

Are sanctions actually justifiable?

A normative study on how scholars have discussed the use of sanctions as a method to preserve the principles of the European Union



Abstract

There has been an upswing of illiberal governments within the European Union over the past few decades and a way of handling these developments have been sanctions. Countries such as Poland, Hungary and Austria all have in various ways seen the consequences of these sanctions. This thesis examines whether the use of sanctions towards member states in the EU should be seen as justifiable if a state violates the fundamental values of Article 2 TEU. With the use of a normative given-that analysis, alongside a meta-analysis the thesis compares and discusses previous research and material in order to come to a conclusion. According to the strictly logical reasoning of the Article 7 TEU the simple answer is yes. Sanctions are justifiable. However, with the implications of normative European integration theory the answer is more intricate. Nevertheless the ideologies of cosmopolitanism, statism and democracy leads to the same conclusion. Sanctions should be seen as justifiable.

Key words: Sanctions, Article 7 TEU, Article 2 TEU, Democratic backsliding, The EU

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Table of contents

| | |
|--|-----------|
| Abstract..... | 1 |
| Table of contents..... | 2 |
| 1. The European Union yesterday, today, and tomorrow..... | 3 |
| 1.1 Why study sanctions and the EU?..... | 4 |
| 1.1.1 Purpose and relevance to political science..... | 4 |
| 1.1.2 Research question..... | 4 |
| 1.1.3 Limitations..... | 4 |
| 1.2 Background..... | 5 |
| 1.2.1 The history of the European Union..... | 5 |
| 1.2.2 Copenhagen criteria..... | 5 |
| 1.2.3 The principles of the European Union..... | 6 |
| 1.2.4 The suspension clause..... | 7 |
| 1.3 Previous research..... | 8 |
| 1.3.1 Austria, Hungary, and Poland: What really happened?..... | 8 |
| 1.3.2 The ‘Haider affair’..... | 8 |
| 1.3.3 The power of Fidesz..... | 9 |
| 1.3.4 What happened with PiS?..... | 10 |
| 2. Cosmopolitanism vs. Statism vs. Demoicracy: who is winning?..... | 12 |
| 2.1 The idea of cosmopolitanism..... | 12 |
| 2.2 Statism and the European Union, what is it really?..... | 14 |
| 2.3 Demoicracy as a tool for understanding..... | 15 |
| 3. Research method..... | 17 |
| 3.1 Normative Analysis..... | 17 |
| 3.1.1 Normative given that-analysis..... | 18 |
| 3.2 Meta-analysis..... | 18 |
| 3.3 Material..... | 19 |
| 3.4 The values of the EU..... | 20 |
| 4. Are sanctions actually justifiable?..... | 22 |
| 4.1 Part I..... | 22 |
| 4.2 Part II..... | 25 |
| 5. Conclusion..... | 27 |
| 6. References..... | 28 |
| 6.1 Books..... | 28 |
| 6.2 Articles..... | 28 |
| 6.3 Websites..... | 30 |

1. The European Union yesterday, today, and tomorrow

At the time of writing, in the fall of 2023, the European Union (EU) is facing one of its greatest challenges. For several years there has been a wave of worldwide democratic backsliding (Mechkova et al., 2017:162), which thus has affected the EU (Kelemen & Blauburger, 2017:317). The trend of democratic backsliding has taken hold at various depths over the continent and in countries such as Austria, Hungary and Poland it has, among other things, expressed itself through illiberal governments. These governments have in various ways, and to varying degrees, violated the fundamental values on which the EU rests. In the early 2000's Jörg Haider and his right-wing *Freedom Party* came to power through a coalition government which caused a never before seen reaction amongst the remaining 14 EU member states (Kelemen & Blauburger, 2017:317f). Through Hungary's Viktor Orban and his Fidesz we have seen an issue to control the media, the forming of a new constitution as well as a weakening of the rule of law (Sedelmeier 2014:106; Dawson & Muir, 2019:1961f). Even Poland, which was long regarded as a star example of the democratization of post-communist nations (Kelemen & Blauburger, 2017:317f), took a turn after the election of PiS. The political party quickly followed in the footsteps of Orban and diminished the judiciary as well as took it as a mission to gain full control over the state media (Bernhard 2021:604f.).

The systematic constraints of the rule of law, the reconstruction of the constitutions and the extreme right-wing ideologies all go against some of the values of Article 2 TEU. When breaches of the fundamental principles occur, Article 7 TEU should be activated (EUR-lex, 2023). However, that is not what has happened. Both Poland and Hungary have had each other's backs in regards to the use of sanctions. Viktor Orban even went as far as making a statement in regards to sanctions against Poland which followed "*Hungary will never support any sort of sanctions against Poland*" (Sedelmeier 2017:340). How come there is a clause for sanction and suspension when it has not been used? Is it because it is hard to justify an implementation of Article 7 TEU? Whatever the reason is, there might be a change of tide coming. A new government was sworn in on December 13th in Poland. The state will move away from the previous nationalist PiS (Reuters, 2023) and into something new. What will happen with the political bond between Poland and Hungary now? Will there be an activation of Article 7 TEU? If so, should the sanctions be justified?

1.1 Why study sanctions and the EU?

1.1.1 Purpose and relevance to political science

The purpose of the thesis is to study the current system regarding the use of sanctions if, or when, a member state of the EU violates the fundamental values presented in Article 2 TEU. The goal is further to see if the use of sanctions should be seen as justifiable. To enable this, the paper aims to highlight three normative theories related to the EU and European integration. The goal is to use normative theory and -methods to conduct a meta-analysis of previously published research and thus create an understanding of the use of sanctions. The thesis consists of both internal- and external relevance in regards to political science. The statement is based on the fact that the subject being studied is current and impacts several levels of society, both globally and nationally. Hence the external relevance. Moreover, the thesis is based on already existing research which generates internal relevance (Esaïsson et al., 2012:31f.).

1.1.2 Research question

According to scholars, should the use of sanctions be seen as a justified action by the European Union if a member state violates the Union's fundamental principles?

1.1.3 Limitations

The thesis will be limited by a few factors. Firstly, it will only look into cases where sanctions have been used or talked about within the timespan of 2000-2023. The reason for this is that the suspension clause *Article 7 TEU* first came into practice around this time (Theuns, 2022:694). Furthermore the thesis has selected three states to focus on based on two main reasons. Firstly, all three countries have showcased clear examples of illiberal governments and situations where sanctions were a possibility. Secondly, the three chosen states are examples of current sanction-related situations and are some of the most severe cases of erosion of democracy (Kelemen & Blauburger, 2017:317). Lastly, the theories that are being examined are the three main ideologies when talking about normative theory and the EU.

1.2 Background

1.2.1 The history of the European Union

The EU is by no means an undiscovered field of study. Extensive research has been conducted on various fields, ranging from the rule of law to the democratic backsliding currently happening (Kelemen & Blauburger, 2017:317). The EU has existed for more than 70 years and during this time it has transformed and evolved in numerous areas, therefore it might not be very surprising that it is an area of interest. However, 70 years ago the EU did not look like it does today. It was a different kind of union, a collaboration to secure peace in Europe. This was ensured by the European Coal and Steel Community (Sveriges Riksdag, 2023), which was issued by France, Belgium, Italy, Luxembourg, (West)-Germany, and the Netherlands in 1952 (European Commission, 2023). It developed as a reaction to World War II and was built upon the idea that states in collaboration with each other will become dependent on one another. Thus they will steer away from conflict (Sveriges Riksdag, 2023). The nations laid the grounds for today's EU. As of the present year, 2023, there are 27 member states of the European Union, expanding its presence across a substantial portion of the continent (European Commission, 2023), and there is a big chance that further enlargement will take place.

