

SPEECH ACT THEORY AND THE EUROPEAN INTEGRATION: The Case of the Eastern Enlargement

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Abstract

This paper aims to analyse and demonstrate the possibilities of applying speech act theory in the framework of European integration studies by examining the case of the Eastern European enlargement. We start with the brief overview of the speech act theory as being delineated by J. L. Austin and John R. Searle. Then we examine the interdisciplinary "spill-over" into the International relations studies, particularly Security studies. Finally, drawing on the recent rationalist-constructivist discussion around Eastern enlargement we try to show how Austinian legacy, which "limits" itself on the very "surface" of the available public/official speech and its effects, can help us grasp the historically specific moment of the accession of post-communist regimes that have challenged the foundations of the EU integration process.

Key words: Speech act theory, European integration studies, Eastern enlargement, Rationalism, Constructivism

Introduction

This paper aims to demonstrate the possibilities of applying speech act theory in the framework of European integration studies. The problems

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that we shall address are primarily methodological (and from a certain perspective also epistemological) and we are interested in analysing its scope by examining the case of the Eastern European enlargement. However, we are not claiming that speech act theory can itself lay the foundations for some "grand theory" of the European integration, yet it is able to supplement and fill the gaps of rationalist and constructivist institutionalism. Generally, it can be positioned somewhere between constructivism and poststructuralism (or discursive approach)¹, or at least elements of both approaches are converging into the idea that the object of research should be language, or discourse, and subsequently that institutional "reality" is constituted by and through certain linguistic/discursive tendencies. As Diez is claiming, "speech act theorists are concerned with politics *through*, not politics *of* discourse", but, on the other hand from a more "hybrid" perspective, Sedelmeier (2005) is demonstrating that discursive (or rhetorical) elements can always be used strategically and instrumentalised by self-interest pursuing actors. Although speech act theory comes in collision with, for example, the position of Andrew Moravcsik and his liberal inter-governmentalism constituted around categories of rational choice, bargaining process and self-interest preferences in determining the policy outcomes (see Moravcsik, 1998 and Moravcsik and Vachudova, 2005), it is still possible to cut across both rational and constructivist perspective. It is not just the question of what is said, but also who does the speaking, or who is "allowed" to speak, and what the conventional procedures of a successful speech act are.

The case of the Eastern enlargement is particularly useful in order to address the question of applicability of speech act theory. There are several reasons for this – the historical moment when the enlargement to East became more than just an abstract idea of some future pan-European community (*an ever closer union among the peoples of Europe*), was the moment of "paradigm shift"² in the context of international politics. With the dissolution of bipolar organizing principle of international politics – which was in many ways a pre-conceptual horizon for its actors – the sudden geopolitical or power vacuum emerged from the loss of the Western Other (see Fierke and Wiener, 2005; O'Brennan,

1 According to Wæver, turning from a constructivist "ideational problem" to a comprehension of "contingent self-producing meaning systems" – as well as focusing on performative aspect of meaning-creation – results in a shift towards more poststructuralist perspective (Wæver, 2002: 22).

2 We are referring here to Thomas Kuhn's concept of "paradigm shift" (see Kuhn, 1996).

2006; Neumann, 1998). The Cold war "intertextuality" built upon clearly distinguished oppositions and dichotomies was displaced by disseminated narratives in which former identity relations could no longer offer a plausible conceptualization. Such historical "opportunity" created the space of uncertainty and discontinuity which confronted EC governments and institutions (as well as other institutional and non-European actors,) with the challenge of accession of those countries (Czech Republic, Hungary, Slovak Republic, Slovenia, and Poland, including two from Balkans, Bulgaria and Romania, three from Baltic: Estonia, Latvia and Lithuania, and Croatia as the last European enlargement) that were considered, from the perspective of the EU and Western countries, to be relatively "lagging behind" due to their post-communist legacies.³

The structure of the paper will be divided in three parts. A. We will give a brief overview of the speech act theory as being delineated by J. L. Austin and John Searle. B: Then we shall examine the interdisciplinary "spill-over" into the International relations studies, particularly Security studies. C. Finally, drawing on the recent rationalist-constructivist discussion around Eastern enlargement our aim will be to examine the methodological "value" concerning the "structurally undetermined" circumstances that have emerged in the early post-Cold war period.

When saying something is doing something

Generally speaking, speech act theory is positioned at the intersection of social constructivism and discursive/poststructuralist approach, as previously mentioned (see Wæver, 2009), and we can trace its philosophical roots back to the linguistic turn in the continental philosophy of the 20th century.⁴ Rorty summarizes the notion of a linguistic turn as "the view that philosophical problems are problems which may be solved (or dissolved) either by reforming language, or by understanding more about the language we presently use" (Rorty, 1967: 3). On the other hand, Ayer argues that "philosopher, as an analyst, is not directly concerned with the physical properties of things. He is concerned only

3 Of course, such perspective of the West towards East was largely constructed due to a Cold war ideological narratives, but we shall not discuss its (in)validity here.

