was vulnerable and unprotected by the governments and even the EU. More needs to be done domestically by each European country and also by the European Union by implementing more social programs targeting the Romas to integrate them in the community. Such programs would focus on offering the Romas assistance with finding accessible housing, employment, accessing healthcare and attending school in order to integrate them in the community. Social stagnation and political backwardness have placed a shade on the economic

progress made by Romania so far that impedes Romania from acceding to the next stage which is economic integration, joining the Eurozone.

6. European Union: A Tuneless Choir

“Europe is not based on a common language, culture and values.... Europe is the result of plans. It is in fact, a classic utopian project, a monument to the vanity of intellectuals, a programme whose inevitable destiny is failure; only the scale of the final damage is in doubt.” (Thatcher, 2002, p. 359)

The cohesion of the European Union is barely maintained by ad hoc and patched policies. The Union has never before been perceived more divided socially, economically and politically than today. Eurosceptics are calling it fragmented, past the point of return to unity, while others are still hopeful that more policies, less state sovereignty and more power to the federation will keep Europe united. The threats to the Union are internal and external in nature which mirrors a deep existential crisis and pointing to the need for a major overhaul of Europe’s institutions. The intrinsic problems that the EU has faced since inception are being magnified by the internal and external threats currently it is facing. Having weak foundation policies regarding enlargement and integration has made member states ill-prepared to deal with forces that are afflicting the federation. Romania has showcased that although a member of the Union, to this day, it has not fully committed to respect and implement the EU standards and criteria for enlargement and integration.

An analysis of the EU institutional structure is needed to understand and identify the intrinsic policy-making challenges in the face of internal and external threats. The European Union model is different from any other political system since it includes elements from both federalism and intergovernmental organizations. As a hybrid

supranational structure, the EU is similar to a federal state but lacks a presidency or a cabinet government that comes to power through an election. In addition, the EU is not a sovereign state, as it does not have a direct electoral mechanism for individual citizens to use in order to express their choices regarding EU policy choices. The EU does not have a seat at the United Nations table nor any taxation or foreign policy powers over its member states. Citizens across the European Union do vote for the Members of the European Parliament (MEP), but there is no EU electoral law. The elections for the European Parliament are governed by each member state's own electoral law subject to a set of common EU rules; the candidates are normally nominated by national political parties and thus stand for the nominating national party. Although, after elected, most MEPs join the transnational political groups in the European Parliament, they often push their national agendas. The similarities between the EU and a federal state is that both support internal diversity and decentralization of political parties (Blackwell, 2014 pp. 138-154).

At the same time, the European Union resembles an intergovernmental organization (IGO) in the sense that it is treaty-based, and all member states must agree before the treaty can be amended. Member states can veto any treaty reform; this policy allows member states to make the best decision for their national interest. Because the EU policies require a high degree of consensus and even unanimity in some cases among member states it is difficult to reach an agreement. An important difference between an IGO and the European Union is that the latter did not adopt the reciprocity principle. In other words, no EU member state can retaliate against another state on the grounds that it did not enforce the EU rules (Blackwell, 2014 pp. 138-154). The power relations among

its member states are exposed within the European Parliament when MEPs from the same country but across the political groups act together to push for their national agendas especially in the area of financial matters. This situation sets the stage for what actions to take in crisis situations and how to manage any threat to the existence of the Union.

The process of the EU policy-making influences the response to, and management of, the current crisis situations. The European Union consists of a set of institutions that represent different actors and interests. The institutional structure of the European Union consists of five institutions: the European Commission (EC), the Parliament, Council and the Court of Justice. The most notable institutions within the European Union are the European Commission, the Parliament and the Council of the European Union. Power relations among the member states are often played out in these institutions, slowing down the decision-making process.

The European Parliament has 751 seats and its apportionment of seats is similar to the Electoral College system used to elect the president of the United States and not based on each member's population, thus the larger the state, the more citizens are represented per MEP. Countries like Malta and Luxembourg have roughly ten times more influence per voter than citizens of the five largest countries. Germany has 99 seats in the European Parliament – one seat for 843,000 citizens, France 72, Italy 72, Romania 33 and Luxembourg 6 seats – one for every 70,000. Currently, the “inner six” (Belgium, France, Germany, Italy, Luxembourg and the Netherlands) holds 296 seats or 39.3 percent within the European Parliament and can influence the policy-making. After the UK leaves the European Union, the “inner six” will have 307 seats out of 751 or 40.08 percent, which further strengthens their power of influence in the European Parliament.

The European Commission is the sole initiator of legislation, sets the policy agenda to explain why the EU action is necessary, manages the EU policies, allocates EU funding, enforces the EU law together with the Court of Justice and represents the EU internationally on trade policy and humanitarian aid. The President of the Commission, who is also the most powerful EU figure by far, is appointed for five years after being nominated by the European Council and elected by the European Parliament with a qualified majority. The President of the Commission provides political guidelines regarding legislative proposals at the beginning of the term. The current President of the Commission has been in power since 2014 and it is Jean-Claude Juncker from Luxembourg. The first President of the Commission was from Germany, then from Belgium, followed by Italy, then Netherlands, France, Great Britain, Luxembourg, France, Luxembourg, Spain for 1 year, Portugal and now Luxembourg again. What is interesting is that the “inner six” have been occupying the Commission presidency since inception with a couple exceptions.

The Ordinary Legislative Procedure represents the EU legislative process where legislation is initiated by the Commission but approved by both the Council of the EU and the European Parliament named a co-decision procedure. The Commission has monopoly on legislative proposals as it is the only body that can propose new laws. This institutional design limits the ability of other EU organs EU to create and propose laws. The Parliament can request the Commission to initiate a new law but the Commission is not obligated to initiate the law. The Commission officials and the Members of the European Parliament are in constant institutional consultation to reach a common understanding of what is put forward in order to avoid conflicts and generate consensus.

Through EU treaties the Commission was granted powers to regulate the single market, transport, energy, aspects of immigration and justice which if accepted by the Council and Parliament are binding on member states.

The EU has a co-decision system where laws proposed by the Commission are presented before the Parliament who can introduce amendments in the first reading of the Commission proposal and pass them with a simple majority vote. Then, the proposal is read by the Council of the EU, and passed with a qualified majority or 55 percent of the countries representing 65 percent of the EU's population. This mechanism is designed so that no one member state can block a proposal. On the other side, a coalition of member states like the "inner six" can object to what has been proposed and control what laws pass or fail as they hold 39.5 percent of the votes.

The EU's immigration policy has been under scrutiny as member governments want to control migration flows from outside the EU while having an open market based on free movement within the Union. This led to the creation of FRONTEX in 2004, an EU border agency, designed to manage the external security borders. FRONTEX's interpretation of its mandate was to "co-ordinate" border control initiatives, especially at sea. FRONTEX depended entirely on the member states to provide equipment and staff and therefore it hampered effectiveness during the recent refugee crisis. In October of 2016 the European Border and Coast Guard was established to manage the exterior border of the Union, but this project lacks the right to intervene without the permission of the member state concerned. The legislative process to approve this agency took six months and it still fails to implement its mandate because the agency will not necessarily be allowed by the national governments to conduct their business.

The European Commission has no legal procedure that determines how to implement the EU regulations at the national level. The implementation of the EU policies at the national level is left in the hands of the national governments and the process can take even 18 months after the law is passed depending on the complexity of the directive, how clear or complicated the directive is, and whether or not it is in the interest of the state to pass the law.