The EU has since its beginning worked in various ways to promote democracy. In the article by A.M. Meyerrose (2023) it is presented that the EU strongly has been associated with the promotion of democracy. This association is not solely based on the fact that The Union predominantly consists of democracies, but also as a result of its persistent work to aid the transitions toward democratic governance (Meyerrose, 2023:2). In order to become part of the EU, prospective member states are required to, among other things, adapt to the Copenhagen criteria (Hix and Høyland, 2022:349). These criterias consist of, to name one, a demand for a guarantee of stable institutions which generates democracy within the country (Hix & Høyland, 2022:350).

1.2.2 Copenhagen criteria

The process of joining the EU is complex. In order to become a member state there is a need to meet the conditions presented by The Union. These conditions are called the 'Copenhagen criteria'. The criterias were established during the European Council meeting in Copenhagen

in 1993, and is the main guide when deciding if countries are eligible for accession (Dudley, 2020:527). The criteria made it possible for the EU to intervene with the policy as well as polity development within aspiring member states. The reason for the influence was that if applicant countries allowed the EU principles and conditions, they were granted a membership in return (Hix and Høyland 2022:349). In 1995 the criterias were strengthened by the Madrid European Council (EUR-lex, 2021). The Copenhagen criteria consists of demands that the Union has generated in order to gain a cohesion within itself. They are as follows;

“The stability of institutions guaranteeing democracy, the rule of law, human rights and respect for and protection of minorities;

The existence of a functioning market economy;

The capacity to cope with competitive pressures and marked forces within the Union;

The ability to take on the obligations of memberships, including adherence to the aims of political, economic and monetary union”. (Hix & Høyland, 2022:350)

First when countries have fulfilled the conditions, they become part of the EU. However, the criteria is not the only measurement for qualification but, it is the most rigorous one when striving for accession. The Copenhagen criteria are thus sometimes referred to as the ‘Fundamentals first’ principle. The reason for this is the demand for the previously mentioned compliance with the principles and policies. Furthermore the EU requires that the countries closely follow the criteria, even after the country's accession to the Union. Other qualification measures for accession are the ‘Geopolitical’ principle, ‘Conflict resolution’ principle, ‘Additional technical and financial support’ principle, and ‘Democratic legitimacy’ principle and participation (Costa et al., 2023:38). When countries fail to comply, the suspension clause Article 7 of the Treaty on European Union (TEU) comes into play.

1.2.3 The principles of the European Union

In order to understand the fundamentals of the EU there is a need to look at Article 2 TEU. The clause presents the basic values upon which the Union is founded, and in regards to the research question, an understanding of these values are most important. During the study of the use of sanctions as a strategy to preserve coherence within the EU when member states

violate these values, knowledge about them is necessary. Article 2 TEU presents the following;

“The Union is founded on the values of respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights, including the rights of persons belonging to minorities. These values are common to the Member States in a society in which pluralism, non-discrimination, tolerance, justice, solidarity and equality between women and men prevail.” Article 2 TEU C 326/1 (EUR-lex, 2012).

The values presented above permeate all areas of the European Union, both external and internal, and can not be overlooked (Cini & Bourne, 2006:143). There is an additional article worth mentioning in regards to Article 2 and the Copenhagen criteria: Article 49 TEU. Article 49 presents the conditions for membership (Manners, 2023:50). In Article 49 TEU it is presented that *“Any European State which respects the values referred to in Article 2 and is committed to promoting them may apply to become a member of the Union.”* (EUR-lex 2016, C 202/43). The rest of the clause discusses the way in which an aspiring accession country proceeds with its application. The importance of the EU’s core values is thus shown here as well, and as presented in Article 49 TEU, respect and alignment with the values are paramount.

1.2.4 The suspension clause

Article 7 TEU is the suspension clause. The clause determines what the EU is allowed to do towards states within the Union when they, in great extent, violate the values presented in Article 2 TEU. Thus, Article 7 is the EU's main tool against this very thing. The article states the following;

“Article 7 of the Treaty on European Union allows for the possibility of suspending European Union (EU) membership rights (such as voting rights in the Council of the European Union) if a country seriously and persistently breaches the principles on which the EU is founded as defined in Article 2 of the Treaty on European Union ... Nevertheless, that country’s membership obligations remain binding.” Article 7 TEU (EUR-lex, 2023).

Article 7 is not the only instrument that has been developed by the EU in order to conquer unwanted activities within the Union. But, it is explicitly the only tool that is incorporated in the TEU and that targets violations of the values. Furthermore, Article 7 is entirely political. Leaving the Court un-included (Priebus, 2022:996).

1.3 Previous research

1.3.1 Austria, Hungary, and Poland: What really happened?

One of the thesis's main focuses is to study the use of sanctions as an action to control the member states behavior. Foremost, in relation to breaches towards the fundamental values on which the EU is based on. The EU is non-negotiable when it comes to the basic principles presented in Article 2 TEU. In addition to these values there is another article that precisely shows just how important they, as well as additional rights and freedoms within the Union, are. In Article 6(1) TEU it is stated that all these mentioned factors “*shall have the same legal value as the Treaties*” (EUR-lex 2016, C 202/19). If a country is to violate Article 2 TEU then, as presented above, Article 7 TEU comes into action, or so it is thought to be. The system of sanction that is implemented by the EU is to limit the membership-rights a country has (EUR-lex, 2023). In order to analyze the use of sanctions, and the justification of them, there is a great need for understanding what actually happened in situations when sanctions came into play. The thesis will focus on the situation in Austria during the 2000's, the situation in Hungary which has been escalating since 2010, as well as the situation in Poland starting in 2016 (Kelemen & Blauburger 2017:318).

1.3.2 The ‘Haider affair’

Firstly, in February 2000 the Austrian politician Jörg Haider, leader of the far-right *Freedom Party* (FPÖ), was accepted into a coalition government together with the *People's Party* (ÖVP), which is a center-right party. Before the coalition was formed, the remaining 14 EU member states had in January the same year issued a warning that *if* FPÖ was to be included in the government, bilateral sanctions towards the country were to be issued. An action of this type had never previously been seen in regards to European integration. What the sanctions consisted of was, firstly, that no form of mutual political contact was to be seen with the

Haider government. Secondly, Austrian representatives and ambassadors were only to be invited and included if there was a strictly technical matter. Lastly, there was not to be any offering of positions in international organizations towards any potential candidate deriving from Austria (Merlingen, Mudde, & Sedelmeier, 2001:60ff.). Nevertheless, FPÖ and ÖVP did form a government, and the 14 EU countries against it did implement the sanctions. But, it is important to note that the focus never really lied on the breaches of the values, but rather on the dislike of FPÖ and Jörg Haider (Sedelmeier, 2014:108).

