The EU's response to Ukraine's quest for membership: Intergovernmental decision-making and the contingency of protean power

Thomas, D.C.

Comparative European Politics
https://doi.org/10.1057/s41295-025-00415-w

The EU's response to Ukraine's quest for membership: Intergovernmental decision-making and the contingency of protean power

Daniel C. Thomas[1]

Accepted: 10 January 2025

Abstract
Few issues are more fundamental to a regional community than its policy on which states are eligible for membership, and thus the ultimate extent of its external frontier, with all its implications for collective decision-making and for flows of people, goods and money. Since Russia's unforeseen full-scale invasion of Ukraine in February 2022, the European Union has broken long-standing taboos and decision-making deadlocks on Kyiv's eligibility for accession. These innovations laid the groundwork for a radical transformation of the community in the coming years. By tracing these recent decisions in detail and comparing them to the EU's resistance to innovation following unforeseen developments in Ukraine in earlier decades, this paper sheds light on the dynamics of self-transformation through enlargement. It suggests that the EU's protean power in this area is limited by its inability to innovate without achieving consensus among member states with varying preferences regarding the reforms that will be needed to enable Ukrainian accession.

Keywords EU · Ukraine · Enlargement · Intergovernmentalism · Protean power

Introduction

This paper explores the dynamics of European Union (EU) enlargement from the perspective of protean power, understood as an actor or institution's capacity to respond to unforeseen external challenges by innovating and transforming itself. It focuses empirically on EU decision-making regarding Ukraine's desire to join the Union, comparing the periods before and after Russia's full-scale invasion in February 2022. It finds that the invasion catalyzed an unprecedented openness to the prospect of Ukrainian accession, including most notably the EU's recognition

✉ Daniel C. Thomas
d.c.thomas@fsw.leidenuniv.nl

[1] Instituut Politieke Wetenschap, Universiteit Leiden, Postbus 9555, 2300 RB Leiden, The Netherlands

Published online: 16 June 2025

of Ukraine as a membership candidate in June 2022 and its decision in December 2023 to open accession negotiations with Kyiv. At the same time, the EU and its member states began to talk seriously about fundamental institutional reforms to enable enlargement, possibly including treaty change, which had long been taboo. Yet notwithstanding these demonstrations of the EU's protean power, the Union's ability to transform itself remains strictly conditioned by the need for unanimity among member states with very different political profiles and exposure to the consequences of Ukrainian accession. As a result, the Union has struggled to commit to other changes that are likely essential to the realization of Ukrainian accession.

Amidst the many questions that can be asked about the relationship between the EU and Ukraine, this paper examines how Russia's full-scale invasion of Ukraine in February 2022 affected the EU's openness to Ukraine's aspirations to join the Union. It does not explore every aspect of this complex issue in detail, such as the political economy of the EU's common agricultural policy, the distribution of its cohesion and structural funds, or the legal implications of treaty change. Instead, it aims to answer a particular question: In what ways and to what extent, if at all, has the 2022 invasion and ensuing war led the EU to transcend long-standing deadlocks or taboos on Ukrainian accession, and what factors have limited such a transformation? In so doing, it aims to shed light on the viability of self-transformation as a response to unforeseen external developments, as suggested by the concept of protean power.

The promise and the practice of EU enlargement—that is, the expansion of the Union to include additional member states—is often described as the most effective foreign policy of the European Union. Whether stated explicitly or not, such claims rest on the assumption that the goal of foreign policy is to shape outcomes by controlling the actions of others, and on the observation that the EU lacks many of the conventional instruments of power, especially military power. But given the nature of the EU, which is far more complex than a security alliance, its enlargement is best understood first as an innovation and transformation of the self (Thomas 2021). In fact, enlargement is perhaps the ultimate test of the EU's capacity for innovation and self-transformation. The accession of a new member state expands the geographic scope of the Union, with all the interests and vulnerabilities this entails, adds new voices and votes to the EU's decision-making bodies, including Council, Parliament and Commission, and increases the demands on EU resources. Decisions on enlargement thus transcend and drive outcomes across the Union's institutions and policy domains.