The cultural diversity of the member states also slows down the decision-making process as the interests of national governments tend to prevail over the interests of the Union as a whole. Yes, a single member state cannot block a regulation but a coalition of member states can as in the case of the “inner six.” Access to the Commission and the European Parliament is the key factor in influencing policy. Through the current institutional structure and dynamic of the European Parliament, the European Commission and the Council of the European Union, member states have the ultimate control over policy implementation while the EU relies on member states to voluntarily follow the EU rules. As outlined above, the current way the European Union’s institutions are formed, act and implement policies is a clear indication of a weak institutional structure that fails to perform effectively and in a timely manner as a Union, especially when responding to and managing internal and external crisis. The European Union has a weak political core due to the fact that it does not have an authoritative central government responsible for making binding decision within its territory. Depending on the economic, political or cultural issues under consideration, different political institutions at the EU, national, or local level have an important say in the policy-making and implementation process.

Europe was built on a “functionalist” argument, meaning political integration would follow economic integration. This approach worked at first with economic integration being one step ahead of political integration. The EU adopted an ambitious single-market agenda with the purpose of unifying Europe’s economies: free movement of goods, services, people and capital. Many politicians acknowledge that the EU should have integrated not only markets but also social policies, labour market institutions, and fiscal arrangements.

It was established in the previous sections of the thesis that the Union’s acceptance of Romania to be a member without meeting the accession criteria has created permanent cracks and weakened the foundation of the Union. Romania is clearly not ready and unable to deal with economic, social and political issues the EU is currently facing as it still tries to implement the basic accession criteria demanded by the Union. Disregarding the rule of law, dealing with corruption at all government levels, moving away from becoming a liberal democracy, increased economic inequality and high levels of poverty clearly shows Romania’s indifference toward implementing the third Copenhagen Criterion. The third Copenhagen Criterion is extremely important in the accession process as it was designed to ensure full submission and complete assimilation of candidate states by meeting this criterion “ability to take on the obligations of membership, including the capacity to effectively implement the rules, standards, and policies that make up the body of EU law (the ‘acquis’) and adherence to the aims of political, economic and monetary union” (EUR-Lex, Article 49). Romania is just one of the examples of fast enlargement process in order to appease the economic ambitions of Western Europe.

The principles of democracy, human rights and the rule of law have never been more subjective to member countries' national policies because of national security threats. States within the European Union question the EU vision and its directives adopting their own policies to deal with external and internal forces that threaten the national security of the EU member states. The shared vision of a peaceful, united, free and prosperous Europe is dissipating. Because the EU is composed of separate multiple democratic states, the creation of a genuine representative democracy at the EU level is impossible. It is very challenging to have parallel democracies, one at the EU-level and another at the national level, because EU-level decisions can cause frictions with national governments for example, such decision as imposing penalties on member states that refuse to accept refugees or restrict budget deficits within the Eurozone.

A good indicator of how "in sync" politically, socially and economically the European Union "choir" is a thorough analysis of the external and internal forces impacting the federation and its member states and the challenges to redefine liberal democratic values. The external forces that will be analyzed are: the 2008 Great Recession, increase in terrorism and mass-scale migration. To provide a complete picture, we will examine the impact these internal forces have on the EU and its member states such as the rise in populist movements and far right-wing political parties.

6.1 The 2008 Great Recession

To be a member of the Eurozone, states must meet the second Copenhagen Criterion: "Functioning Market economy and the ability to cope with competitive pressure and market forces within the EU" (EUR-Lex, Article 49). The European

Commission advised that trade protectionism is on the rise with an increase of 10% in the number of trade barriers they encountered in 2016. Trade defence measures such as state subsidies affect fair trading conditions and a level-playing field. The reality is that coping with competitive pressures and market forces is not limited to forces within the EU but across the world. Europe and the rest of the world are fighting for a “slice of the pie” and are constantly exposed to globalization pressures due to how interconnected the economic world is. The most recent event showing how impacted and exposed all countries can be is the 2008 Global Recession.

In 2008, the global financial recession started in the United States and had consequences across the world including the European Union member states. Countries like Greece, Spain, Ireland, and Italy went through deep recessions. The Greek unemployment rate peaked in 2013 at 28% with more than 75 per cent of households suffering an income reduction, a survey done by business confederation GCSEE and Mark pollsters found. In February 2017, the food bank that serves central Athens registered 11,000 families or 26,000 people, up from 2,500 in 2012 and 6,000 in 2014. Greece received 3 financial bailouts starting in 2010 from the International Monetary Fund (IMF) and the European Union. Greece avoided bankruptcy but the austerity and reform policies imposed by the EU and the IMF led to a depression. Pensions were cut by a third, and poverty rates placed Greece in third place after Romania and Bulgaria in 2015 amongst the EU member states (Tagaris, 2017). In the case of Romania, although recently the Eurostat indicators showed favorable improvement in the annual average inflation rate from 59.1 percent in 1998 to 15.3 percent in 2003 to 6.6 percent in 2006 and

5.6 percent in 2009, to 2.4 percent in March 2016, it is still in a continuous state of transition.

There was a clear push by the domestic Greek political parties for Grexit and a return to state sovereignty and the drachma. The political pressures from the European Union, IMF and USA were so high that the new Prime Minister, Alexis Tsipras, who was elected in September 21, 2015 on the promise of Grexit succumbed to the pressures from the EU, IMF and USA and negotiated the last bailout for Greece. Currently, Greece's debt load is 340B in Euro or 180% of GDP with more than 1 million Greeks or 21.7% unemployed (Smith, 2017). Greece is not the only member that still suffers after the 2008 Great recession, the majority of the EU nations are experiencing a slow recovery. Ireland went through similar situation having to declare bankruptcy - needing bailout money from the International Monetary Fund.

“For the new member states, as for the EU itself, the effects of the accession were profound. The most important effects came through three main channels: liberalization of trade, capital and labor flows; institutional and legal development and integration; and access to EU funding. These effects were not felt only at the time of joining, but rather as a process, starting well before accession and continuing well after” (James Roaf et al., IMF, 2014, p. 40).

The International Monetary Fund (IMF) has compiled a macroeconomic ranking between 1998-2000 and 2012-2014 for the European states. The macroeconomic ranking was based on seven indicators such as country inflation, unemployment, government balance and debt, GDP per capita, real GDP growth and current account balance (IMF, 2014, p. 56). Figure 5 below shows that the Eastern European members have performed better since being accepted in the EU whereas the western nations except the Scandinavian countries have performed poorer.