4 Or, if we are rigorously interested in the philosophical treatment of the language, then we can follow it all the way back to Plato and his *Cratylus* dialogue which opened some of the most profound questions about the language as such.

with the way in which we speak about them. In other words, the propositions of philosophy are not factual, but linguistic in character..." (Ayer, 1952: 61-2). That is to say, language as such is seen as the necessary and unavoidable "medium" in the comprehension of 'objective reality'; but even more, the object of our experience is constructed by and through language, and language or discourse can be seen as a sort of "transcendental" framework⁵ which lays down the conditions of possibility for our cognition, thus providing the subject with necessary and basic (linguistic) categories of comprehension. This view is further radicalized by the founder of the structural linguistics Ferdinand de Saussure who, emphasizing primacy of language over thought, remarked that "without language, thought is a vague, uncharted nebula" (Saussure, 1966: 112). Concerning the speech act theory, it does not pursue the "transcendental" status of language (at least not in a [neo-]Kantian manner) but is rather concerned with "constructivist/institutional" aspects of language and conventions guarding the use of performative aspects of language. As asserted by Searle, "what we think of as social *objects*, such as governments, money and universities, are in fact just placeholders for patterns of *activities*" (Searle, 1995: 57).⁶

Speech act theory begins with John Austin and his statement: "[I]t was for too long the assumption of philosophers that the business of a 'statement' can only be to 'describe' some state of affairs, or to 'state some fact', which it must do either truly or falsely" (1962: 1). Against such perspective Austin is arguing that language is not just about saying something about something or describing a 'factual' property of things, but is also about *doing things with words*, changing the "reality" with an issuing of utterance. Such "ability" of language to *do things* he calls performative, and in contrast to constative utterances, or constatives, whose function is to say something which can then be discerned as true or false. By challenging the correspondence perspective on language, Austin wants to highlight the "constructive" effect language has on the social reality – it constructs, or brings into (social/institutional) "being" something that was not there before the utterance itself: the institution of marriage, for example, the act of gambling, state of war etc. As Der-

5 "Transcendental" is used here in a more Foucauldian than in a Kantian manner.

6 Searle gives the example of money. Money is an institutional fact which is agreed upon to have certain value: "Individual dollar bills wear out. But the institution of paper currency is reinforced by its continual use" (Searle, 1995: 57).

rida claims, "the performative does not have its referent (...) outside of itself or, in any event, before and in front of itself. It does not describe something that exists outside of language and prior to it" (Derrida, 1988: 13). For example, Austin is suggesting that the act of weeding or betting is nothing but saying a proper words in a proper context – such as *I do* in the weeding performance (Austin, 1962). To put it simply, speech acts are social performances with direct social consequences, and they are foundations of what Searle calls "institutional facts".⁷ Furthermore, in the course of his lectures Austin renounces the starting opposition between performatives and constatives claiming that all utterances are in fact speech acts – "distinguishes between the locutionary dimension of an utterance (saying something), the illocutionary force of the utterance (doing something by saying something such as, for example, making an assertion, promise, etc.) and the perlocutionary effects of a statement (i.e., the impact it has on the hearers)" (Kratochwil, 1989: 8).

Building on Austin's theory, John Searle emphasizes the social conventions of a well performed speech act and a normative framework to which they contribute and from which they are bring into existence. Since, "speaking is a rule-governed behaviour", speech act has to be performed in the right context and following established procedures (see Searle, 1969). Sedimentation of speech acts create what Searle calls *institutional facts*, or "speech act that is "frequently repeated with comparable consequences, turns into a convention" (Zehfuss, 2004: 20).⁸ Such fact is only due to a social agreement perpetuated through institutionalized relations and normatively patterned behaviour (Searle, 1995: 2). "War is declared' [...] is creating the institutional fact that a state of war exists between the two countries" (Searle, 1999: 133). This is a type of speech act that Searle calls "declarations" and which "bring about a change in the world by representing it as having been changed" (1999: 150). There are no institutional facts outside of institutional reality and they cannot "exist in isolation but only in a set of systematic relations to other facts" (Searle, 1995: 35). What is evident, and with this we shall proceed to the field of International relations, is the constitutive link between speech

7 Searle distinguishes between the institutional facts and the brute facts: the former being dependent on human agreement and consisting of observer-related features, while the latter existing independently of any institutional or discursive "mediation" (Searle, 1995: 2-28).

8 Kratochwil shares this assumption by holding that "the success of the norm-guided action is then largely circumscribed by the conditions of effective speech acts" (Kratochwil, 1989: 13).

acts and the norm-creation process in which the performative dimension of speech creates (rhetorical) foundation for normative behaviour and compliance.