The sanctions were however not as successful as the member states had hoped. According to Kelemen and Blauburger (2017) the sanctions were not effective. They instead fueled the support for the government amongst the public (Kelemen & Blauburger 2017:318). Moreover, it is important to note that the sanctions towards Austria were not an action from the EU, it was a coordinated and developed diplomatic sanctions-plan by the remaining member states (Sedelmeier, 2014:108; Merlingen, Mudde, & Sedelmeier, 2001:60ff.). One common argument that these countries presented during the justification of the use of sanctions was that an extreme right-wing party could, and would not respect the fundamental values that the EU rests upon. The idea of an accepting, open, and equal environment for its citizens that the EU presents, were consequently not respected. Sanctions should therefore be seen as a defense mechanism, according to the 14 member states that is said. On the other hand, there are others that view the sanctions as a way for already power-hungry and self-absorbed politicians to hide behind the EU. These politicians did this solely for '*for domestic electoral and party-political purposes*' (Merlingen, Mudde, & Sedelmeier, 2001:60ff.).

1.3.3 The power of Fidesz

Moving on to Hungary there was a situation with, to some extent, similar circumstances. The previous example of Austria during the 2000's were, as presented, not a case of EU measures, therefore not a use of Article 7 TEU. The situation in Hungary began in 2010, right after the *Alliance of Young Democrats* also called FIDESZ won the vast majority of the parliamentary election in Hungary. This consequently led to Viktor Orban becoming prime minister, withholding a two-thirds majority in parliament (Sedelmeier 2014:106; Dawson & Muir, 2019:1961f). Orban's government has since its victory constructed a new constitution as well

as formed new statutes. The new constitution was formally introduced in the spring of 2011, and went into action the first month of 2012. The key public institutions lie within their hands since they have managed to fill them with '*party loyalists*' (Sedelmeier 2014:106). Viktor Orban and his government also issued a set of media regulations that strived to control the media. Furthermore the government has extended the mandate period for those within the institutions, leaving their mark even after they step down from power. Additionally, the Orban government also implemented the need for a two-thirds majority of votes within the parliament in order to reverse the new policies and laws. Alongside all of this, they also weakened the constitutional court tremendously (Sedelmeier 2014:106; Dawson & Muir, 2019:1961f).

The EU was, and still is, not in favor of the behavior Viktor Orban and his FIDESZ have been presenting. One might believe that the EU would have adopted the Article 7 TEU in regards to this, but no. The EU's response to all of what has been happening in Hungary has been '*half-hearted and ineffectual*' (Kelemen & Blauburger 2017:318). As early as 2011 the Council of Europe's Venice Commission criticized the new constitution formed by Orban, and concerns were highlighted by many of the countries within the EU in regards to the preserves of democracy, the basic respect for the values of the EU, as well as the rule of law (Sedelmeier 2014:106; Dawson & Muir, 2019:1961f). The first real move towards an implementation of Article 7 TEU happened in 2018. It was in relation to the rule of law, and the argument that had been presented before this action could take place was that Viktor Orban was protected at EU level because of his previous position in the EPP-group (Theuns, 2022:694), which is the '*oldest and largest group in the European Parliament*' (EPPgroup, 2023). But, it was still only a move towards the use of Article 7 TEU, it was not really an implementation. Hungary has been showing clear signs of democratic backsliding, a phenomenon the EU strives to redress, but the tool constructed for managing persistent violations of the fundamental values, and therefore even democratic backsliding, still awaits to be brought to light (Sedelmeier 2014:106).

1.3.4 What happened with PiS?

Lastly, Poland and its *Law and Justice Party* (PiS) has been showcasing democratic backsliding since late 2015 and the constitutional crisis (Theuns 2014:694). The country's

illiberal government is therefore a potential candidate for the usage of Article 7 TEU. One reason for the unsettling development of PiS is that its origins lie in political parties that were part of the “*democratic opposition under communism*” (Bernhard 2021:586). The forerunner to the party stood against the current power structure and became part of the government until they eventually stepped down when the elections were lost (Bernhard 2021:586). Poland was long viewed as a successful post-communist democracy (Kelemen & Blaubeger, 2017:318), until late 2015 that is. In 2015, PiS won the election and gained the majority of the seats in Sejm as well as the Senate. Becoming the first party to do so in the history of post-communist Poland. Since then PiS has implemented a variety of mechanisms that work in favor for the ideologies of the party, as well as in favor for the party itself. The most prominent action that the government has put through is “*the weakening of the independence of the judiciary*” (Bernhard 2021:604). Alongside the diminishing of the judiciary, PiS also put forward a mission to weaken the state media in order for it to become colored by the ruling party and therefore work as a propaganda machine. Though, the PiS government has not achieved the same result and impact as the Fidesz government has in Hungary. One reason might be that PiS has been in a position of power much shorter than Fidesz. Another reason might be that the EU has been much more rapid when it comes to a reaction towards the Polish government. Alongside the EU’s more proactive side, the support from the public in Poland is much less prominent and PiS has been met with a lot more push back from the civilians. Furthermore, PiS does not have the same strong majority position in the constitution that Fidesz has (Bernhard 2021:604f.).

There was a clear reaction within the European Commission when PiS came to power. In January of 2016, after the government had begun their journey to weaken and limit both the media and the constitutional court, the Commission tried to take action against it. But there was no response, therefore an activation of a new framework came into play. A “*rule of law opinion*” (Sedelmeier, 2017:345f.) was issued. The framework was to work as an investigating mechanism when it came to legislative changes that go against the fundamental values of the EU. Even though the efforts from the framework are still quite uncertain, it was an innovation in the right direction (Kelemen & Blaubeger, 2017:318; Sedelmeier, 2017:346). However, it is important to look at Article 7 TEU in this case as well. As presented, there are a few obstacles when activating the article. The biggest hindrance is the “*extremely demanding majorities: unanimity (minus one)*” that is required in the European Council alongside a majority of two-thirds in the European Parliament (EP) (Sedelmeier, 2017:339).

2. Cosmopolitanism vs. Statism vs. Democracy: who is winning?

This following chapter will dive into three normative theories often studied in relation to the EU. These three theories are presented by Wiener et al. in their book *European Integration Theory* (2019) that focus on normative theory. They are: *Cosmopolitanism*, *Statism*, and *Democracy*. Studies on the normative perspective of European Integration have grown significantly because of the evolution of the EU (Bellamy & Lacey, 2019:216). Thus, there is a great complexity, mystery and interest from my part in regards to the theories. What can they tell us? Could they justify the sanctions in any way? Even though the theories are not able to tell us everything there is to say about normative theory in regards to European Integration and the EU, they are the three commanding perspectives as for now. Together they generate an understanding for the conception of the EU (Bellamy & Lacey, 2019:217). It is relevant to point out that these three theories, in their own ways, create an ideal type of a society, both on the national and global level.

2.1 The idea of cosmopolitanism

One of the dominant normative theories when studying the EU is *Cosmopolitanism*. The theory is described by Richard Bellamy and Joseph Lacey (2019) as “*a social contract between individuals globally*”. They present that other than being a social contract, cosmopolitanism bases its principles on a combination of elements. These elements represent that humans have “*an ultimate value*”; “*an equal moral value*”; and that this “*applies to all human beings*” (Bellamy & Lacey, 2019:217). Alongside these two scholars there is Ulrich Beck who is widely known for his studies on cosmopolitanism. He explains that the theory rests on three other basic principles: “*tolerance*”, “*democratic legitimacy*”, and “*effectiveness*”. Because of the old nature of the concept ‘cosmopolitanism’ (Beck & Grande, 2008:12), there are many interpretations and areas in which it is being studied. Ulrich Beck does for example present a lot of sociological work that is based on cosmopolitan theory. On that note, it is not an illogical thought that the principles explained by Bellamy and Lacey work cohesively with Beck's assumptions.