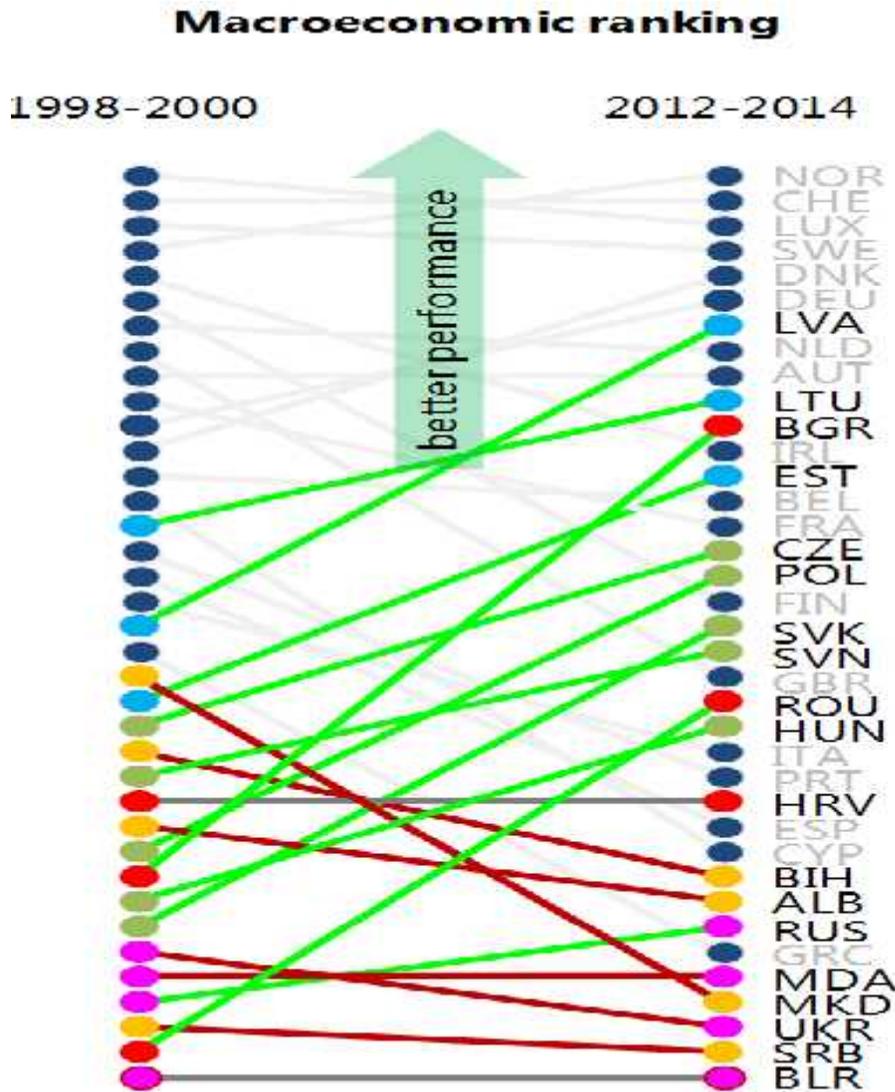


Figure 5

Source: IMF

When there is a global economic recession it hits all four corners of the world. Living in a globalized world where we are all interconnected financially, no country is spared in the face of a global recession. That is the case of the EU member states who to this day are still dealing with the aftermath of the 2008 global recession. It hit extremely hard on Greece who needed not one but three bailouts and threatened Grexit. Other countries within the EU also needed bailouts like Spain, Ireland, Portugal, following suit. The effects of the recession were: increased income inequality, a lower standard of living, rise in poverty levels, high unemployment rates especially amongst the youth, and high debt levels by member states.

Europe was not the only region hit by the global economic recession, the United States of America also experienced a major economic downturn with its ripple economic effects being felt across the world. The global economic recession definitely eroded the EU's cohesion and unity creating a division amongst its member states. The EU's ability to effectively and decisively create wealth in the region and defend itself against other internal and external forces was weakened by the global economic recession. The effects of the global recession also directly contributed to the EU member states' intolerance against vulnerable minority groups, rise in xenophobia and populist movements across Europe, which will be discussed in Subchapters 6.3 and 6.4.

6.2 The Spread of War, Terrorism and Anarchy

A series of destabilizing events, made the EU politically and socially fragmented, creating domestic chaos. Although economically Europe chooses to stay together for now, socially they are breaking apart. A major external force that still impacts the Union was the rise in Islamic State (IS) terrorism which spreads war, terror and anarchy and spurred migration of historic proportions not seen since World War II. Terrorism spread chaos and fear across Europe producing a wave of xenophobia and right-wing populists across the European Union. Liberal-democratic values like tolerance, freedom and multiculturalism which are highly upheld by the EU and its EU member states are being redefined.

Mass-scale terrorism divided Europe on how to counteract terrorism and how to work together while dealing with its effects. With the lack of a coordinated international response to fight the spread of Islamic State terrorism across Iraq, Afghanistan, Pakistan, Syria, and Boko Haram in African countries like Nigeria, Cameroon, and Chad an unstoppable wave of migration from Arab and African countries started. An example of the lack of international coordination is how the Syrian civil war has been handled since it started in 2011. In contrast, the Syrian conflict became more complex without an international resolution in sight. All conflict zones across the Arabian countries and Africa having one common denominator – Islamic terrorists trying to impose their own form of extreme radicalism. Union states have been facing high-profile terrorist attacks. Implementing state security measures was the last resort to provide security to its citizens. UK, France, Belgium, and Spain experienced multiple terrorist acts.

Between 2012 and 2016, France experienced 16 jihadist terrorist attacks – all attacks connected to IS. 6 terrorist attacks happened in 2015 and 5 in 2016. On November 13-14 a gunmen and suicide bombers coordinated to hit a concert hall, a major stadium, restaurants and bars – killing 130 people and hundreds wounded in Paris. On July 14, 2016 a driver ploughed through a crowd that was celebrating Bastille Day in Nice killing 84 people including children. The French president, Francois Hollande, declared state of emergency that has been also extended by the new French President, Emmanuel Macron, for the sixth time making it the longest uninterrupted state of emergency since the Algerian War in the 1960s. President Macron plans to increase the executive powers permanently to have “full and permanent respect for France’s constitutional requirements and ...traditions of freedoms” (Serhan, 2017, para 1). The objective is to “strengthen the internal security and the fight against terrorism” (Serhan, 2017, para 2). The new counterterrorism law will give police the power to conduct searches without warrants which should be in effect only under “exceptional measures.” Nicolas Krameyer, the Program Director for Individual and Public Freedoms at Amnesty International France told in an interview to The Atlantic on July 11, 2017 that some judicial approval is still needed to require searches but “the grounds for which these measures could be taken is very vague and very broad, so that any person whose behaviour could be considered by the Ministry of Interior – by the executive branch – to be a threat for public safety and security” could be subject to them. Public safety and security emergency practices are being normalized and institutionalized taking precedence and redefining the French civil liberties and becoming the law of the land (Serhan, 2017).

Great Britain also had an extremely difficult 2017 with 5 terrorist attacks registered in one year alone including two bomb blasts; one at a concert in Manchester leaving 22 people including children dead; and, one on a London Underground train that left two dozen injured. The other 3 incidents involved vans driving into pedestrians killing 12 people and injuring 101 people. These events caused Britain to increase their security levels across the country to a critical threat level after the Manchester bombing. The MI5 announcement that the country is at a critical threat level by their definition it means that “an attack is imminent”. Almost 1,000 soldiers were deployed across the UK as Theresa May said “the police force responsible for duties such as guarding key sites will be replaced by members of the armed forces, which will allow the police to significantly increase the number of armed forces on patrol in key locations” (Rayner, 2017, para. 10). The increased number of video surveillance cameras all connected to the internet and located in public spaces with the increased number of heavily armed soldiers patrolling the streets across UK has been effective. These new measurements cut the response time. The London police was praised for saving tens of civilians by stopping the terrorists in 8 minutes who were in a van and were hitting pedestrians on London Bridge in June 2017. These new counter-terrorism measures are indicators that public safety and security takes precedence over civil rights. The privacy of people is at risk and needs redefining as free democratic states must provide safety for its citizens while high terrorism threats are constant.