That said, not all enlargement decisions are equally consequential. Simply put, the consequences of any potential accession depend on the size of the prospective member state, its potential involvement in international trade, and its geopolitical exposure. The potential accession of Ukraine poses a particularly difficult test for the EU's capacity for innovation and transformation, given its large population (with implications for labor mobility and for voting power within EU institutions), its competitiveness in a politically sensitive sector of the EU's single market (agriculture), its potential claim on the EU's cohesion and structural funds, and its geopolitical position vis-à-vis Russia.

The remainder of this paper is organized in four parts: Part 1 provides a brief overview of the concept of protean power as a way of understanding how actors and institutions engage with the world around them and introduces four propositions that link the concept to the dynamics of EU enlargement. As a historical baseline, Part 2 examines EU responses to three major unforeseen developments in Ukraine between the country's independence in 1991 and Russia's full-scale invasion in 2022. During this period, the Union repeatedly rebuffed Ukraine's quest for an explicit recognition of its membership eligibility, even as Ukrainians citizens clamored to be part of 'Europe' and the government in Kyiv pursued political and economic reforms favored by the EU. In comparison, Part 3 demonstrates the EU's taboo-breaking opening to the prospect of Ukrainian accession following the 2022 invasion, including the European Council's recognition of Ukraine as a membership candidate in June 2022 and its decision in December 2023 to open accession negotiations with Kyiv. However, politicization and backroom bargaining provide good reason to question the depth and sustainability of the Union's transformation on Ukraine. Finally, Part 4 offers some brief conclusions on both the value and the limitations of the protean power concept as way of understanding the politics of EU enlargement.

Part 1: Concept and expectations

The concept of protean power refers to an actor's (or network's or organization's) capacity to innovate and transform itself in response to unforeseen developments in the external world. As first expressed by Peter Katzenstein and Lucia Seybert (2018), the concept distinguishes familiar forms of power based on the ability to control others, whether via economic, military, or social resources, from an alternative form of power based on the transformation of the self. The term 'protean' derives from the Greek sea-god Proteus, who could assume different forms at will.

The distinction between control power and protean power reflects two understandings of reality—one assuming that the world is complicated but potentially know-able and thus prioritizing information-gathering to minimize risk, and the other assuming that the complexity of the world creates radical uncertainty, making it impossible to measure risk or effectively control future developments. In a context of radical uncertainty, power lies less in deploying resources than in one's ability to exploit the unexpected by innovating and transforming oneself. As this special issue's editors explain, "[t]he ability to exercise protean power is closely linked to an actor's influence on its environment. Actors and institutions with the agility to innovate and transform themselves, and thus to engage creatively with the world, are better able to manage and exploit unexpected developments. Those without this agility may be successful at managing familiar challenges but are likely to be overtaken by the unexpected as they deploy resources and tactics ill-suited to the challenge that confronts them" (Pomorska and Thomas 2025).

That said, control power and protean power are neither incompatible in theory nor mutually exclusive in practice. An actor or network or institution may have a certain endowment of resources useful to control others when risks become threats and a certain potential for innovation and transformation of the self in the

face of the unforeseen. The two forms of power may also be interdependent: innovation and transformation of the self may facilitate the effective control of others yet be difficult or even impossible to achieve without a certain resource endowment. As such, choosing to explore an actor's potential for protean power does not imply a claim about which type of power is more important in world politics.

This paper's exploration of the dynamics and limitations of EU enlargement focuses on four propositions building upon the special issue's theoretical framework—two concerning the motivations for or against innovation and transformation, and two concerning its limitations. These four propositions are presented here not as hypotheses whose testing will support or undermine a theory of protean power, but as heuristic devices to deepen our understanding of the dynamics of protean power regarding issues of membership and enlargement.