Cosmopolitanism is based on the words *cosmos*, which is Greek for ‘world’, and *polis*, meaning a ‘self-governing political entity’ (Holton, 2009:4). The word itself is described by Immanuel Kant as “*being a citizen of two worlds*” (Beck, 2002:18). The theory puts great emphasis on the importance of morals when discussing the social structure and fair cooperation within the state. It is believed inside the framework that the state should be viewed as a “*morally arbitrary construct*”, leading to the understanding that the common condemnation of social status or class, ethnicity, and gender as irrelevant features, is misplaced. One goal within cosmopolitanism is to manage political institutions in order to make them take each and every one of its citizens' equal concern and class into consideration when operating (Bellamy & Lacey, 2019:217ff.). By doing this there will be a single community created that focuses on both the individual and the global. Cosmopolitanism is thus a strong advocate for a global openness (Bellamy & Lacey, 2019:230). The theory problematizes the state and its national identity as factors hindering the goals of equality and respect (Bellamy & Lacey, 2019:218). Scholars such as Ulrich Beck (2006) further believe that one interpretation for why we have cosmopolitanism could be because it acts as a response to the increasingly globalized world order (Beck, 2006:14).

Looking at the social contract that cosmopolitan specifies, it has many aspects. On one hand it ties to the need for *effectiveness* (Beck & Grande, 2008:12). According to cosmopolitanism, the political community and the institutions within them are aiming to function efficiently. The goal is for them to create candid policies that work effectively. If not, the state simply does not work. In order to function properly the state needs to have administrative units that are based upon morals, equality, respect and consideration, as well as effectiveness. Thus, the common denominator is efficiency alongside the principles of cosmopolitanism (Bellamy & Lacey, 2019:218). On the other hand, looking at the social contract between individuals as a global phenomenon it is considered to have the moral upper hand in relation to the national one (Bellamy & Lacey 2019:221).

Furthermore, cosmopolitanism can be applied to the complexity of the EU as well. In regards to what has been presented about the relation between the theoretical framework and the concept of a functioning state, the same cardinal components apply to the EU. But in a somewhat different form. The EU is, within cosmopolitanism, considered “*an advanced example of cosmopolitan ideals*” (Bellamy & Lacey, 2019:219ff.) putting great emphasis on its pursuit for development and improvement towards a better Europe, and EU.

Cosmopolitans also view the EU as one of the foremost embodiments of their concept of the global social contract (Bellamy & Lacey, 2019:219).

2.2 Statism and the European Union, what is it really?

Statism is another take on normative theory in regards to European integration. Statism, in contrast to cosmopolitanism, is "*a social contract between states*" (Bellamy & Lacey, 2019:221). One of the characteristics of statism is that its scholars further develop the social contract at the global level. Thus, statist focus on national statesmen, instead of the individual, when it comes to essential decision making. However, it is relevant to acknowledge that the global social contract works as a complement to the national social contract between citizens, and not as a replacement. Furthermore, statism does not condemn factors such as social status or class, ethnicity, e.g. as irrelevant. But, great focus is additionally placed on the state for discussion of moral pertinence. It is not possible to overlook this factor. In addition, statist claim that if a political institution is to function correctly, it needs to form and work for those it is aimed towards. It is of great importance that a well-functioning political society creates a relationship between its citizens which makes them feel like a '*demos*', like a community. John Rawls explained the relationship as a "*cooperative venture of mutual advantage*" (Bellamy & Lacey, 2019:221), a statement that refers to the relationship which is, to some extent, a product of shared interests. What must not be overlooked, however, is that common thoughts and ideas about how the collective should be organized are at least as important as shared interests. Statism argues that without shared ideas regarding structure and organization, the possibility of e.g., resolving conflicts peacefully becomes more difficult (Bellamy & Lacey, 2019:221).

Cosmopolitans and statist, as we have seen, do not agree with each other in all aspects. Statism is sometimes talked about as the main alternative theory to cosmopolitanism (Bellamy & Lacey, 2019:221). Another area where the two normative theories differ is the handling of the injustice of the world. Cosmopolitanism argues on one hand, that it is through international bodies such as common laws and political commitments that the problems will be dealt with. Whereas statism, on the other hand, believes the opposite. Rather, it is with the help of structured and organized cooperation between well-functioning nations, that the injustice of the world can be combated. Democracy and laws don't just appear, but they

develop through people with advanced knowledge in said field. A question that is thus raised within statism is to what degree the increased globalization will erode the national state (Bellamy & Lacey, 2019:222). Which leads to the discussion about statism and the EU.

The EU is, from a statist perspective, seen as an organization whose main purpose is to promote and preserve "*state autonomy rather than diminishing it*" (Bellamy & Lacey, 2019:224). Previous researchers within this theoretical framework have spoken of the EU as a reaction against globalization. Mainly in regards to the negative external penalties that arise as a reaction to the need for protection against the large unregulated gray area, in which markets operate. Furthermore, statism believes that the thing that has fostered European integration has been the consistent negotiations between the nations leaders. The reason for this is simply because they prioritize the needs of their own nation, as well as their relationship with the outside world. Statism criticizes the EU and expresses some concern that the Union is taking more and more power from the member states. According to statism the EU, among other things, is strengthening supranational institutions. Statists primarily see the EU as an intergovernmental organization. In accordance with the theory, it is of the utmost importance that countries who are part of the EU are not deprived of their right of veto when it comes to decisions relating to further powers for the EU. This is because it would create even less national identity in the member states in relation to the EU. Consequently, there are ways for a member state to regain full sovereignty, to step out of the Union. However, despite the fact that statism questions much of what, among other things, cosmopolitanism advocates with the EU, the theoretical framework recognizes the implementation of cosmopolitan human rights in the EU. It is seen as a fundamental obligation between states (Bellamy & Lacey, 2019:224).

2.3 Demoicracy as a tool for understanding

The third normative theory that will be acknowledged is 'Demoicracy'. One of the most prominent political scientists in the field of demoicracy is Kalypso Nicolaïdis. She presents the idea that demoicracy is a third way to see European Integration and that the theory is a product of the evolution of the EU (Nicolaïdis, 2012:352). Richard Bellamy and Joseph Lacey explain it as, with the help of Nicolaïdis, a concept of European integration and normative theory that showcases a democratic system consisting of a multitude of

democracies that despite their differences come together. They voluntarily unite and create a system for governing themselves in cohesion with each other, and at the same time they respect and preserve their personal political units and identities (Bellamy & Lacey, 2019:225). In relation to the two previous stated normative theories, demoicracy could be seen as “*a social contract among both states and citizens*” (Bellamy & Lacey 2019:217). As stated by Nicolaïdis, demoicracy is often referred to as a third way of describing European integration. The reason for this is because of its complementary view in regards to the tendencies of both the supranationalist cosmopolitanism, and the intergovernmentalism perspective of statism. Furthermore, demoicracy is characterized by taking both the states, as well as all of their citizens into consideration when examining (Bellamy & Lacey, 2019:225).