Berlin, Stockholm, and Barcelona were also targeted by jihadists. The modus operandi was identical with the one used in Nice and London – vans ploughing through crowds killing more than 100 people and injuring hundreds more. European democratic

countries are on high alert because of the terrorist attacks. With technological advancements and the ability to connect with people from around the world via social media, terrorist groups have been able to radicalize not only western Muslims but also foreign fighters. Currently, the causes of Western identity crisis that triggers radicalization of western born and/or raised individuals by terrorist jihadist groups are being analyzed by European Intelligence Agencies.

The Freedom House, a non-profit and non-partisan organization, assesses and monitors freedom, and advocates for human rights and democracy since its first annual report published in 1973. Its annual report, *Freedom in the World*, provides numerical ranking for 195 countries by tracking and assessing human rights progress, electoral process, political pluralism and participation, and the rule of law. The *2016 Freedom in the World* annual report states that although declines in freedom have usually been experienced by autocracies and dictatorships, in 2016, democratic European countries ranked as *Free* showed concrete change regarding what are state priorities vis-à-vis political rights and civil liberties.

Undoubtedly, the multiple terrorist attacks in the past couple of years across Europe have instilled fear and chaos in the region. The European Union has not been able to put forward a united strategy and policy on how to deal with mass-scale terrorism. Each member nation is handling the terrorist threat differently but all countries agree that public safety and national security are above any traditional freedoms and rights. France has been in a state of emergency for more than a year, giving the French police extended powers. Great Britain has also implemented new counter-terrorism measures that increased the number of armed forces patrolling the streets in UK and video surveillance

cameras in public spaces connected to the internet. These counter-terrorism measures have proven effective with governments able to prevent and stop attacks in a shorter time frame. All member states have increased their intelligence and security services capabilities to ensure public safety and national security. With increased powers given to the police and the security services, the liberal democratic values the European Union was built upon are being redefined. Civil rights and liberties like tolerance, freedom and multiculturalism are being limited at a national and regional level. This is the new direction member states embarked upon and the Union has no alternative but to accept that public safety and national and regional security takes precedence over liberal democratic values.

6.3 Unprecedented Mass Migration since World War II

By 2015, Europe was in the centre of uncharted territory as it was dealing with millions of refugee and asylum seekers. The enormous flow of refugees from Arabic and African countries in Europe weakened the democratic standards in Europe. According to United Nations Humanitarian and Development Agency (UNHCR) over 5 million people have fled Syria to Lebanon, Turkey, Jordan, Europe and other parts of the world since the war broke and 13.5 million people still need assistance in Syria. The spread of terrorism in conflict zones like Somalia, Yemen, South Sudan and Nigeria left more than 20 million people on the brink of famine, starving to death - the Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator at United Nations, Stephen O'Brien, declared after returning in March 2017 from Kenya, Yemen, South Sudan and

Somalia. Overall, according to Frontex, the EU's external border force, more than 1.8 million people entered illegally into Europe in 2015.

According to Eurostat, since 2012, there have been increases in asylum seeking applications from citizens of non-member countries. In 2013 the number of applications reached 431,000, followed by 627,000 in 2014 to more than doubling to 1.3 million in 2015 and 2016. The effects of the conflict zones increased asylum applications across Europe with Syrian applications reaching over 350,000 in 2015. The number of first time applications from Afghanistan was also high reaching 125,000 in the same year - see Figure 6 below.

Top 10 origins of asylum applicants in the EU
First-time applications in 2015, in thousands

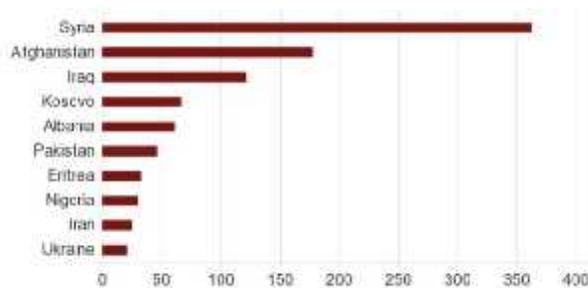


Figure 6
Source: Eurostat

Germany received over 1 million migrants in 2015 with the highest number of new asylum applications in 2015 of more than 476,000. Hungary received more than 177,130 applications and was thus placed second in 2015 in terms of total asylum applications, but is was situated number one with respect to asylum applicants per 100,000 local population. Hungary was followed by Sweden, Austria, Norway and Finland in the same year - see Figure 7 on the next page.

Asylum applications per 100,000 local population, 2015

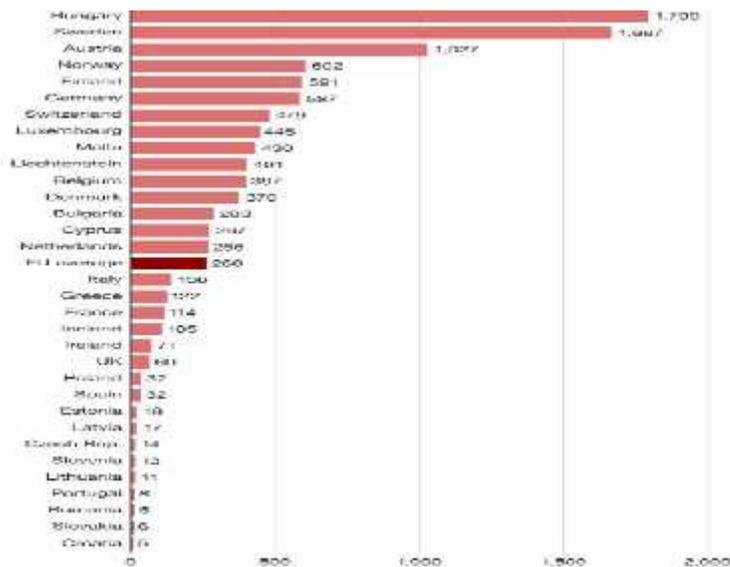


Figure 7
Source: Eurostat

The deterioration of the Schengen space was evident, the free movement within the EU Schengen zone was no longer a necessity or desired but a problem that needed a solution. By September 2015, the refugee inflow into Hungary showed no sign of slowing down forcing Hungary to take drastic measures by building a border wire fence with Serbia. Hungary's immigration policy was harshly criticized at first by fellow EU member states, but later other EU countries, such as Germany, Austria, Slovenia, Norway, France, Sweden, Denmark and Belgium, re-introduced border checks (BBC, 2016).

Sweden, a small country proud of its historic core values of tolerance and openness toward accepting immigrants, has received the highest number of asylum-seekers per capita at around 163,000 asylum-seekers in 2015. By the end of 2015 the "Swedish values" threatened to bury Sweden and so there was no choice but to impose stricter rules on allowing entry for refugees and asylum-seekers as it tore the country

apart. It also introduced border controls and limited the possibilities for asylum seekers to be granted permanent residence for three years. In addition, it restricted who gets free housing and daily allowances. These measures showed a large decrease in asylum applications from around 163,000 applications in 2015 to almost 29,000.