To start, there are good reasons to expect that the EU may be inclined to respond to unforeseen external developments that disturb its existing policies and institutions by offering membership to states on its periphery, even if this requires considerable innovations and structural reforms. The broad scope of EU regulations and its member states' deep and complex connections to states and societies beyond their common border make the Union highly sensitive to external developments. The EU's treaties even seem to invite enlargement, including most recently the 2007 Lisbon Treaty's reference to the goal of "ending of the division of the European Continent." In fact, the treaties don't define what makes a state 'European,' so there is no legal limit on potential enlargement. There is also ample precedent for the EU to enlarge in response to unforeseen external developments, including most notably the post-Cold War 'big bang' enlargements of 2004 and 2007. The following proposition expresses this general inclination:

Proposition 1 Developments in the EU's neighborhood that are unforeseen and disturbing to the community's policies and institutions will motivate the EU to innovate and transform itself by opening to states that seek accession but previously lacked support among member states and by making whatever structural and procedural reforms are necessary to enable enlargement.

On the other hand, it is possible that the EU's readiness to offer accession to a neighboring state in response to unforeseen external developments may be guided by the Union's formal normative commitments and membership rules (Thomas 2021). The 1957 Treaty of Rome committed the European Economic Community, as the EU was then known, to pursue "an ever closer Union among the peoples of Europe." Since the 1970 s, it has been increasingly committed, at least formally, to the promotion of liberal democracy, the rule of law and respect for human rights. Since it adopted the 'Copenhagen criteria' in 1993, the EU has required that all candidates for membership have achieved "stability of institutions guaranteeing democracy, the rule of law, human rights, respect for and protection of minorities, the existence of a functioning market economy as well as the capacity to cope with competitive pressure and market forces within the Union." And the rules agreed at Copenhagen refer to what "the candidate country has achieved,"

not to what it might achieve if offered accession. As such, the Union may conclude that offering accession to a state that does not meet these requirements would be an unacceptable threat to its normative identity, regardless of what other challenges or opportunities are created by unforeseen external developments.

Proposition 2 The EU's readiness to transform its policies and practices on membership and enlargement in response to unforeseen external developments is conditional on the Union's formal normative commitments and membership rules.

But even if the neighboring state appears to fulfill the EU's rules, or the motivations identified in Proposition 1 outweigh the motivations identified in Proposition 2, the EU's capacity to act coherently and consistently in such situations is likely to be limited two factors—the distributional implications of enlargement and the decision-making rules that apply to enlargement. First, given that all member states compete within a single market and are potentially eligible for EU cohesion and structural funds, decisions on enlargement have always been shaped to some degree by distributional concerns. The fact that all are now also eligible for investments based on common debt reinforces this concern. So even in circumstances that motivate transformation of the Union as a whole, individual member states will consider the implications of particular innovations, such as admitting a particular applicant state, for their own access to Union funds and their own competitive position within the Single Market. The strength of these incentives may affect their support for innovations and transformations that are otherwise strongly incentivized by unforeseen external developments.

Proposition 3 The EU's ability to transform its policies and practices on membership and enlargement in response to unforeseen external developments is limited by the likely impact of enlargement on individual member states' access to EU funds and competitive position within the Single Market.

Finally, the heavily intergovernmental character of decision-making on enlargement is another potential limitation on the EU's capacity for transformation in this area. The European Council's mandate to define the general political direction and priorities of the Union allows it to dominate EU decision-making on enlargement. Because a decision to welcome a new member state can have profound implications for the character, policies and decision-making dynamics of the Union, the key steps in that process have always required consensus among current member states. These include the informal consensus-building among member states regarding the fundamental eligibility of a state seeking accession as well as the formal steps that follow consensus on membership eligibility, including recognition of a state's membership candidacy, the decision to authorize the start of negotiations on the terms of accession, the many decisions to open and close (and sometimes to freeze) particular 'chapters' in these negotiations, the decision that a state has fulfilled the requirements for accession, and the final, collective decision to approve the terms of an accession treaty. The fact that each member states has these multiple

opportunities to stop or redirect the accession process according to its own preferences is thus a major potential limitation on the Union's ability to transform itself through enlargement.

Proposition 4 The EU's ability to transform its policies and practices on membership and enlargement in response to unforeseen external developments is limited by the power of individual member states to block innovations that they consider undesirable or are willing to condition on other gains.