Furthermore, demoicracy relates closely to the EU. Firstly, according to demoicracy, it is not possible to possess a single demos within the EU. The form of legitimacy that can arise within the democratic member states cannot be recreated at the EU level. Thus, demoicracy agrees with statism in that respect (Bellamy & Lacey, 2019:229). Moreover, the demoicracy ideology believes that the EU must promote an openness which does not only focus on the relationship between the people of the Union, but also directs attention to the acceptance of the countries' differences. All member states must be respected regardless of politics, history and structure, e.g. As long as they follow EU guidelines, that is (Nicolaïdis, 2013:248). Demoicratics argue that the national demoi will remain stronger than the European demos. Despite the dream of a European demos growing into something big, it is not very likely to happen. The reason is that the European demos is a product whose origin lies in the national demos, rather than the global. In line with this, an argument that is also presented within demoicracy, is that there is a need for European citizens not to rely themselves into European institutions. It must be possible for people within the EU to communicate across state borders. Finally, demoicracy ties into both liberal intergovernmentalism and neofunctionalism when looking to the EU. In relation to the former, it is the integration process that is the common denominator. Demoicracy places the control of this process in the hands of the member states, which ties the principles of liberal intergovernmentalism and its view of the understanding of the EU. Furthermore, it is the idea of the 'spill-over' effect as a result of integration that connects neofunctionalism and demoicracy (Bellamy & Lacey, 2019:229).

3. Research method

The research method that will be used in this thesis is the normative given-that analysis alongside a qualitative meta-analysis. The following section will present the methods as well as explain why they are the most suitable for the thesis. The normative analysis in its true sense has a main focal point on values and specific perceptions of these (Badersten, 2006:47). Furthermore, there will be a discussion about the choice of material as well as a definition of the fundamental values of the European Union.

3.1 Normative Analysis

Normative analysis in its true form is an analysis method which argues for a specific perception of should questions, where the answer rests on concrete and well-motivated value bases (Badersten, 2006:47). To gain understanding of the use of normative analysis, a classic example is consequently *A Theory of Justice* published in 1971 by John Rawls. Rawls presents an analysis regarding justice, where the concept is carefully specified and, based on his values, generates thoughts about how society should be structured. He presents the idea that those who are worst off in society, through a redistribution of resources, should get as good as realistically possible (Rawls, 1971; Badersten, 2006:47). There are plenty of examples of additional scholars based on normative analysis in the true sense, but they all derive from the same character traits. These are consequently that the method of analysis is based on a precise normative position that must support, argue for, and justify the answer to the addressed question (Badersten, 2006:48). But, even though the focus is sticking to a chosen normative position, it does not mean that discussion about other angles is omitted. It is common to argue about, as well as problematize, adequate objections to the normative position. Through such a discussion, it is easier to answer the problem in question (Badersten, 2006:9). The argumentation that arises in the analysis helps prevent notions that are generally taken to inform current discussions around fundamental normative claims (Beckman & Mörstam, 2010:367).

3.1.1 Normative given that-analysis

In the context of the research question posed in the beginning of the thesis, a so-called normative given that analysis is the most suitable approach. The normative given-that analysis is characterized by maintaining a neutrality in its stances rather than making value-specific assumptions. The purpose is to arrive at solid conclusions through systematic comparisons between various answers to should questions (Badersten, 2006:44). A general problem with studying purely theoretical questions is that you risk ending up in a situation where the conclusions have become angled (SBU, 2023). One way to circumvent this problem is with the help of given-that analysis, where a collection of values and normative assumptions highlights the fact that different approaches generate different answers. Thus, depending on which value-specific stance the normative analysis has, the result is colored by this. This comparative nature of the analysis method gives it comparative features (Badersten, 2006:44).

On the other hand, it is not necessarily the case that what is considered given strictly refers to the values and principles that the analysis had as cornerstones (Badersten, 2006:45). Based on accepted normative theories about European integration, such as: *Cosmopolitanism*, *Statism* and *Democracy* and their description of what is the right approach in relation to the dilemma of the research question, I could approach an answer. By pitting the normative logics of the theories against each other (Badersten, 2006:45), an interesting discussion should be able to emerge. A discussion that will hopefully be nuanced and take several angles into account. Because of the normative given-that analysis's fundamental connection to substantive issues, the analysis moves from being abstract to anchoring itself in concrete values (Badersten, 2006:46).

3.2 Meta-analysis

Furthermore, a research of this kind solely relies on previous research and publications. One of the ways to use existing data is by doing a meta-analysis. This type of analysis is characterized by the systematic summarisation and comparison of the result derived from a large number of studies. The meta-analysis is often used in a more quantitative research approach (Bryman et al., 2021:303), but it is legitimate for qualitative research, such as this thesis, as well. Qualitative research focuses on words and texts e.g. when conducting an analysis of data. There is great emphasis put on the strive for deep insights of the subject that

is studied (Bryman et al., 2021:350). Given the ideas of rigorous comparison of the material the meta-analysis helps to reduce the risk of failing to acknowledge different opinions and views. Furthermore, the analysis-method is often discussed as being a middle-ground of the classical literature review, a method that reviews existing research to establish what is known in order to showcase i.e. background of the topic, and a secondary analysis (Bryman et al., 2021:84, 303). The secondary analysis strives to analyse data that normally is collected by other scholars, and look at it from a different perspective than the scholars originally intended (Bryman et al., 2021:294).

However, the meta-analysis separates itself from the secondary analysis in the sense that it does not focus its work on the raw data that previous researches have put forward. Meta-analysts intend to use the information presented and study their area of interest within the material. The material mainly consists of previously published research papers and articles which have been circulating (Bryman, 2021:304). In relation to the thesis, the meta-analysis works mainly as an complementary analysis method to the normative given-that analysis. Because of the large number of scientific papers, books and publications that the thesis rests upon, a meta-analysis is a good tool to help maneuver the material and furthermore generate an analysis as well as a conclusion.

3.3 Material

The thesis consists of a great amount of material. This material is carefully selected from different sources, almost exclusively derived from secondary sources which have been 'peer-reviewed'. When a publication has been 'peer-reviewed' it means that other scholars or experts in the field of study have examined the publication. Leaning on material that has been reviewed generates a greater credibility of the thesis. As presented, the material does not consist of primary sources. It is solely secondary sources meaning that they do not consist of first hand experiences (Esaiasson et al, 2012:283). These types of sources are compatible with the research methods because they are intended to analyze existing material, and through that material generate answers.

Furthermore the thesis strives for both great validity and reliability. Having good validity in a research paper means that the author measures what is meant to be measured (Bryman et al.,

2021:155). The thesis aims to present consequent and nuanced arguments that all derive from the research question. The goal is to keep transparency throughout the entire thesis. Furthermore, because of the nature of the material there is great emphasis put on a homogenous display of reality and therefore a large selection of material. Moreover, a study with good reliability emphasizes the importance of consistency and the possibility of recreation (Bryman 2021:154f). One common critique in regards to qualitative research and reliability is that the content often becomes colored by the ideas of the author (Bryman, 2018:484ff.). To move around this possible outcome the thesis strives to keep a neutral position in all aspects until the analysis. In the analysis I will present some of my own interpretations of the material, but until then there is great effort put into the consistency of both transparency as well as neutrality.

3.4 The values of the EU

In regards to Article 2 TEU the values that the research will base its analysis on is the following: *democracy, the rule of law, and the respect for human rights*. The definitions of these could be considered quite abstract and there is therefore a need to understand what the EU means with its principles. The definitions of the values, as presented by the EU, will lay the foundation for the normative interpretation of the values that the analysis later will build on. Since the normative given-that analysis focuses on neutrality in its positions, I regard the EU's definition as a good interpretation.