Speech act theory in the International relations studies⁹

Transposition of a conceptual-categorical apparatus of the philosophy of language (and partly linguistics) into a field of International relations and European integration studies carries with itself a methodological and epistemological shift regarding the very object of research, thus following a "radical constructivist" presumption that speaking about object contributes to the construction of that very object (see Christiansen et al, 2001).¹⁰ Diez is noticing how "the various attempts to capture the Union's nature are not mere descriptions of an unknown polity, but take part in the construction of the polity itself" (Diez, 2001: 85). Or to use Searle's vocabulary, the objects of our research are institutional dynamics and intersubjective agreements constituting and sustaining those institutional facts that sets and limits the "realms of possibilities" in the international environment. Tautology of such claim rests exactly on the aforementioned non-referential nature of performatives. For IR theorist Nicholas Onuf, what Searle wants to say is that there is a "fit between words a speaker uses to have her intentions realized and the world, or state of affairs, the speaker refers to" (Onuf, 2012: 92). Such "fit", with its illocutionary force and perlocutionary effect "endows practices with normativity" and construct rules and rule-guided behaviour as well as "fix preferences and expectations and shape the future against the past" (2012: 183). Since speaking is, according to Onuf, an "activity with normative consequences", relation between *words* and *world* creates and perpetuate the meaning-system on which (inter)national actors rely and through which they legitimize and justify their behaviour. "We are always within our constructions, even as we choose to stand apart from them, condemn them, reconstruct them (...) when we speak of order, we choose a fiction to believe in. 'Order' is a met-

9 The impact of speech act theory on constructivist approach in IR has been constant but moderate. In two landmark books – Kratochwil and Wendt – it is Kratochwil who deals more broadly with the impact of Searle's and Austin's theory (see Kratochwil, 1989 and Wendt, 1999).

10 In that respect we can agree that speech act theory shares some assumptions of constructivist epistemology.

aphor, a figure of speech, a disguise. It is constituted by performative speech and constitutes propositional content for such speech" (Onuf, 2012: 43, 155).

Focusing on language/discourse as a way of "transcending the duality of structure and agency" (Diez, 2001: 98), and in order to gain a certain "theoretical added value" (Epstein, 2010) from inducing into a field of International relations discourse-related-categories has emerged through various methodological perspectives. The notion of discourse – imported to the IR studies especially from the works of Michel Foucault (see Foucault, 1972) – entails that identity as such is an effect of condensation or sedimentation of a certain discursive practices. For Epstein, "a discourse is a cohesive ensemble of ideas, concepts, and categorizations about a specific object that frame that object in a certain way and, therefore, delimit the possibilities for action in relation to it" (Epstein, 2008: 2). Therefore, the "I" or "We" that is perceived as the subject of the international community, whether that be a government, a supranational entity, NGO or a lobbying group, is constituted by and through a discourse which it speaks, or which it is able to speak in a proper context following established procedures and conventions, and in a manner that it becomes rather hard to comprehend is it the "I" that *speaks* or is it *spoken* due to a constitutive nature of discourse. Diez is arguing that "institutions cannot be separated from the discourses they are embedded in, and rather than a form of institutions, what seems necessary is a change in the discursive constructions of these institutions" (Diez, 2001: 97). Anti-positivist assumptions of such claims are similar (but not equivalent) to a "classical" constructivist notion of inter-subjectivity; it is not possible to draw a clear line between a subject and an object or between an actor/an agent and its institutional environment. Unlike from a Foucauldian perspective, in which "rhetorical strategies inherent in discourses contribute to the way social facts are perceived" (Carta and Morin, 2013: 2), Wittgensteinian constructivism, with which we will be dealing subsequently and which is closer to Austin's and Searle's position than to Foucault's theory, shares an assumption that "discourses generate and construct the meaning of what exists in such a way that nothing exists if it cannot be thought through and transposed into language" (2013:2). On the other hand, the notion of speech act has also been used by Habermas in his theory of communicative action (see Habermas, 1984), although as Kratochwil asserts: "Habermas' theory

includes speech-act theory but provides a more generalized argument based on the analysis of discourses rather than particular speech acts" (Kratochwil, 1989: 265).

There are several methodological preconditions which make the use of speech act theory rather desirable in the field of IR and European integration studies. Like Sjørnsen remarks: "[A]s long as the historical records are not available, we can rely only on careful scrutiny of publicly available information" (Sjørnsen, 2002: 501). Similarly, Sedelmeier thinks that in a "situation in which direct, reliable historical sources on this process [EU integration] will not be accessible for a long time, rhetorical analysis has the advantage of being able to draw on an abundance of publicly available data for the analysis of argumentative behaviour, such as official documents, speeches, declarations and statements at press conferences" (Schimmelfennig, 2005: 157). Usefulness of such "publicly available data" is not dependent on discerning actors' "true motivations" since "both opportunistic and truthful arguments have real consequences for their proponents and the outcome of the debate" (Schimmelfennig, 2005: 157), and neither it aims at analysing "hidden agenda" or "convert intentions" that escapes the field of a public/official speech. Bluntly said, speech act theory concerns only what it is said in a certain context, and what it is *done* by saying it, with what consequences or effects.

In the discipline of IR speech act theory was most consistently applied in the subfield of Security studies. By taking an anti-positivist and anti-behavioural approach¹¹, authors such as Wæver and Buzan (also known as the Copenhagen school) were arguing that the concept of "security" should be redefined in a way that it includes its rhetorical/discursive dimension. It means that by addressing something as a *security problem* one is primarily engaged in issuing a speech act. It is less a relation between the place of enunciation and the (real) object to which this act of enunciation refers, but of the conditions and the context in which one (especially the political elites) can denominate something as a security problem. This is what Wæver calls "securitization", by which he means that "security is not of interest as a sign that refers to something more real; the utterance *itself* is the act" (1995: 55). By construct-

11 Balzacq claims that "constructivists are united in an opposition to empiricism – meaning that experience is the final test for our knowledge claims – and behaviourism – meaning that the rationale that undergirds actors' explanation of their behavior is of no relevance" (Balzacq in Dunn and Mauer, 2010).

ing something as a security issue it does not necessary follow that there is an objective relation between the threats itself and the methods and narratives imposed to address these threats. "In securitization theory, 'security' is treated not as an objective condition but as the outcome of a specific social process: the social construction of security issues (who or what is being secured, and from what) is analysed by examining the 'securitizing speech-acts' through which threats become represented and recognized. Issues become 'securitized,' treated as security issues, through these speech-acts which do not simply describe an existing security situation, but bring it into being as a security situation by successfully representing it as such" (Williams, 2003: 513).