In sum, unforeseen external developments that disturb the EU's existing policies and institutions may motivate the Union to embrace the innovations and transformations implied by enlargement, but its readiness to do so may be limited by preexisting normative commitments and membership rules. Furthermore, achieving and sustaining consensus among member states will depend on the distributional implications of a particular enlargement scenario and on the intergovernmental bargaining that this provokes.

Part 2: Ukraine and EU deadlock, 1991–2022

As a first test of the EU's ability and readiness to innovate and transform itself in response to unforeseen and disturbing external developments, this section of the paper examines the Union's position on Ukraine's quest for EU candidacy between the country's independence in 1991 and the full-scale Russian invasion in 2022. Some Ukrainian governments during this period were more committed than others to EU accession, but they all sought to gain EU recognition of their country's eligibility for accession, if only to gain economic benefits from the EU and concessions from Moscow. It presents EU decision-making in this period in three phases, each beginning with an unforeseen development that significantly disturbed EU policies toward the region: the collapse of the Soviet Union and the independence of Ukraine in 1991; the Orange Revolution of 2004; and the Euromaidan Revolution followed by Russia's illegal annexation of Crimea and intervention in Ukraine's eastern provinces in 2013–2014. Despite the shocks produced by these unforeseen developments, as well as increasingly concerted efforts by governments in Kyiv, the EU refused to adopt the policy innovations and institutional reforms that would be necessary to grant Ukraine a clear membership perspective.

Ukraine's independence (1991)

Neither the collapse of Communist regimes across central Europe in 1989–1990, nor the dissolution of the Soviet Union on 26 December 1991, was foreseen just a few years earlier by the European Community and its member states. However, much the community may have welcomed these developments, they posed a significant challenge to the institutional form and policy commitments of the community itself, which had emerged in the shadow of the Cold War. These developments thus

created an opportunity for the community to demonstrate its protean power—that is, to innovate and transform itself in response to the new, post-Cold War and post-Soviet environment. Yet while the community embraced the innovations and transformation necessary to offer membership to the former Communist states of central and eastern Europe plus the former Soviet republics of the Baltic region, culminating in the 'big bang' accessions of 2004 and 2007, it was significantly more reluctant regarding Ukraine.

Just one day after Ukraine's declaration of independence on 1 December 1991, the EU's foreign ministers issued a declaration welcoming "the democratic manner in which the Ukrainian people declared their wish for their republic to attain full sovereignty" and urging Ukraine to honor the international obligations of the Soviet Union, including on arms control and foreign debt (Council of the European Union 1991). But the possibility of eventual accession for Ukraine was not mentioned in this declaration, nor amidst the EU's gradual steps in the following years to open its door to states in central and eastern Europe, including the former Soviet republics of Latvia, Lithuania and Estonia. Unlike agreements that the EU had signed with other neighboring states, which did envision a path to accession, the 1994 EU–Ukraine Partnership and Cooperation Agreement recognized only the possibility of creating a free trade area.

The problem was that Ukraine was still plagued in this period by rampant corruption, electoral fraud, political interference in the judiciary, and significant limits on freedom of the press and freedom of association, among other abuses of power. In its 1999 survey, Freedom House rated Ukraine "partly free" and warned of a "downward trend arrow due to increased government pressure on the independent media, presidential elections in October–November that were not free and fair, and attempts by the executive after the elections to increase presidential powers at the expense of parliament" (Freedom House 1999). As such, Ukraine was not heading in the right direction on the EU's 'Copenhagen criteria' principles of democracy, the rule of law and respect for human rights. In addition, the absence of structural reforms meant that Ukraine was still far from having a functioning market economy.