Sverigedemokraterna, the Sweden Democrats, have constantly increased in popularity from 12.9 percent in the 2014 election to taking first place with 27.8 percent in the Broadcaster TV4's poll done in May 2017. The Sweden Democrats are a social conservative party based on nationalism, which believes that Sweden's immigration policies have been too generous and the massive wave of migrants has created a tremendous economic and social pressure. Another political party that has more than doubled in popularity in Sweden is the Centre Party, which polled at 12.8 percent in May 2017 compared to 6.11 percent of the vote in the 2014 election.

There are clear movements toward populist and centrist/right-wing political parties in the parliamentary elections across Europe, evident recently in the Netherlands, France, and in some German states. "The populist movements have come to prominence in rich and poor countries suggests that they are not a simple product of the crisis" (The Economist Intelligence Unit Limited 2016). The spread of populism across Europe is already happening in Hungary, Greece, Poland, Spain, Sweden, Germany, Denmark and continuing to rise.

The burden of refugees caused disagreements amongst member states as Greece, Italy and Hungary received the most refugees per capita. In September 2015, the EU ministers voted by a majority on a relocation agreement to relocate 160,000 refugees EU-wide from Greece and Italy. This initiative was met with resistance from Hungary, Poland and

Czech Republic who refuse to take in refugees. EU sanctions against the three countries are being considered. The former Italian Prime Minister Massimo D'Alenna said while speaking in Prague in June 2017 that the EU “cannot tolerate countries that do not respect the law that is based on our fundamental values and those values are to respect human rights. The only way to resolve the crisis is to share the burden. It is not acceptable for Germany to take 1 million refugees and for some EU states to simply say no. In that case, sanctions are needed” (Wintour, 2017). If the EU imposes financial penalties the implications and effects will extend beyond monetary repercussions with Hungary, Poland and Czech Republic are likely to further distance themselves from the Union and its policies. It will create a permanent crack in the utopian European System, groups within the group and maybe even a chain exit reaction from the EU. Romania also opposed the 2015 refugee redistribution agreement but later agreed to it as it cannot risk losing the financial assistance it receives annually from the EU.

The European Union definitely did not see it coming and also did not have a united strategy on how to deal with the wave of mass migration on the continent. Its only reaction was to provide humanitarian aid to appease the member nations that were overwhelmed by the flow of migrants. The strategy definitely did not work as it was a temporary measure and not permanent. Integration policies for those who managed to cross into Europe ought to be developed in order to integrate them into the European communities. Such policies would be to develop programs for employment, language classes and training for different trades where there are labour shortages.

Nobody foresaw terrorism to spread so fast and do so much damage across the world while leaving behind tens of million of innocent lives displaced. The mass migration

combined with the rise of terrorism and weak EU accession and integration policies has created division amongst member states regarding what course of action to take to deal with such a complex crisis. The Union could have done more from the beginning besides providing financial assistance and actually develop a regional strategy to integrate the migrants. Instead, member states had to take action and develop their own set of policies to stop the flow of migration such as building border fences and implementing border-cross checks. The unprecedented mass migration in Europe has definitely weakened the democratic standards across the member states. It gave rise to nationalist and populist movements and the centrist/right-wing political parties are gaining grounds as Europeans lost all confidence in the left-wing political parties being able to solve the crisis.

6.4 The Rise of Nationalist and Extremist Political Parties

There is a move away from liberal democracies across Europe toward hybrid democracies and even oligarchies. The rise of nationalist movements in Poland, Hungary, France, Germany, and elsewhere is changing Europe's political landscape. It is also shifting the debate in ways that undermined the fundamental values of democracy. The 2008 recession has greatly impacted the entire Europe and beyond. EU states are still struggling with high unemployment and poverty levels as a result of the 2008 recession. The main focus for all European countries is to recover from the 2008 great recession, build their economy and increase employment rates. To add on top of the economic struggle, the mass migration has caused European countries to have divisive view and approaches when dealing with refugees and asylum seekers. The mass migration has been too much to handle with countries like Sweden, Greece, Italy and Hungary losing control

of the situation. Refugee or migrant camps across Europe are overcrowded which causes a surge in misery.

Refugees and asylum seekers have been placed in detention tents that were supposed to be temporary but years later still living in unbearable living conditions. The tents are guarded by law enforcement officers and their human rights are limited, having no voice or say in the matter. According to the Human Rights Watch report on migrants' conditions in Spain published on July 31, 2017 the refugees are kept in subpar conditions. Upon arrival in Spain, migrants are automatically detained for days in dark, dank cells in police stations that have no ventilation and sleeping on thin mattresses on the floor. International Organization for Migration states that the numbers of asylum seekers crossing the Mediterranean into Spain are continuing to grow with 7,847 people coming to Spain in the first half of 2017 compared to 2,476 during the same period the year before. Spain's resources on what it can offer to refugees are limited, a problem that all other European states are dealing with; - funds are tight all around.

In France, the situation is even greyer, the 4-squared kilometre "Jungle" camp in Calais was dismantled by French authorities. The reason why the Jungle camp in Calais is important is because Calais is the gateway to Britain. Migrants tried to cross the Euro Chanel from Calais to reach the UK, which is 30 miles away. To stop migrants from waling into the UK the two governments agreed to build a fence and boost security. More than 3,100 migrants including 500 children were bussed out of the "Jungle" and placed in 80 camps across France. Those who refused to leave, around 1,200 ended up staying in shipping containers for shelter.

The increase in violence and crime in countries like Austria has created fear and panic amongst Austrians. Austrian Interior Minister Wolfgang Sobotka stated during an interview with Austrian television station ZiB 2 that there were 22,000 criminal complaints against migrants in 2016 compared to 14,000 in 2015. Also, sexual attacks by migrants went up 133 percent from 2015 to 2016. Sobotka acknowledges that real integration can happen only if countries can offer jobs to migrants. At first there was acceptance of mass migration by majority of EU states but with millions of refugees and asylum seekers trying to settle in Europe every year the acceptance turned into refusal.

In the last five years extreme right-wing political parties have gained support due to the migration crisis, a rise in economic inequality, corruption, lack of jobs, a growing disenfranchised population with the European Union and a sense of lost national identity. These factors have led to divisions and growing tensions between EU leaders, rising support for populist parties and the disappearance of a passport-free Europe zone. Citizens of the European member states are beginning to reject the idea of integration and identification with European Union values and look inward to their governments for their nationalistic values and principles to be validated and upheld. They no longer identify with the EU's definition of "one Europe" that shared the same values and culture. Hungary and Poland are two examples of states that have disconnected from the EU. Both countries have in place nationalist populist governments with authoritarian tendencies.

Hungary imposing border controls and building a wire border fence has triggered a domino effect across Europe, Slovenia following suit in building a fence with Croatia as they also could not cope with the number of refugees. Spain also rejected in principle

the proposed mandatory refugee quota as they are dealing with unprecedented unemployment rates – one in four adults are without employment.

Within the European Union different alliances appear; some have existed since the Rome treaty, while others have formed in the recent years for example, an alliance between Hungary and Poland. A close alliance has developed between the current nationalist, extreme right-wing governments of Hungary and Poland against the mandatory EU policies in the last couple of years.