To use Searle's vocabulary, security issue is nothing but an *institutional fact* that is established in a non-casual relation towards the *brute fact* to which it allegedly refers. The situation *out there on the ground* cannot in itself account for the emergence of a security issue but is always already constituted on an institutional level through declaration by political elites and as an act presupposing exercise of power and authority over the mass opinion (Williams, 2003: 514; Wæver, 1995). Or to make it simple – the security issue is the one which is being denominated as a security problem following certain institutional conventions regarding the conditions of possibility of such declaration, while at the same time it may (or may not) to more or less extent correspond to the "real", "objective" threats.

Following the kind of a "speech act turn" in the context of Security studies, it can be argued that a "classical" realist argument is turn on its head. Fierke and Wiener consider that "the reluctance to take language seriously undoubtedly relates to a widespread acceptance of the realist assumption that the primary speech act of diplomats is the lie and that states will break promises if it is in their interest to do so" (2005: 115). Contrary to such assumptions, engaging with speech acts carries with itself a methodological primacy of linguistic elements and their conventionality. Even if the political speech *lies*, in the last instance of its (illocutionary and perlocutionary) effects, it *cannot lie*.

Eastern enlargement between rationalism and constructivism

Rationalism and constructivism do not only offer a competing hypothesis about the process of post-Cold war enlargement, but conceptualize

the whole field in a different way. Opposition between methodological individualism of the former and ideational/cultural "ontology" of the latter is organized around the debate whether an actor or a structure is determinative or determined, and to what extent. Rationalists, especially through liberal intergovernmental approach, are operating through actor-centred categories emphasizing the bargaining process in determining policy outcomes, thus perceiving institutions as the constraining, not constitutive factors (see Moravcsik, 1998, Moravcsik and Vachudova, 2005). Therefore, Moravcsik and Vachudova insist on an asymmetrical bargaining structure and uneven interdependence in determining negotiating outcomes of the Eastern enlargement, while a low-economic burden of the CEECs for the EU budget (GNP of applicants was only 5 % in relation to the GNP of member states) and possibilities of a new transitional markets prevailed in determining the accession decision (Moravcsik and Vachudova, 2005).

On the other hand, constructivists' basic categories are those of identity and ideational construction, constitutiveness of norms and rules, and community and cultural match (see Schimmelfennig and Sedelmeier, 2005). Risse holds that structure-agency debate from the perspective of constructivism points toward "mutual constitutiveness of (social) structures and agents" (Risse, 2000: 10), thus in the very foundation of constructivism lies the anti-positivist assumption about an indecisiveness between subject and object. Constitutiveness is related to the notion of socialization as the "process by which actors internalize the norms which then influence how they see themselves and what they perceive as their interest" (Risse and Wiener, 1999: 778). It is through sedimentation of constitutive practices that institutions emerge; subsequently institutional context/environment is always already something *more* than just a sum of its individual parts. "Actors do not simply confront institutions as external constraints and incentives towards which they behave expediently. Rather, institutions provide meaning to the rights and obligations entailed in their social roles" (Schimmelfennig and Sedelmeier, 2005: 10). From a slightly different perspective, Sjursen will argue that norms are not only used instrumentally in the process of accession negotiations, but they "constitute the identity of the actors: they not only constrain their behaviour, but also constitute their world-views and preferences" (Sjursen, 2002: 492).

For constructivists, it was a situation of "mutual recognition" efforts, during which both European Union countries and CEEs relied on each other to reconfigure the Other of its identity¹² or, in the case of CEECs, to expand the very definition of the European identity as such, so it could include the countries outside of the Community circle. "Enlargement in the post-Cold War context hence not only poses the challenge of a missing Other; both organizations [EU and NATO] also face a second challenge of having to incorporate members whose notion of belonging developed in a different context. Transgressing the Cold War border of order, therefore, raises the question of belonging anew"(Fierke and Wiener, 2005: 104). For CEECs this was articulated through a discourse of "return to Europe" – "battle cry of almost all CEE governments" (Schimmelfennig, 2005: 159) – emphasizing the common historical and cultural heritage of the Western and Eastern Europe, and subsequently, as Neumann observes, resulting in the reconstruction of the state identity of the CEECs (Neumann, 1998: 405). Therefore, post-Cold war enlargement does not simply represent the progressive and cumulative process of the expansion of EU membership, but the effort to reconstitute the EU's and CEECs identity in the moment of a radical context transformation.