At the European Council's December 1999 Helsinki summit, rather than endorsing Ukraine's ultimate eligibility for membership, as Kuchma had hoped, the EU said only that it "underlines the importance it attaches to the emergence of a democratic, stable, open, and economically successful Ukraine as a prominent actor in the new Europe [and] takes account of Ukraine's European aspirations and pro-European choice." The contrast to the same summit's declaration that "Turkey is a candidate State destined to join the Union on the basis of the same criteria as applied to the other candidate States" could not have been clearer (European Council 1999). By recognizing that Ukraine is "in Europe" but refusing to give it the same membership perspective that it was giving to other neighboring states also in need of reform, the European Council made clear that it did not consider Ukraine eligible for EU membership and was not prepared to invest in making this possible.

Undeterred, Kuchma used the EU–Ukraine summit in June 2002 to lay out a timeline for the successive implementation of a free trade area, a customs union and eventually full membership by 2011 (Ukrainian Week 2013). After Kuchma repeated his case at a regional forum three months later, the European Commission

made clear that the EU was not considering accession for Ukraine. First, enlargement commissioner Gunter Verheugen explained, "We must be all aware that a European perspective for Ukraine must not necessarily mean a membership perspective" (Politico 2002). And not long thereafter, European Commission President Romano Prodi commented dismissively that the country had as much chance of EU membership as New Zealand (Irish Times 2002).

The EU's refusal to open the door to Ukrainian accession in this period was not due only to the EU's normative identity: the geopolitical implications of such a move were also contested. While some in the European Parliament and elsewhere argued that refusing to entertain Ukraine's ambitions would have the undesirable effect of driving it closer to Russia, the French and German governments were concerned that offering Ukraine a path to membership would antagonize Russia, with which they wanted to maintain good relations (Tannock 2002). The open-endedness of the European Neighbourhood Policy that the EU launched in early 2003 offered it a convenient alternative to intergovernmental haggling over an accession perspective for Ukraine and other states. In the end, Kyiv's failure to make convincing progress toward meeting the Copenhagen criteria in the first decade after independence ensured that the EU would prioritize its normative identity as a community of liberal democracies over geopolitical incentives to separate Ukraine from Russia by offering it a path to accession. It was not long, though, before another unforeseen development in Ukraine put the country's European orientation back on the EU's agenda.

The Orange Revolution (2004)

Just when the EU seemed to have shut down any discussion of Ukrainian accession, the issue was reopened by developments within Ukraine that were both unforeseen and undeniably relevant to the EU's normative commitments to liberal democracy. In Ukraine's 2004 presidential election, the principal candidates were incumbent Prime Minister Viktor Yanukovych, who was supported by Russia, and opposition leader Viktor Yuschenko, who favored a westward orientation for the country. Yanukovych was officially declared the winner after the second, run-off stage of the election, but strong evidence of electoral fraud confirmed by international observers caused thousands of Ukrainians to take to the streets in protest. The Ukrainian Supreme Court then annulled the run-off results and ordered a re-run of the second round, which resulted in a convincing win for Yushchenko.

These dramatic developments thus reframed the Ukraine question for EU member states. Before the election at least ten member states favored recognizing Ukraine's membership eligibility, but the lack of reform in Ukraine meant that more skeptical governments (including France, Germany, and The Netherlands, among others) faced little pressure to follow their line (Gromadzki et al. 2006: 13–14). The Orange Revolution promised to eliminate this obstacle, testing the EU's readiness to transform itself. In fact, the pressure on the EU increased in the post-Orange Revolution period as Ukraine's ambitions seemed to be aligning with the EU's own normative identity and policy commitments.

Yet notwithstanding these new circumstances, EU officials and especially member states remained reluctant to rethink the Union's prior position. German chancellor Gerhard Schroeder told the Bundestag, "At present it's about a partnership—not accession" (Deutscher Bundestag 2005). On an exploratory mission to Brussels, Ukrainian diplomat Oleh Rybachuk found EU officials and member state representatives willing to discuss EU 'benchmarks' and 'criteria,' but not ready to give a positive signal on the fundamental question of membership eligibility (Rettman 2013a). Reflecting these views, the EU's commissioner for external relations Benita Ferrero-Waldner declared that the community's "door is neither open nor closed" (Financial Times 2005).