Both Hungary and Poland were accepted in the European Union in 2004. The 2008 economic global crisis hit hard both Poland and Hungary with Poland receiving \$20.6B USD from IMF in order to weather the global recession. Hungary received a similar bailout package from the IMF of \$25.1B USD to avoid going bankrupt. The great recession really hit hard in Hungary and Poland with unemployment rates at all time high high which led to inequality, a lower standard of living, less tolerance for vulnerable minority groups, and increased corruption within governments. Since integration in the European Union both countries moved further away from the Union trying to find their own identity and a voice.

Fast moving forward to 2015, the Polish elected in May the far right-wing Law and Justice candidate Andrzej Duda, as the new President and in October the Law and Justice Conservative (PiS), Eurosceptic party became the first party to win overall majority in both houses in the Polish democratic elections. A series of undemocratic moves by the new government in Poland followed. Two months after being elected, President Duda, passed a controversial reform making it harder for the constitutional court to make majority rule. The law increases the numbers of judges required to pass

judgement from simple majority to two-thirds majority. In addition, the new law requires a 3-6 month waiting period from when the ruling was requested to when the decision is made. The EU was against the passing of the decision as the effects of such law are still unknown. There were mass protests against the passing of this law as opponents believe that the increase in the number of judges needed to make a decision will paralyze the court and thus the court will not be able to rule on many cases. This law will definitely question the rule of law and will impact the independence and functionality of the Polish Constitutional Tribunal.

Another law passed by the PiS was to transform state-owned businesses into “national cultural institutes.” The focus of their program will be on “national interests” and promote the sense of Polish patriotism. Critics argue that the reform of the media is done to control, manipulate, and censor the public media. Control of the media infringes upon the liberal values promoted by the EU and which ought to be abided by its members. With the Russian occupation of Crimea and maybe invasion in Ukraine plus the high level of threat of terrorism across Europe triggered the Polish government to take measures and give sweeping powers of surveillance to security services. The Polish government has also restricted the right of public protest and increased regulations for NGOs. These reforms done in the last couple of years have delivered several serious blows to Poland’s democracy suffered as a result of sustained attempts by the ruling Law and Justice Party, through hastily drafted legislation and other measures, to increase government influence over the country’s media, judiciary, civil service, and education system.

Observers view the reforms of the Polish government as an accelerated version of what the ruling Fidesz party has implemented since taking power in Hungary in 2010. The difference is that the Fidesz party has passed the far right-wing marker moving toward a nationalistic extreme-right wing. The Fidesz party came into power in 2010 with Victor Orban as the party leader. The regime founded by Hungarian Prime Minister Viktor Orbán is an appealing model for elected political leaders with authoritarian leanings. Its radical stance on migration and anti-Semitic rhetoric has blurred the lines between right and far right wing. The establishment of a day of remembrance for the 1920 Treaty of Trianon – where Hungary lost two-thirds of its territory, the hard line against migration, anti-Semitic rhetoric against George Soros, anti-Western, anti-EU solidarity, and its desire to preserve intact the white Christian culture are a proof of the party's nationalist, xenophobic, extreme right-wing rhetoric and policies. According to Pew Research Centre survey, Hungary is one of the most xenophobic countries in Europe with 82 percent of Hungarians feeling that refugees will have a negative economic impact in their country – Poland came at 66% and French just under one-third.

The rise in xenophobia started with Victor Orban coming into power and the far right Jobbik party taking seats in the parliament. The massive wave of migrants crossing into Hungary, forced the Hungarian government to build wire fences around Hungary's borders and furthermore, Hungary took it to an extreme to post xenophobia messages on billboards that said "If you come to Hungary, you cannot take the jobs of Hungarians." The billboards with messages against migration continue to increase spreading fear and hatred against migrants. The message is clear "they do not want to protect the vulnerable but protect their national security and their white Christian identity". Stemming from

Hungary's nationalist agenda are its protectionist policies which infringe upon the founding principles of the common European market, free movement of goods into Hungary, the free establishment of companies and guarantying fair competition. The first attempt for a protectionist policy was in 2010 when Hungary adopted a law which would force shops and supermarkets in Hungary to sell at least 80% Hungarian products. Figure 8, on the next page, illustrates the spread of populism across the Europe with Switzerland, Hungary, Poland, Greece, France and Austria leading the way (Bremmer & Kupchan, 2017, p. 7).

Populism is surging as refugees bring increased political pressures

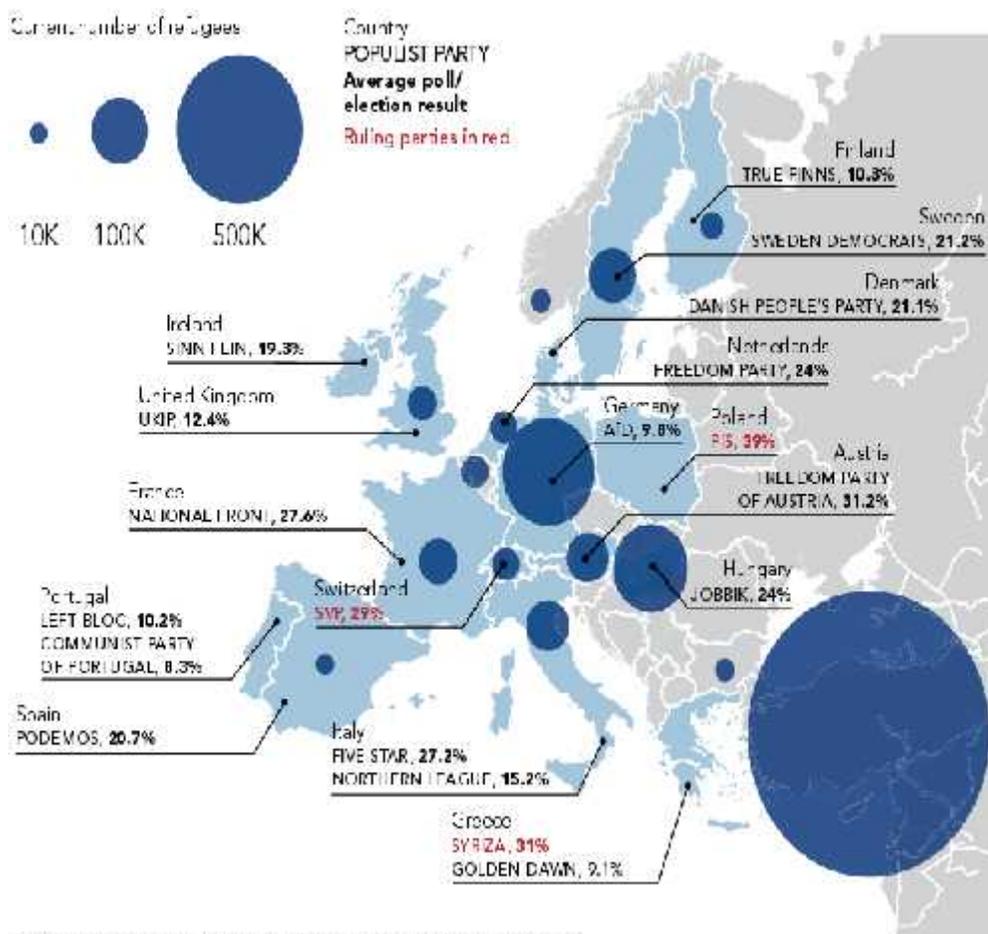


Figure 8

Both Hungarian and Polish governments, repudiated liberal values, the European culture, attacked the institutions of pluralism, and sought to use the economic power of the state for partisan political ends. While the PiS has focused on improving the economy and cutting the unemployment rate, Victor Orban and its political party Fidesz has manipulated laws, the media and spread fear amongst its citizens to increase its future political dominance which probably will happen in the 2018 elections and continue to give rise to xenophobia, religious intolerance and protectionist economic policies. Xenophobia, religious intolerance, isolationism and in some cases the sterilization of democratic institutions for partisan ends are gaining acceptance among EU countries. A further spread of such “illiberal democracy” in Central Europe and the Balkans seems likely given the spread of nationalist movements in Slovakia, the Czech Republic, and Serbia, among others.