The EU has for many years been a keen preserver of democracy. But, what is it that the Union intends to preserve, promote and expand? Democracy according to the EU is not necessarily one single thing. As shown in Article 2 TEU, democracy is one of the core values of the Union. ‘*Democracy*’ in its simple form means the rule of people (NE.se, 2023). According to the European Commission democracy is regarded as important in many aspects, hence the continuous work to nurture it. For one, the EU strives for democratic governance in the sense that the goal is for the member states to successfully achieve in the four following aspects; “*participation, inclusion, transparency and accountability*” (European Commission, 2023). Meaning that the inclusion of citizens in all partner countries is non-negotiable. Secondly, there are other fundamentals for good democratic governance. It is of utmost

importance that countries value the '*freedom of speech*', '*-of opinion*', and the '*right to information*' (European Commission, 2023).

Human rights are a central part of the EU. The EU strives to protect the human rights within the Union itself, but also in a global context. The policies that the Union wants to entertain consists of a variety of basic rights. To name a few, it is aiming to strengthen and promote "*the rights of women, children, minorities and displaced persons*", "*opposing the death penalty, torture, human trafficking and discrimination*" as well as "*defending civil, political, economic, social and cultural rights*" (European Union, 2023). Lastly, the Rule of law is considered very significant for the EU. The ambition with the Rule of law is consequently to preserve and foster the essential values, rights and principles that the EU stands for. An implementation of the EU laws in the member states is required, and just as Human Rights and Democracy, the Rule of law is part of Article 2 TEU. Meaning, it is one of the fundamental values on which the EU is based (European Commission, 2023).

4. Are sanctions actually justifiable?

Over the years there have been numerous studies, articles and journals published by scholars discussing the function of the EU, Article 7 TEU and sanctions. As presented in the opening chapter of the thesis, countries such as Austria, Hungary and Poland all have fallen victim to sanctions in different forms. But the outcome of these are drastically different. Why? And, is it really justifiable to use sanctions as a method to preserve the fundamental values of the EU? The answer to the latter might seem simple, looking at it from a strictly logical perspective. Of course it is justifiable. If there is a consistent and serious breach of Article 2 TEU, there shall be sanctions according to Article 7 TEU. However, the answer is not always that simple. I intend to analyze and discuss these very questions in the following section. To reach a conclusion, I will use the ideologies of the normative theories *Cosmopolitanism*, *Statism* and *Democracy*, alongside previous research, and carefully discuss how they might or might not align with the justification of the use of sanctions. The analysis will be divided into two parts. The first which will look at the normative theories and how, or if, they justify sanctions. The second part will discuss the justifications of sanctions in the situations with the previously mentioned countries and consequently the use of Article 7 TEU.

4.1 Part I

According to what was presented by both Bellamy & Lacey (2019) and Ulrich Beck cosmopolitanism considers the EU to be a profound embodiment of the global social contract (Bellamy & Lacey, 2019:219ff.). With the strong belief that the fundamentals lie within the social contract between individuals globally and that the major factor hindering the final goal of equality and respect is the national identity and state (Bellamy & Lacey, 2019:218), the discussion of sanctions arises. One might argue that the fundamental value of *Human Rights* are connected to the ideas of cosmopolitanism. The reason for this statement is partly because the EU's standpoint on human rights are closely related to respect and equality in the sense that they aim to defend and strengthen the rights of all people, as well as civil and political rights (European Union, 2023). Therefore, a violation of the fundamental values, especially in regards to human rights, could be considered as a failure of the ideal-world constructed by cosmopolitanism. Which in turn could construct an argument that sanctions are a legitimate

and needed action in order to restore what has been diminished. Alongside the importance of equality, respect and high morals there is another factor contributing to the idea of sanctions as a legitimate mechanism. Cosmopolitanism explains the importance of political institutions that take all of its citizens into consideration when operating (Bellamy & Lacey, 2019:217ff.) meaning that the needs and concerns of every individual are important. When a state starts to overlook this and consequently goes against Article 2 TEU, actions are needed. At the time of writing the thesis, sanctions in various forms are the foremost actions that the EU has taken when preserving the values of the Union. So, since sanctions are the current way to combat the violations, then I would argue that, according to cosmopolitan beliefs and values, they are justified. The reason behind a functioning state is thus a global openness in which all individuals are equally treated. When looking at the EU, one might argue that the same could be said. If the member states do not respect the values of both the Union and, in regards to the cosmopolitan ideology, the values of cosmopolitanism it might not be possible to have a functioning European Union.

In alignment with some of the comments made in regards to cosmopolitanism, is democracy. According to democratic beliefs, states come together in an unity that in turn creates a system of governance where every state governs themselves. But, they do it in cohesion with each other (Bellamy & Lacey, 2019:225). The same strive for openness as were presented with cosmopolitanism is found within democracy. There is great importance of the respect of equality and rights, as well as of every member state regardless of politics, history, and so on. As long as they follow the guidelines of the EU (Nicolaïdis, 2013:248). In other words, as long as they do not contradict the fundamental values of the EU. This is where it gets interesting. Looking at the ideology of democracy, sanctions might be regarded as a reasonable action when countries violate the principles they once accepted and applied to with the Copenhagen Criteria. The unanimity created by the countries within the EU is only working as long as the principles are respected. There is no room for violations. What would happen if nothing is done when breaches appear? Democracy ties to neofunctionalism in regards to the idea of the “spill-over” effect (Bellamy & Lacey, 2019:229). Thus, if there is a development of consistent violations amongst countries, the ideas of this very action might spill-over to the other member states. Generating a spiral that could result in the downfall of the EU. This is a very drastic and extreme observation, but I believe it to underline why I argue that democracy would justify sanctions. Just as cosmopolitanism, the democracy society is an ideal picture and not the reality. But, nevertheless it allows for understanding.

There is great importance of the allowance for each member state to preserve and care for its own principles and identities. But only as long as these do not violate the guidelines of the EU. We have seen that the guidelines are, to name one, Article 2 TEU. Therefore, arguments could be made that sanctions are, in this ideological aspect, justifiable.

In regards to statism, there might be a different take on whether or how sanctions should be considered justifiable. The basics of statism is that the social contract that normative theory often talks about, is regarded as a social contract between states. Statism does not condemn the idea of social status, human rights and equality as irrelevant, but it incorporates the state as an additional factor (Bellamy & Lacey, 2019:221). The individual is no longer the main focal point, as it is in cosmopolitanism. However, it is important that the political society creates a feeling of a close relationship between its citizens (Bellamy & Lacey, 2019:221), between its individuals. On that note, is it possible to have a feeling of closeness between civilians if there is neglect of the fundamental values of the EU? In the ideas presented by statisticians one might think that 'it depends'. What I mean by this is that on one hand it is hard to have a good relationship between people if only some of them are respected and/or protected. I believe it to be almost impossible in fact. And when becoming a member of the EU the state promises to adhere to the accession criteria that are presented. That leaves the fundamental principles to be part of the state's values as well. On the other hand, statism believes the state to be the most important aspect of consideration. The national identity is therefore of utmost importance (Bellamy & Lacey, 2019:221ff.). Therefore a breach of the EU values might be believed to be in favor of the state identity. However, I do believe the latter statement to be contradictory. The values of Article 2 TEU are not extreme in any shape or form. They state the importance of democracy, respect and equality. Something statism believes in as well. Hence the following statement: according to statism, sanctions are in fact justifiable.