In the late spring 2005, the French and German governments' long-standing desires not to antagonize Russia, plus a sense that the Union needed to digest the "big bang" inclusion of ten new member states, were complemented by new, domestic reasons to oppose any opening to Ukraine: voters in French and then Dutch referenda rejected the EU Constitutional Treaty. Opinion polls showed that anti-enlargement sentiment, which many voters linked to an anti-immigration stance, had been a powerful motive in both countries.

So notwithstanding the new opportunity created by Ukraine's Orange Revolution, this was simply not a propitious time to press for inclusion in the EU's enlargement queue. Increasing alignment between the Orange Revolution and the EU's normative commitments to promote liberal democracy offered a perfect opportunity for the Union to overcome its deadlock, but the member states simply could not reach agreement on a clear membership perspective for Ukraine. In its 2005 strategy paper on enlargement, the European Commission committed to achieve the accession of Croatia and promote the progress of Turkey and candidate states in the Western Balkans but left little room for Ukraine and others waiting at the door (Beunderman 2005).

The Euromaidan revolution and Russia's first invasion (2013–2014)

The next significant and unforeseen shock to EU policy toward Ukraine was the country's 'Euromaidan Revolution' of 2013–2014, in which Ukrainian citizens were killed while protesting for a more democratic and EU-oriented future for their country, followed immediately by Russia's first invasion of the country, including its illegal annexation of Crimea and proxy intervention in the country's eastern provinces. Yet despite these events' obvious relevance to the EU's commitment to liberal democracy and unification of the continent, its institutional deadlock on Ukraine remained in effect, blocking any major policy innovations or structural transformations.

The background to these events lies in negotiations between Brussels and Kyiv regarding an EU–Ukraine association agreement that would have expanded economic ties without offering an explicit prospect of EU membership for Ukraine. In November 2013, just one week before the scheduled signing of the agreement at the EU's Eastern Partnership summit in Vilnius, President Yanukovich informed enlargement commissioner Štefan Füle that he could not accept the EU's deal

because it would be too costly in terms of lost trade with Russia and measures to comply with EU standards. In effect, Kyiv had decided to prioritize relations with Russia over integration with Europe. This abrupt reversal shocked the EU, which had long viewed association with Ukraine as the centerpiece of its Eastern Partnership policy (Penkova 2014).

Far more consequential was the shock these events provoked in Ukraine. Thousands of people gathered within hours on Kyiv's Maidan square and elsewhere in the country to protest Yanukovich's decision, many of them carrying EU flags and chanting "Ukraine is Europe." These 'Euromaidan' protests continued for weeks despite efforts by the government to quell them through intimidation of journalists, targeted abductions and beatings, violent charges by riot police, and even sniper fire from rooftops. Dozens of people were killed and hundreds injured but the protests continued. Yanukovych resigned and fled to Russia in late February 2014 and a new government led by Arseniy Yatsenyuk took power in Kyiv. Within days, Russian troops in unmarked uniforms began to take up positions in Ukraine's Crimean Peninsula, a first step toward the eventual annexation of that region and military subversion of Kyiv's control of the Donbas region in the east.

Yet like the earlier Orange Revolution, the Euromaidan protests and subsequent military intervention by Russia in 2013–14 failed to break the EU's institutional deadlock on Ukraine. At the EU's December 2013 summit in Brussels, Commission president Barroso confessed, "When we see those European flags in the streets of Ukraine in this very cold temperature, we cannot resist to say they are indeed part of the European family" (Rettman 2013b).But when EU foreign ministers gathered in Brussels less than two months later, they were again paralyzed by disagreement among the member states: Polish Foreign Minister Radek Sikorski argued for a clear commitment to Ukraine's eventual accession, while his French counterpart opposed any mention of this in the communique and even attempted to insert language making clear that Ukraine would never become a member. The resulting statement was vague and non-committal: "The Council expresses its conviction that this [association] agreement does not constitute the final goal in EU–Ukraine co-operation." After the meeting, Lithuania's Foreign Minister Linas Linkevicius, whose government had long favored an EU perspective for Ukraine, acknowledged "deliberate ambiguity" in the communique. "It's as far as we can go jointly at this point," he said, given the views of the various member states (Rettman 2014a, b).