In conclusion, European Union member states are moving away from liberal democratic values toward hybrid democracies and even oligarchies. A close look at Hungary and Poland shows how populist and far-right movements gain ground while maintaining their status in the European Union and not be penalized for their extremist policies. Civil rights and liberties and multiculturalism are extremely limited in Hungary and Poland while xenophobia is embraced. There is no tolerance or welcoming messages for outsiders in Hungary and Poland which is clearly stated on billboards across Hungary. Populist movements are spreading across Europe in countries like Greece, France, and Austria. The European Union is at a deadlock with governments not being able to come to any unanimous decisions on how to handle the mass migration.

7. The Future of the European Union

“We certainly learned from the history of the last years that there will be as well a European Union with different speeds, that not all will participate every time in all steps of integration.” (Angela Merkel, 2017, para.4)

The entire world is watching closely every step the European Union takes and its every move is interpreted and assessed. The European Union recently proposed a ‘two-speed’ Europe, meaning a core group of countries to move ahead with closer cooperation and integration in finance, security and taxation, leaving a peripheral group of countries in a looser federation. What is certain, the European Union is pressured by both European and international players such as Germany, France, and the USA to continue standing as a united group. For the first time since inception, the pro-European Union advocates are in consensus that change is happening with or without the consent from the EU and it stems from domestic policies.

60 years after the Treaty of Rome, the founding pact of the Union, a new plan called ‘two-speed Europe,’ is being proposed by the Western countries to stabilize Europe through reforming the enlargement and integration process. This idea has been concocted as a solution to avoid disintegration of the European Union after Brexit. Eurosceptics argue that it is not a new plan as ‘exclusive clubs’ has existed since the establishment of the European Union. With the inception of the EMU there has been a two-tier class system within the European Union: the “inner six” EU founding states: Italy, Germany, France, Netherlands, Belgium, and Luxembourg on the one hand and the other member countries on the other hand. “The inner six’ founded the European Coal and Steel Community in 1951 and later in 1957, the European Economic Community and the European Atomic Energy Community, which are the precursors of the European

Union. The European Union was designed based on the economic and political needs of the “inner six” not taking into the account the future regionalization of Europe.

One month prior to the EU summit marking the 60th anniversary of the founding pact, Mr. Sandro Gozi, Italy’s Europe minister declared that Italy is proposing a ‘two-speed’ Europe and hopes the plan will be backed up by the core European Union founding countries. Mr. Gozi declared that “in a union of 27 countries it is utopian that everyone can move forward with the same timing and objectives. A group can act as political vanguard and proceed in a more expeditious way to reach new common objectives, such as defence, economic security, combating inequalities and support to the young people” (Wintour, 2017, para. 10). The new plan is causing major concern amongst the Eastern countries which believe it will create division, a two-class system, splitting them into two camps. The reaction came swift from Victor Orban in a joint declaration backed up by Poland, Czech Republic and Slovakia, who call themselves the Visegrád 4, finding the idea of a multi-speed Europe unacceptable. In the letter, they also stated that they have no desire for federalization nor a return to the single market. The stand of the Visegrád 4 regarding the future of Europe shows a fragmented Union. (Hungarian Spectrum, 2017, para. 7-8).

The two proponents of a “multi-speed” Europe, namely France and Germany, propose the implementation of a ‘multi-speed’ Europe with several tiers of integration to strengthen the unity of Europe. In order to strengthen the European Union, the ‘multi-speed’ plan would encompass extensive reforms for the EU to function. All member nations would need to agree and buy into the plan thus generating a common political will to act decisively and effectively. Multi-speed integration policies would need to be

developed on a case-by-case basis and not follow the general rules at a set pace of convergence. One set of rules cannot fit countries as diverse as Germany, Hungary, Romania and Croatia. Equality and access to financial aid pre-and-post accession must be integrated into the process changes. If all member states support the reformed integration process, then Europe will recover having one common purpose and a new vision. This is of particular importance to forge the common European identity and create the common values of inclusiveness. “Plurality, heterogeneity and hybridity will be the norm with no comprehensive legal framework structuring relations among a variety of actors across different policy fields” (Zielonka, 2014, p. 92).

Skeptics view the “two-speed” Europe as a set back and are concerned about the creation of regional groupings that are likely divide into two sides - West versus East. Countries outside the core would feel marginalized and mistrustful of decisions made above their heads, thus the spirit of solidarity being undermined. As the Czech prime minister says “no country should face a closed door” (Politico, 2017, para. 1). Although this is not a new theory as coalitions emerged in the past, today, the alliances are forming to push their own economic and political agendas at the regional level and deal with critical matters that can threaten their national security. In the face of a ‘two-speed’ Europe, the Eastern European countries are afraid that a clear line is being drawn between two sides: the “Inner Six” versus the Visegrád coalition. Hungary aggressively tries to recruit Romania to join their coalition and stand against the ‘two-speed’ plan. The reform of the EU integration process is viewed by the eastern member countries as a move away from regional integration and toward regional bi-polarization.

As a reaction to a “two-speed” Europe idea, the Visegrád Group (V4) had their first summit in Budapest on January 26, 2018. Their main topics of discussion were the compulsory relocation of refugees and the “two-tier” Europe concept. All four countries rejected in unanimity both the “multi-speed” Europe concept and the compulsory relocation of refugees invoking the need for the EU to take into account the decisions of all country member leaders when such decisions are made. Victor Orban, the Hungarian Prime Minister, also emphasized the need for further integration among the V4 members to counterbalance the German/French - led EU. Although the implementation of EC regulations remains in the hands of national states, the EU is taking measures, using, “Article 7,” against Poland with respect to their push for a judicial reform that is a direct threat to the country’s democracy. At the time of writing, the same steps are also being taken by the EU against Hungary by invoking “Article 7” which will strip Hungary of its voting rights in Brussels after Hungarian government approved controversial legislation on asylum seekers, NGOs, and the Central European University. Both Hungary and Poland, declared that they would veto the motion (bne IntelliNews, 2018).

Some other EU countries (e.g., Italy) consider the “two-speed” Europe a clear division between those in power (Germany and France) and the rest possibly leading to the collapse of the EU institutions. As political scientist Matteo Scotto put it: "We just need to look at the two-speed Europe – look at two member states: Germany and France – that’s becoming a reality, with an adverse and excluded western-central Europe, an indifferent northern Europe and a forgotten southern Europe. What remains of Europe is sterile echoes of calls to order, bloated by a misunderstood and badly distributed economic success. What remains is a mere Union of states – if we can still talk about a

union – which either cooperates if and when all interests are taken care of or proceeds, legitimately, by other means becoming smaller still" (*Express*, 2018, para 1,5,6).