One thing worth mentioning is that statism believes the EU to be an organization that strives to preserve the autonomy of the state, much rather than reduce it (Bellamy & Lacey, 2019:224). Following this belief there are concerns that more and more power is taken from the member states, and moved to the supranational institutions. Resulting in the implication that the right to veto when voting is crucial and can not be compromised. Statists think that removing the possibility for veto would create a lower national identity in regards to the EU. But, regardless of statism somewhat different benchmarks, the theory does see respect of human rights as a fundamental obligation between states. There is no room for mistreatment

of it (Bellamy & Lacey, 2019:224). Which, once again results in the assumption that sanctions could be viewed as justifiable.

4.2 Part II

Moving on to the real life events of Austria, Hungary and Poland there is a lot of room for discussion. When analyzing theories it is much easier to come to conclusions or take different standpoints since they are based on hypothetical scenarios. The theories therefore mostly present ideal responses to situations that might happen. In regards to that and the reality of the situation within the EU, could the system of sanctions be justified? Looking at the Haider affair in Austria during the 2000's, sanctions were implemented. The main argument that is presented in regards to the justification of these sanctions is that it is not possible for an extreme right-wing party, such as Haider's FPÖ, to respect the fundamental values of the EU (Merlingen, Mudde, & Sedelmeier, 2001:60ff.). I am willing to agree. In my opinion, a political party characterized by conservatism and nationalism is not a party fighting for all human rights or a fair rule of law system. They strive for an open and equal space for the European citizens could indeed have been seen as threatened by the FPÖ. On the other hand, the argument made by the counterpart is still relevant. There is a belief that the action of sanctions should be viewed as a selfish and greedy act by politicians in the 14 member states appalled by FPÖ (Merlingen, Mudde, & Sedelmeier, 2001:60ff.). Even though there inevitably are many angles to the situation in Austria, I continuously fall back into the perception that sanctions were valid. The case of Austria is not a case of Article 7 TEU or even an action done by the EU as an organ. It is the actions of member states. As presented, the sanctions were not very effective, and did in fact generate more Euroscepticism amongst the civilians. But, I believe the bilateral sanctions represent something more than just defense mechanisms. I see them as a portrayal of the strong fundamental values the EU rests upon. The collectiveness and unanimity among the member states show just how important and respected the values of Article 2 TEU is. Individuality and the state's persona should be respected as long as the state in turn respects the fundamentals of the EU.

In the cases of Hungary and Poland the events unfolded differently. For one, there was an existing system for sanctions (Article 7 TEU) at the time being, as well as a, supposedly, zero tolerance for serious breaches of Article 2 TEU. But, despite this no sanctions have been

implemented. Is it because it can not be justified? Both Poland and Hungary systematically changed the rule of law and tried to deconstruct the media. They both put forward strong illiberal governments and showed clear signs of democratic backsliding. Three of the fundamental values of Article 2 TEU could be seen as violated. In the strictly logical sense, then there should be sanctions. However, that has not been the case. Article 7 TEU is not complicated to justify in itself, that is not where the problem lies. The problem is the “*extremely demanding majorities*” (Sedelmeier, 2017:339) that is needed in order to take it into action. One might argue that the hardship to imply Article 7 TEU puts it in conflict with itself. How come such an important clause is not able to be used? There have been votings and small steps taken towards an implementation of Article 7 TEU, but still no real results. It may be argued that Article 7 TEU is the only justification needed for sanctions. Disrespect towards values should be reacted upon. However it does not seem to be enough. Viktor Orban’s statement in regards to sanctions against Poland, in which he confidently stood his ground on the fact that Hungary never would “*support any sanctions against Poland*” (Sedelmeier, 2017:340) highlights this. The justification amongst the European Union member states might exist, but the possibility of realizing sanctions is far from there. In regards to the developments in Poland this fall, it is interesting to see how the future will unfold. Could there be a new opportunity for sanctions against Hungary? What will happen now? With PiS no longer in power, Orban’s former sympathizer is out of the game. Leaving Orban somewhat alone in the arena of the EU. Opening up for a whole new era of the European Union.

5. Conclusion

In relation to what I have learned from the analysis the answer to whether sanctions should be justified is, yes. In this thesis I have explored the possibility of justifying sanctions against countries that systematically and seriously violate the fundamental values that the EU puts forward. Through careful and detailed preparatory work, I have, with the use of a normative given-that analysis, alongside the meta-analysis, been able to create a nuanced picture of how the situation regarding sanctions has developed. The normative given-that analysis has a comparative character, which suited the purpose of the thesis as the goal was to generate a discussion about sanctions through existing theories and value assumptions. I believe to have demonstrated that sanctions should be seen as justified action, as long as they are used as a mechanism to preserve the clear foundation on which the EU rests. Cosmopolitanism, statism and democracy all showcase reasons for sanctions and express clear ideas regarding structure for a well functioning EU. It has been shown that the importance of openness, morality, respect and equal value are cornerstones when it comes to functioning European integration. I assume these ideological positions are in symbiosis with all three of the fundamental values focused on.

However, if I had the chance to redo this thesis I would prefer at least double the amount of words. Scholars, and myself, have much to say about this topic. I have a great understanding of the limitations of the thesis, but with that being said, I do believe there is a lot of information that unfortunately did not make the cut. There are endless things to say about the three ideal types of normative theory, the use of Article 7 TEU as well as the fundamental values of the EU. Nevertheless, within the scope of the thesis the final answer to the research question is. Yes. Sanctions are justifiable.

6. References

6.1 Books

Badersten, B. 2006. *Normativ metod, Att studera det önskvärda*. First edition. Lund: Studentlitteratur AB.

Beck, U. 2006. *Cosmopolitan vision*. Cambridge: Polity Press.

Beck, U., and Grande, F. 2008. *Cosmopolitan Europe*. Cambridge: Polity Press.

Bellamy, R., and Lacey, J. 2019. Normative Political Theory and the European Union. In: Wiener, A., Börzel, T.A., and Risse, T. 2019. *European Integration Theory*. Third edition. Oxford: Oxford University Press. Chapter 11.

Bryman, A. 2018. *Om samhällsvetenskapliga metoder*. Third edition. Stockholm: Liber AB.

Bryman, A., Sloan, L., Foster, L., and Clark, T. 2021. *Bryman's Social Research Methods*. Sixth edition. Oxford: Oxford University Press

Cini, M., and Bourne, A.K. 2006. *Palgrave Advances in European Union Studies*. London: Palgrave MacMillan.

Esaiasson, P., Gilljam, M., Oscarsson, H., Towns, A., Wängnerud, L. 2012. *Metodpraktikan: Konsten att studera samhälle, individ och marknad*. 5:2. uppl. Stockholm: Wolters Kluwer

Hix, S., and Høyland, B. 2022. *The Political System of The European Union*. 4th edition. London; New York: Bloomsbury Academic.