Both from the rationalist and the constructivist perspective, narratives about the Eastern enlargement are organized around a certain consensus that the end of Cold war resulted in a dramatic change which created a power or geopolitical vacuum (as a result of "geopolitical earthquake") in the Eastern Europe (Fierke and Wiener, 2005: 112; O'Brennan, 2006: 1). Therefore, from a fixed identity-relations constituted around the West-East dichotomy after 1989 both Western and Eastern European states found themselves in the situation of a need for reconfiguration of one's identity due to a newly formed historical circumstances; or, as rationalists would argue, once the bargaining/opportunity structure of the Cold war has collapsed, the new interests and preferences have emerged thus reconfiguring the international environment. The very concept of Cen-

12 From the perspective of poststructuralism, for example, one's identity is nothing but the various relations to what it is not, and the Other as such becomes constitutive to the process of identity-construction (see Hall, 2001). For Neumann, there is a juxtaposition between self and other: "integration and exclusion are two sides of the same coin, so the issue here is not that exclusion takes place but how it takes place" (Neumann, 1999: 37). Also, Neumann holds that collective identity is always already a relation between at least two positions articulated in a manner that *what is excluded is in fact included through a constitutive nature of exclusion as such* (see Neumann, 1998: 399).

tral and Eastern Europe (CEE) became prominent in the post-Cold war discourse in order to conceptualize vacuum created with disintegration of the Soviet Other (see Neumann, 1999). According to Baldwin et al., such "political 'creative destruction' opened the door to great opportunities, but also to great dangers"(Baldwin et al, 1997: 127).

From a constructivist camp, the EU's decision to enlarge to the East presents to a certain extent a theoretical and methodological puzzle, or at least an explanatory difficulty. "At the empirical level, the fundamental puzzle is why the EU committed itself to enlargement, despite the costs that arise for individual member governments which all have veto power" (Sedelmeier, 2005: 121). There are several reasons that underlie such assumptions. Although the cost-benefit calculation can explain the CEECs urge to become the members of EU (see Schimmelfennig and Sedelmeier, 2005), the EU's decision to enlarge was faced with several costly circumstances and with the possibility of endangering the process of deepening integration in favour of widening (issue denominated as "absorbing capacity"). Most common objections are raised regarding the problems with post-communist statehood legacies or "mixed" and uncertain capacities of post-transitional economies. For Friis and Murphy, the differential complexity of the Eastern enlargement – which they call a juggling act – was caused by "four interrelated challenges" that the EU had to face: "(a) accession negotiations; (b) internal reform; (c) the enlargement-queue, and (d) new neighbours"(Friis and Murphy, 2000: 191). Also, Sedelmeier thinks that negotiations process started without "any prior agreement on internal reforms (...) agreement was reached in the absence of any through debate on the shape of an enlarged EU" (Sedelmeier, 2005: 121). Sjursen is even more cautious when arguing that "not only does enlargement threaten to disturb the internal order of the EU, the new external border that will follow from the expansion could also create new divisions on the European continent and thus foster instability in Europe at large"(Sjursen, 2002: 491). On the other hand, Baldwin (1995) thinks that it is "high politics" rather than "economic interests" as the "strongest force behind the EU's decision to enlarge eastward" (Baldwin 1995: 475). Building on an analogy with NAFTA's impact on Mexico and USA, Baldwin says that "when economically small region integrates with an economically large region, both gain but the small region gains much more" (Baldwin, 1995: 476). In a study performed in 2004, the expected welfare benefits of Eastern

enlargement were predicted to have a "significant inter-country variations ranging from an estimated loss of 1.3 percent of GDP for Portugal up to a 2 percent gain for Austria" (Kohler, 2004: 25), thus underlying some of the possible reasons for differential support of the accession. Another important issue in a political debate preceding the enlargement was the problem of migration and labour mobility especially regarding the pressure on the welfare system of host member states (see Kahanec et al, 2009: 5).¹³ Following all of this, we are able to conclude that the post-Cold war uneven distribution both of bargaining powers and preferences created the space of uncertainty regarding the short and long term impact of the Eastern (and other) enlargement(s).

The difficulty to account for an impact of cost-benefit unpredictability, and the political instability along with the structural inconstancies of the EU polity has been narrated from the constructivist bloc as the evidence of epistemological and methodological inadequacy of the rationalist institutionalism to cope with the post-Cold war contextual challenges. Sedelmeier and Schimmelfennig even say that the so far available literature on the subject matter present a certain "consensus that a rationalist, materialist framework is insufficient" (2005: 21). Following the logic of appropriateness, Sedelmeier tries to explain the collective decision to enlarge *via* discursive identity-construction through which the EU constructs its own post-Cold war identity around the notion of "special responsibility" towards stabilization and democratic transition of CEE (Sedelmeier, 2005: 135). Since the EU is "institutionally dense environment" (Checkel, 2001: 59), norms – which are in the case of EU founded on liberal and democratic values – affect both actors' identity and preference/opportunity dynamics, although, as Sjursen is warning, they cannot be taken for granted, without the answering questions concerning the "mechanism by which values have an impact" or how actors use these norm-based values (Sjursen, 2002: 500). The basic question is to what extent we can draw a clear line between norm-compliance and egoistic (intergovernmental) interests. In the context of Eastern enlargement, Sedelmeier perceives norm-compliance behaviour as a