The future of the European Union continues to be unpredictable. Uncertainty defines the current existence of the Union. EU status quo is no longer an option in the face of a crisis. Although the ‘inner six’ believe a ‘two-speed’ Europe is the only solution to avoid disintegration of the federation, the reality is that it will create a division, a dual-class system that will only benefit the wealthy ‘inner six’. Equality between member states will be off the table. The three possible scenarios after adopting a ‘multi-speed’ Europe plan are: the creation of regional groupings; the disintegration of the EU; and lastly an inclusive ‘multi-speed’ plan which may be the salvation of the Union. The most plausible outcome after implementing the proposed ‘two-speed’ Europe plan by the ‘inner six’ is polarization and fragmentation amongst EU members. The fragmentation of the Union will paralyze the effectiveness of its institutions as consensus on any critical matters will not be reached and no decisions will be made.

8. Conclusion

There can be no doubt that the European Union’s existence is threatened by multiple internal and external forces. The thesis proposes that the threats created an unprecedented political, economic, social and cultural crisis in the European region. The objective of this thesis was to identify and analyze the internal and external forces that impacted the European Union such as: the widening and deepening policies; Romania’s EU membership, as it was part of the last major wave of integration, and is an example of what went wrong with the EU’s expansion eastward; the 2008 Global Recession; the

spread of terrorism across Europe; the mass migration; the rise of populist movements and far-right political parties; and how Europe might look like in the future. In retrospect, the thesis clearly articulates and analyzes what are the threats to the European Union; provides lessons learned through Romania's EU membership, beneficial for both the EU and future candidate countries; and offers policy solutions.

Europe's deep foundation problems with the enlargement and integration process have challenged the EU since inception. The recent internal and external threats brought the widening and deepening policies' faulty design to the forefront of the European political discourse as the European Union was not able to unanimously decide on the strategy and direction required to manage the multiple layered crisis. The economic ambitions of the Western Europe to create more wealth was done through the Eastward enlargement by finding new markets for their commodities, controlling the one currency and monetary policy, accessing inexpensive labour market pools, and create free movement of goods and services. The economic advantages just mentioned for continuing with the enlargement to the East outweigh the political disadvantages such as the EU's inability to cohesively and effectively especially when dealing with a multidimensional crisis.

The enlargement process has been weakened by a fast-paced enlargement process that is open for interpretation and allows accession without the candidate countries meeting all the EU criteria for accession like in Romania's case. In addition, candidate countries should not be the only ones to adapt to the EU standards but also the European Union should reform its institutions to reflect the inclusion of the enlargement wave. The fast widening process does not allow the candidate countries to organically grow to

identify with the European culture, values, and experiences thus upon accession the new member states do not feel invested in these values.

The deepening process has also flaws in its design. The deepening policies were created for the founding 6 members based on their economic needs and the idea to include 28 countries or more would mean an even more diluted EU. The integration process also means states giving up part of their sovereignty and policy autonomy in favor of a common currency. The member states give up their currency and the decision-making power related to the monetary policy to become part of the Economic and Monetary Union. Both the member states and the Union are losing when integrated into the European and economic Union because on one hand, member states transferred their sovereignty and monetary policy autonomy to the European Union; and on the other hand, the EU lacks democratic legitimacy and credibility because although the European Central Bank has the decision-making power over monetary policy the control over economic and fiscal policy is in the hand of national governments. Membership does not guarantee good economic policy.

The thesis suggests that the EU's simultaneous expansion and integration policies led to a set of major problems that are currently tearing the EU apart. Romania is an example of what went wrong with the EU membership and it was imperative to analyze Romania's case and illustrate the lessons learned. Romania's transition to democracy has been challenging to say the least. It was plagued by Romania's inability to implement judicial reform and anti-corruption institutions, the rule of law, fight against institutionalized corruption, human rights, and eradicate the communist skeletons in the government, like Ion Iliescu and Ilie Nastase. Clearly, Romania did not entirely integrate

at the national level the values and policies of the European Union being done partially. In addition, based on Romania's slow integration, it demonstrates that the Mechanism for Cooperation and Verification set in place to monitor the Romania's transition, is in reality too lenient with weak sanctions, as the criteria are vague and open to interpretation. It is a paradox how Romania received EU membership without actually committing to implement the EU values and standards by lagging behind implementing judicial reform, the rule of law and anti-corruption policies and procedures.

To this day, Romania is still in the transition phase next to Bulgaria without any foresight toward integration. There is no doubt, Romania has made tremendous progress since the fall of the communist regime, but more needs to be done. Political instability, corruption, a transitional democracy, discrimination against minority groups, high levels of poverty and income inequality still need to be addressed through domestic institutional reform.

Romania is not the only country experiencing challenges as an EU member.

Corruption and organized crime are thriving in democratic countries like never before. Out of 28 EU member states, 14 are dealing with imbedded corruption in government. High poverty levels and unemployment rates have also marked Greece, Spain, Portugal, and Ireland as a consequence of the 2008 global recession. The entire Europe was deeply affected the 2008 great recession with Greece asking for 3 financial bailouts. The EU was not prepared to deal with the aftermath of the economic recession. To this day, the majority of the member states have not been able to recover from the financial crisis as it is also dealing with an unprecedented mass migration and the spread of terrorism across Europe. These events have weakened the unity of Europe, moreover has created space for

xenophobia, populist movements and increase support for extremist political parties in countries like Hungary and Poland.

The spread of terrorism across Europe and the multiple attacks led to national governments implementing domestic policies to deal with the crisis. These counter-terrorism measures do limit the liberal democratic values the EU was founded upon, and at one point, the Union will need to redefine the type of liberal democratic values member states must uphold in order to continue being a member of the Union.

In recent years, the unprecedented mass migration from Arabic and African countries and parts of Asia created a crisis that further divided Europe on what policies to implement in order to manage the large in-flow of migrants. It has financially overwhelmed large and small EU countries as millions of people are migrating to Europe. Countries like Hungary and Poland refuse to accept new migrants and meet their quota for migrants risking financial penalties from the EU.

The effects of the global recession, spread of mass terrorism and migration created chaos and fear across Europe giving rise to xenophobia and far right-wing populists. It is extremely alarming to see lack of tolerance and xenophobia being embraced by so called democratic countries like Hungary, Austria, parts of Germany, Greece and Poland. It shows that liberal democratic countries are moving toward hybrid democracies and even oligarchies. Xenophobia is definitely not the answer, co-operation and tolerance toward the vulnerable is needed domestically and at the European Union level.

The European Union's survival from the political, economic, social and cultural crisis depends on co-operation and unity amongst its members. Fragmentation amongst member states is very present as they disagree on all critical matters that are currently

afflicting Europe. The European Union is no longer a very effective body as the EU member states identify less and less with the European values and identity thus making it a challenge for the Union to generate the necessary political will to unanimously decide and implement its policies and plans at national levels. The EU's weakness is visible with the UK already exiting, a divided group on all critical matters that puts the EU's decision-making at a standstill, and a 'multi-speed' Europe plan. The focus of the EU in the next decade should be on institutional reform by restructuring and re-designing an efficient but simple and transparent policy-making process. The process for enlargement and integration criteria and establish preventive measures and solutions for possible economic, social, political and cultural challenges that might threaten the EU's very existence; otherwise, the dissolution of the European Union will become a plausible future.

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