Holton, R.J. 2009. *Cosmopolitanisms - New thinking and new directions*. New York: Palgrave Macmillan, pp.4

Rawls, J. 1971. *A Theory of Justice: Original Edition*. Harvard University Press. <https://doi.org/10.2307/j.ctvjf9z6v>

6.2 Articles

Beck, U. 2002. The Cosmopolitan Society and Its Enemies. *Theory, Culture & Society*, 19(1-2), 17-44. <https://doi.org/10.1177/026327640201900101>

Beckman, L & Mörkenstam, U. 2010. "Vad kan politiska teoretiker som någon har det minsta nytta av? Om normativ politisk teori och politisk praktik." Lund: Statsvetenskaplig tidskrift, Vol. 112, nr 5, s. 363-374.

Bernhard, M. 2021. "Democratic Backsliding in Poland and Hungary," *Slavic Review*. Cambridge University Press, 80(3), pp. 585–607. doi: 10.1017/slr.2021.145.

Costa, O., Schwarzer, D., Beres, P., Gressani, G., Marti, G., Mayer, F., Nguyen, T., von Ondarza, N., Russack, S., Tekin, F., Vallée, S, & Verger, C. 2023. Sailing on High Seas: Reforming and Enlarging the EU for the 21st Century. Available at: <https://www.delorscentre.eu/en/publications/detail/publication/sailing-on-high-seas-reforming-and-enlarging-the-eu-for-the-21st-century>

Dawson, M. and Muir, E. 2013. "Hungary and the Indirect Protection of EU Fundamental Rights and the Rule of Law," *German Law Journal*. Cambridge University Press, 14(10), pp. 1959–1979. doi: 10.1017/S2071832200002595.

Dudley, D. (2020) 'European Union membership conditionality: the Copenhagen criteria and the quality of democracy', *Journal of Southeast European & Black Sea Studies*, 20(4), pp. 525–545. doi:10.1080/14683857.2020.1805889.

Kelemen, D & Blauburger, M. 2017. *Introducing the debate: European Union safeguards against member states' democratic backsliding*, *Journal of European Public Policy*, 24:3, 317-320, DOI: 10.1080/13501763.2016.1229356

Manners, I. 2023. The External Dimensions of the European Union's Autocracy Crisis. *The Rule of Law in the EU*. pp. 49-53.

Mechkova, V., Lührmann, A., and Lindberg, S. 2017. How much democratic backsliding? *Journal of Democracy*, 28(4), 162-169.

Merlingen, M., Mudde, C. and Sedelmeier, U. 2001. 'The Right and the Righteous? European Norms, Domestic Politics and the Sanctions Against Austria', *Journal of Common Market Studies*, 39(1), p. 59. doi:10.1111/1468-5965.00276.

Meyerrose, A.M. 2023. 'Building strong executives and weak institutions: How European integration contributes to democratic backsliding'. *Rev Int Organ* (2023). <https://doi.org/10.1007/s11558-023-09507-2>

Nicolaïdis, K. 2012. European democracy and its crisis. *J Common Mark Stud*, 51: 351-369. <https://doi.org/10.1111/jcms.12006>

Nicolaïdis, K. 2013. '10 The Idea of European Democracy', *Philosophical Foundations of European Union Law, Philosophical Foundations of Law* (Oxford, 2012;

online edn, Oxford Academic, 24 Jan. 2013),
<https://doi.org/10.1093/acprof:oso/9780199588770.003.0010>

Priebus, S. 2022. Watering down the ‘nuclear option’? The Council and the Article 7 dilemma. *Journal of European Integration*, 44:7, pp. 995-1010, DOI: 10.1080/07036337.2022.2052055

Sedelmeier, U. 2014. Anchoring Democracy from Above? The European Union and Democratic Backsliding in Hungary and Romania after Accession, *Journal of Common Market Studies*. 25(1), pp. 105-121.

Sedelmeier, U. 2017. ‘Political safeguards against democratic backsliding in the EU: the limits of material sanctions and the scope of social pressure’, *Journal of European Public Policy*, 24(3), pp. 337-351–351. doi:10.1080/13501763.2016.1229358.

Theuns, T. 2022. ‘The Need for an EU Expulsion Mechanism: Democratic Backsliding and the Failure of Article 7’, *Res Publica*, 28(4), pp. 693–714. Available at: https://search.ebscohost.com/login.aspx?direct=true&AuthType=ip.uid&db=edshol&AN=eds_hol.hein.journals.respub28.48&site=eds-live&scope=site [Accessed: 22 December 2023].

6.3 Websites

EUR-Lex: Access to European Law, 2012. *Consolidated version of the Treaty on European Union. Title I Common Provisions: Article 2 C 326/1*. Official Journal of the European Union. [Website] Available at: <https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX:12012M002> [Accessed 08/11/2023]

EUR-Lex: Access to European Law, 2016. *Article 49 (ex Article 49 TEU) C 202/43*. Official Journal of the European Union. [Website] Available at: <https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=celex:12016M049> [Accessed 01/12/2023]

EUR-Lex: Access to European Law, 2016. *Article 6 TEU C 202/19*. Official Journal of The European Union [Website] Available at: EUR-lex <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A12016M006> [Accessed 21/12/2023]

EUR-Lex: Access to European Law, 2021. *Accession criteria (Copenhagen criteria)* [Website] Available at:

https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=LEGISSUM:accession_criteria_copenhague [Accessed 17/11/2023]

EUR-Lex: Access to European Law, 2023. *Suspension clause (Article 7 of the Treaty on European Union)*. [Website] (updated 27/03/2023) Available at: https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=LEGISSUM:suspension_clause [Accessed 07/11/2023]

European Commission, 2023. *European Neighbourhood Policy and Enlargement Negotiations (DG NEAR)*. [Website] Available at: https://neighbourhood-enlargement.ec.europa.eu/enlargement-policy/6-27-members_en [Accessed 14/11/2023]

European Commission. 2023. Democracy. *International Partnerships* [Website] Available at: https://international-partnerships.ec.europa.eu/policies/peace-and-governance/democracy_en#democratic-governance [Accessed 6/12/2023]

European Commission. 2023. *The Rule of Law Mechanism*. https://commission.europa.eu/strategy-and-policy/policies/justice-and-fundamental-rights/upholding-rule-law/rule-law/rule-law-mechanism_en [Accessed 20/12/2023]

European Union, 2023. *Joining the EU*. [Website] Available at: https://european-union.europa.eu/principles-countries-history/joining-eu_en [Accessed 08/11/2023]

Human rights and Democracy. [Website] Available at: https://european-union.europa.eu/priorities-and-actions/actions-topic/human-rights-and-democracy_en [Accessed 20/12/2023]

Nationalencyklopedin, demokrati. [Website] Available at: <http://www.ne.se/uppslagsverk/encyklopedi/enkel/demokrati> [Accessed 22/12/2023]

Reuters. *In sea change for Poland, new government is sworn in* [Newspaper] Available at: <https://www.reuters.com/world/europe/sea-change-poland-donald-tusk-sworn-pm-2023-12-13/> [Accessed 29/12/2023]

SBU.se, Statens beredning för medicinsk och social utvärdering. *Visar forskning en vinklad bild?* [Website] Available at: <https://www.sbu.se/sv/publikationer/nya-vetenskap-och-praxis/visar-forskningen-en-vinklad-bild/> [Accessed 14/11/2023]

Sveriges Riksdag, 2023. *EU:s historia*. [Website] Available at:

<https://www.riksdagen.se/sv/sa-fungerar-riksdagen/sa-fungerar-eu/medlem-i-eu/eus-historia/>

[Accessed 14/11/2023]