The EU's institutional deadlock persisted in the following months. At an emergency summit of the European Council in March, Polish Prime Minister Donald Tusk, with support from Germany and others, called on the EU to finally offer an EU membership perspective to Ukraine, but French President Francois Hollande refused, even if the offer were linked to specific conditions. Other member states were focused on the need to maintain unity in this critical moment, and wary of escalating tensions between Russia and Ukraine (Robert 2014). In the end, their final communique restated support for the still-unsigned association agreement and endorsed a comprehensive financial assistance package for Ukraine, but made no mention of Ukraine's ultimate relationship to the Union (European Council 2014).

Over the next few years, continued disagreements among the member states maintained the EU's deadlock vis-à-vs Ukraine. The day before the 2015 Eastern

Partnership summit in Riga, Ukrainian Foreign Minister Pavlo Klimkin called for "concrete assurances… that Ukraine is eligible for future membership of the European Union and has the chance to become an accession candidate in the future" (Euractiv 2015). Yet once again, the EU refused. "The Eastern Partnership is not an instrument for enlargement of the European Union, but it is an instrument of rapprochement with the European Union," said Germany's Chancellor Angela Merkel when she arrived at Riga (Maurice 2015).

The consequences of disagreement between and within member states is clearly evident in the Dutch case. In a non-binding referendum on the EU–Ukraine association agreement in April 2016, Dutch voters overwhelmingly rejected the agreement. In order to gain parliamentary approval, the Dutch government obtained an additional agreement among the member states that association did not mean an automatic membership for Ukraine. But on the eve of a EU–Ukraine summit in Kyiv in July 2017 to celebrate the final ratification of the long-awaited agreement, The Netherlands vetoed a statement in the draft communique that "the European Union acknowledges Ukraine's European aspirations and welcomes its European choice." The fact that the language of the communique had been in negotiation for four months, and that identical language had been included in the 2015 Riga declaration, did not stop the Dutch from blocking agreement and forcing the Kyiv summit to end without any final statement (Stern 2017a, b).

While it is undeniable that public opinion in some member states became less accepting of enlargement over time, and member states' governments were concerned about the EU's ability to function with more and more member states, the negative response to Ukraine is not easily explained by these pressures. Instead, the EU's inability to agree on policy innovation and structural transformation regarding Ukraine in this period is best explained by deep and enduring differences among the member states. Britain, Sweden, Poland, Latvia, Lithuania and Estonia referred repeatedly to formal rules and expectations related to EU membership, and to developments on the ground in Ukraine that they considered a good reason for granting Kiev a membership perspective, especially the liberal democratic tendencies of the Euromaidan revolution and the Russian annexation of Crimea. In contrast, Germany, France, Austria, Belgium and The Netherlands remained steadfastly opposed (Obbema and Visser 2016).

As these three case studies illustrate, the EU faced multiple unforeseen developments in Ukraine during the three decades following the country's independence in 1991 that posed significant challenges to the Union's normative and policy commitments. Yet in each case, the EU's internal divisions prevented it from seizing the opportunities these developments offered for fundamental policy innovation and structural transformation via a formal recognition of Ukraine's eligibility for membership and practical steps to enable the country's accession. In remarkably prescient remarks, Swedish Foreign Minister Carl Bildt (2006) warned his colleagues in 2006 of the risks this posed: "Drawing big lines on big maps of the east of Europe risks becoming a dangerous process. We should know that such a process will have profound effects in those areas or nations that fear ending up on the other side of those lines. We could easily see forces of atavistic nationalism or the submission to other masters taking over when the light of European integration—however vague

or distant—is put out. If that happens, the lines on the maps will certainly not protect us from the consequences of what happens beyond them."