13 This discussion can be further expanded regarding the conception of varieties of capitalism according to which the economies of CEE were, and still are, perceived as dependent on foreign direct investments (FDI) and with large portions of industry and banking sector foreign-owned (Nölke and Vliegenthart, 2009), while simultaneously suffering from a "complete demobilization of the working class" combined with an outdated technological input (King, 2007: 307).

negative instance in a way that it limits the "range of available policy options, by precluding certain options as inappropriate, and by reinforcing the legitimacy of others" (Sedelmeier, 2005: 122). From a sort of a "middle-ground" perspective, Sedelmeier wants to show that discursively created collective identity toward CEE has not determined the accession decision but rather that it was a result of "incremental evolution", of a "number of apparently discrete decisions at different European Council meetings that made the enlargement process increasingly hard to reverse" (Sedelmeier, 2005: 127). On the other hand, O'Brennan will emphasize – beside formal legal framework delineated in treaties and declarations – the informal dimension of enlargement: "customary enlargement practice" formed during previous four rounds of accession (O'Brennan, 2006: 7).

However, despite the constructivists' attempt to explain the Eastern enlargement with the concepts of collective identity and cultural/community match, there are still unanswered issues regarding the heterogeneous circumstances of the EU decision. It should be no wonder that Schimmelfennig detects the limits to both perspectives: "[W]hereas rationalism could explain most actor preferences and much of their bargaining behaviour, it failed to account for the collective decision of enlargement. Sociological institutionalism, in turn, could explain the outcome but not the input" (Schimmelfennig, 2005: 166). On the other hand, Fierke and Wiener assert that "a sociological constructivist approach provides only limited understanding of the current enlargement process" (2005: 102), thus it has to be rearticulated in a form of a Wittgensteinian constructivism emphasizing meaning and language as "central to the constitution of identity and interest" (2005: 102). They also argue that "building on this opening towards language" is able to "push the constructivist argument further, by examining the process of norm construction in the dialectical relationship between context, speech acts and institutional transformation" (Fierke and Wiener, 2005: 102).

To make speech speak about what it does

As aforementioned, the post-1989 "institutional reality" can be seen as a radical context-transformation in which accumulated identity relations and discursive-formation-dynamics suddenly collapsed into a sort of discursive vacuum (which required inauguration of a new "meaningful"

narratives to address the "sudden stir" of political differences). And this is exactly the situation where the methodological gains from the speech act theory become tangible. Wæver offers us a valuable insight by saying that a speech act is "interesting exactly because it holds the insurrecting potential to break the ordinary, to establish meaning that is not already in the context. It reworks or produces a context by the performative success of the act. While it is important to study social conditions of successful speech acts, it is necessary always to keep open the possibility of failure of an act that previously succeeded and where the formal resources and position are in place (the breakdown of communist regimes in Eastern Europe) and conversely that new actors can perform a speech act they previously were not expected to" (Wæver, 2000: 286). The process of Eastern enlargement and the very decision to enlarge that was crystallized between 1992 and 1998 – is exactly the kind of situation in which the old categorical-conceptual apparatus of the Cold war international order could no longer offer a plausible narrative of what is happening and what should be done, therefore the emerging discontinuity has provided room for the "social magic" of performative acts.¹⁴

The process of pre-accession marked by a radical bargaining and interdependence asymmetry made the whole round of the Eastern enlargement unlike previous ones, with EU tightly applying conditionality and monitoring mechanisms on the candidate countries (see for example Sedelmeier, 2011). Although opportunity and cost-benefit structure was rather unfavourable for CEECs, the accumulation of speech acts – embodied in the treaties and declarations, like the declaration dating from 1975 of the Conference on Security and Cooperation in Europe (CSCE), Maastricht Treaty, Copenhagen declaration, Lisbon Summit – entailed a 'promise', or a 'threat' or had an impact on the whole discursive field of "Eurospeak" (see Diez, 2001), encouraging the spread of democratic and pluralistic values across the EU and beyond, subsequently becoming the part of identity and normative framework in which institutional actors, both on supranational and intergovernmental level, found themselves. Since normative dynamics often create unintended consequences, such as moral obligations and commitments or policy expectations, Eastern enlargement accession process can be perceived as altering the negotiating structures organized around material interest and cost-benefit

14 For the notion of "social magic" see Judith Butler, 1999.

calculations (unlike in the case of EFTA enlargement). Wæver argues that "words are not only derivatories in relation to politics, they often *are* politics" (2009: 171). Treaties and declarations, as well as the whole language around the questions and problems of enlargement at various levels of enunciations and at different levels of successful performative impact resulted in a "critical mass" of institutional facts which, when sedimented, created the situation of irreversibility, albeit the differential support for enlargement.

The "unique language", Eurospeak, which has been "floating" in and around the European institutions, and through formal and informal means of communication – according to Diez, had the constitutive impact on the formation of the EU polity. "The system of governance established (...) can be presented as a remarkable collection of speech acts and their effects, be it in the form of declarations, further treaties, decisions by the European Court of Justice, or Community legal acts" (Diez 2001: 88). From the perspective of the CEECs after 1989, their effort aimed at "uploading" in "Eurospeak" their own "broader" conception of Europe in order to derive from it a commitment of the EU towards them. Also, as Borzel is claiming, "strong domestic consensus in favour of EU membership in their 'return to Europe' allowed CEE decision-makers to silence domestic veto players inside and outside government, despite the considerable costs incurred by EU policies" (Borzel, 2011). What is important to notice here, and given the "constructivist" epistemology shared by the speech act theory, is that the CEECs "return to Europe" discourse did not just challenge the existing and (self-)sufficient EU discursive formation, but have also contributed to the construction of that very formation – in a way that, as Derrida would say, the relation between the EU and CEECs becomes constitutive for both identity positions, blurring what is inside and what is outside.

Example of the commitment entailed by a speech act – embodied in the form of a declaration – is the Copenhagen Council in 1993 that lay down the criteria as the key expression of the EU's commitment to the Eastern enlargement. For Sedelmeier, it was the beginning of an "expansive and cumulative logic of policy evolution" that will result in the decision to enlarge (Sedelmeier, 2012: 127). The declaration that was issued in Copenhagen clearly stated: "The European Council today agreed that the associated countries in Central and Eastern Europe that so desire shall become members of the European Union. Accession will take

place as soon as an associated country is able to assume the obligations of membership by satisfying the economic and political conditions required". Although Copenhagen declaration "did not involve any legally enforceable commitment" (Sedelmeier, 2005: 133) it clearly had an illocutionary power which, as its perlocutionary effect, reorganized the EU-CEEC relations in favour of the enlargement. On the other hand, Borzel claims that "the Copenhagen criteria strongly resonated with the reform agenda of policy-makers and large parts of the societies in the CEE countries supporting political and economic transition started by the 'velvet revolution' in 1989" (Borzel, 2011). Copenhagen "promise", however, was not an isolated "event" which appeared "out of thin air" – it was a culmination of incremental sedimentation of speech acts that preceded it. Preamble to Single European act from 1987 and Maastricht Treaty unambiguously declared: "Any European State may apply to become a member of the Union." On the other hand, for Fierke and Wiener (2005) it was already the Conference on Security and Cooperation in Europe in 1975 constructing the foundations of rhetorical dynamics of the post-Cold war era, through which the enlargement will later be perceived as a "structural necessity" of filling the geopolitical vacuum and ensuring a democratic and pluralistic "transition" after the collapse of communism.

The illocutionary power of such utterances goes beyond what is necessary rational or beneficial for Member states. It rather forms the discursive framework that shapes the political and normative field through which the EU institutions and actors are constituted. Once created, these commitments, promises or threats in the same time constrain and/or constitute governmental and supra-governmental actors concerned about their reputation on the international scene (see Schimmelfennig, 2005 and Sedelmeier, 2005). For Nicholas Onuf, every such commitment or promise falls into what he calls a "commissive speech act" which "gives form to rules when hearers, as speakers, respond with promises of their own. Once these webs of promises become sufficiently generalized and normative in their own terms, they become *commitment-rules*" (Onuf, 1998: 67-68). In the case of Eastern enlargement, the EU could not just ignore the CEECs, nor reverse the pre-accession process and agreements without jeopardizing its own institutional post-Cold war "foundations"; although there is a diversity of opinions about the dynamics of such process, and regarding whether we emphasize the reg-

ulative or constitutive nature of performatives. Rhetorical analysis that emphasize the regulative over **constitutive aspect** will perceive speech act as something that can be strategically used in the international arena, for example the discourse of "return to Europe" that was employed by CEECs in order to achieve a particular goal – accession to the EU (see Schimmelfennig, 2005). On the other hand, accent on constitutive-ness perceives performative aspects of language as something having "interpellating"¹⁵ impact on the formation of the subject and collective preferences (see Fierke and Wiener, 2005).

In an attempt to analyse the rhetorical dynamics of the process of Eastern enlargement, Schimmelfennig (2005) turns to regulative aspect of the norm creation and compliance, thus trying to cut across both rationalist and constructivist field. For him, the notion of speech act enables the possibility of a so-called rhetorical action, "strategic use of norm based arguments (...) as the intervening mechanism to explain how a *rational* outcome (association) based on egoistic preferences and relative bargaining power was turned into a *normative* one (enlargement)" (Schimmelfennig, 2005: 142). Rhetorical elements can be used instrumentally in the EU institutional environment through a process of shaming those opponents whose behaviour fails to conform to a prescribed normative framework (Schimmelfennig calls this a *rhetorical entrapment*). Therefore, through strategic use of the norm-based arguments CEECs were able to reverse their weak negotiating position and insufficient bargaining capacities by exposing "inconsistencies between the Community's standard of legitimacy, its past rhetoric, and its past treatment of applicant states, on the one hand, and its policy towards the CEECs, on the other" (Schimmelfennig, 2005: 143). Such possibility was further potentiated by the vagueness of the very nature of EU polity¹⁶ which, we can argue, had also contributed to the establishment of "com-

15 We use the adjective "interpellating" with a reference to Althusser's notion of interpellation which implicates performative nature of ideological constitution of the subjects (see Althusser 1971); although in this context we shall use it only to suggest a performative aspect of "Eurospeech" without broader elaboration on the notions of subject and ideology.

16 For example, Carta and Morin assert that "throughout its evolution, the main architects of European integration have given a plurality of definitions to what the EU (and previously the European Community) is. These definitions range from an '*objet politique non-identifié*' (Jacques Delors) to 'a technocratic edifice' (de Gaulle), from 'a Family of Nations' (Thatcher) to a '*concept* charged with significance' (Delors)" (Carta and Morin, 2013: 10).

mon ground" between the "return to Europe" discourse and the "special responsibility" commitment of the EU towards CEE.

On the other hand, from the perspective of a so called Wittgensteinian constructivism, Fierke and Wiener argue that both rationalist and sociological constructivist approach provide "only limited understanding of the current [Eastern] enlargement process"(2005: 102). Stating that 1989 was a year of radical context transformation, and that if (institutionally constructed) meaning is dependent on a context, then "as a context changes, so will the meaning of acts" (2005: 103, 115). Therefore, what was considered during the Cold war, and through the speech act by the Conference on Security and Cooperation in Europe in Helsinki in 1975 – a "promise", it was later turned into a "threat" (including both the relations between the EU, NATO and the CEECs). Through a moral obligation, Helsinki act created a mutual commitment and transcended the West-East opposition of the Cold war era. "The West, and its institutions, represented a normative ideal. The CEECs were encouraged to act in accordance with these ideals in resisting totalitarianism. Now that 'containment' of the Soviet Union was no longer necessary, the West had a responsibility to assist the CEECs in the recovery, to assist them in upholding these values"(Fierke and Wiener, 2005: 108). It is not hard to notice that Fierke and Wiener's conclusion is similar to Sedelmeier's (2005), who talks about identity-construction and "special responsibility" of the EU towards CEECs. However, the difference is that speech act theory emphasizes the linguistic means of such dynamics, asking itself about incremental accumulation of performatives in a form of treaties, declarations and official statements, to name a few. Accumulated, speech acts create the foundations of a certain institutional reality and provide both normative and ideational framework in which, and through which (inter)national actors and international environment are *articulated* in its existence. (The difference is also that Sedelmeier's approach focuses on constitutiveness of identity and normative framework which this identity entails, while Wittgensteinian constructivism sees identity and norms as always already being constituted by discursive practices. Thus, language is constitutive, while identity and norms are constituted). Given the nature of historically specific formation of certain international order, Fierke and Wiener will argue that, due to a contingency of its foundations, the boundaries of such order are constantly being rearticulated through the invention of new speech acts. Especially in a moment

when the whole international order is being radically transformed (as in 1989), and previously established institutional facts and meaning-relations are suddenly being reinterpreted and resignified (such as the Helsinki act), opening a space for new emerging institutional relations.

Conclusion

In order to delineate the modalities of application of speech act theory in the discipline of EU integration studies we started from a broader perspective of the International relations where such research has been prominent in the subfield of Security studies. We wanted to show that, regarding the complex and disseminated nature of the field of International studies, speech act theory is able to take as the object of its research only that which has been said in a proper context – successfully or not, institutionally predictable or not – thus following the institutional impact of this speech without the need for discerning "true motives" or "hidden agenda" behind it.

The ambiguity of the context transformation during the early post-Cold war period has certainly challenged the methodological modalities of IR (both rationalist and constructivist) that have relied on an existence of a fixed institutional context with a clear set of normative relations. We have tried to show that in such constellation, focusing on speech act can account for unaccountable and induce comprehension in a transitional environment that is searching for its "new paradigm". It especially applies to the period between two major events – fall of the Berlin wall and the 9/11.

It is evident that from such perspective constructivist (and to certain extent rationalist) scholars must have been burdened with the "puzzle" of the Eastern enlargement. In an unclear institutional framework in which vagueness of the EU polity had become even more noticeable, it was rather hard to account for the clear methodological perspective. On the other hand, Austinian legacy which "limits" itself on the very "surface" of the available public/official speech and its effects was able to grasp the historically specific moment of the accession of post-communist regimes that have challenged the foundations of the EU integration process. Issues rose about absorbing capacities regarding CEE enlargement, unfavorable cost-benefit structure for (certain) Member states and worries about fulfilment of membership obligations, adoption of

acquis and competitive differences – have been "silenced" in favour of accession.

A methodological shift from cost-benefit analysis or identity/cultural match towards the dimension of speech/language/discourse that is constitutive to/constituted by EU polity allowed us to examine the incremental evolution of speech acts – occurring in declarations, treaties, Council statements etc. – resulting in a construction of institutional facts according to which the EU could not stall or reject the accession of CEE without jeopardizing its own foundational norms and values. Intersubjective meaning that has been organized around certain speech acts – such as Copenhagen declaration or Agenda 2000 – had a major impact on mutual relationship between the EU and CEECs.

Rejecting the (neo-)realist presumption about misleading nature of political language as such, speech act scholars emphasize that everything being said in a proper institutional context can have "tangible" consequences, especially in an "institutionally dense environment" such as the EU's. The Eastern enlargement, therefore, represents the case where rhetorical/discursive dynamics and strategies have proved to have significant influence over opportunity structures and intergovernmental bargaining constellation.

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