Part 3: Ukraine and EU innovation, 2022–2025

The EU's deadlock regarding its eastern neighborhood was finally broken on 24 February 2022, when Russia launched a second, full-scale invasion of Ukraine in an effort to overthrow its government and to anchor the country firmly in Moscow's orbit, if not to absorb it entirely in the Russian Federation. Contrary to the expectations of most outside observers, Ukrainian forces managed within a few weeks to stop the Russian advance on Kyiv and to limit its territorial gains to territories in the country's south and east. But it was not long before overwhelming evidence began to emerge of Russian forces firing indiscriminately in civilian areas and committing mass atrocities in the towns and cities they occupied (Hinnant 2022; Mirovalev 2022). By the spring of 2022, even though the Russian invasion had not achieved its apparent objectives, the shock of such a blatant violation of Ukraine's territorial integrity, followed by mass atrocities, finally spurred the EU to undertake the sort of policy innovations and preparations for structural transformation regarding Ukraine's prospects for accession that it had avoided over the previous three decades.

The EU's discovery of its capacity for protean power in this case is most evident in two developments—the June 2022 recognition of Ukraine's candidacy for EU membership and the December 2023 decision to open accession negotiations with Kyiv. In both developments, the EU's protean power managed, just barely, to overcome the same intergovernmental dynamics that had previously paralyzed its collective decision-making. On the other hand, the contingency of protean power is also evident in the fact that both developments were contested until the last moment and could easily have gone the other way.

Recognizing Ukraine's membership candidacy (2022)

Despite the widespread shock in Europe provoked by Russia's full-scale invasion of Ukraine, it took some time before the EU could unite around a fundamentally new approach to the country. At an emergency summit just two days after invasion, the EU's heads of state and government agreed only to "acknowledge the European aspiration and the European choice of Ukraine, as stated in the Association Agreement" (RFE/RL 2022; European Council 2022). But over the next week, the presidents of nine east European member states, plus European Commission President Ursula van der Leyen, called on the EU to grant candidate status to Ukraine (Anderson 2022; Brzozowski and Sieniawski 2022).

On 28 February, President of Ukraine Volodymyr Zelensky submitted a formal request for Ukraine to join the EU immediately (Council of the European Union 2022). Within days, both Moldova and Georgia followed suit. Though there was no clear basis in EU law for the "special procedure" mentioned in Zelensky's request,

the circumstances made it impossible to ignore. The following day, European Council president Charles Michel declared that the EU would look seriously at Ukraine's request and "make the appropriate choices in a determined and clear-headed manner" (Makszimov 2022).

But while Zelensky's emotional appeals via videoconference could get a standing ovation from the European Parliament, the EU's intergovernmental deadlock on Ukraine could not be easily overcome. East European member states were strongly supportive of Ukraine, but Denmark and the Netherlands were deeply skeptical about granting a fast-track to membership candidacy, not to mention full membership (Herszenhorn 2022). And French President Emmanuel Macron had long argued that further enlargement of the Union was impossible without significant structural reforms. As a result, a special summit at Versailles on 10 March produced a typical EU compromise, silently declining Kyiv's request for immediate accession but charging the European Commission with preparing a formal "*avis*" on Ukraine's (and Moldova's and Georgia's) readiness to begin negotiations (Brzozowski 2022a).

Meanwhile, differences among the member states remained significant. Most eastern EU countries favored candidate status for Ukraine, but the governments of Denmark and Portugal were especially reluctant, arguing that the issue had only arisen because of the war (Herszenhorn et al 2022). Just one week before the June summit of EU leaders, the European Commission released its opinion, recommending that the EU grant candidate status to Ukraine and Moldova while arguing that Georgia had to implement additional reforms (Brzozowski 2022b).

Behind closed doors at the June summit, the governments did not conceal their continued differences. German chancellor Olaf Scholz argued that geopolitical reasons were not enough to admit a country to the EU, insisting that criteria had to be fulfilled and procedures followed. Austria's chancellor Karl Nehammer expressed deep concerns about equal treatment for Western Balkan states that had long been waiting to begin negotiations, which were echoed by the leaders of seven other member states. But in the end, all the member states agreed to recognize Ukraine and Moldova as candidates for EU membership (Ludlow 2022). At the same time, they charged the European Commission with monitoring and reporting on Ukraine's fulfillment of seven steps before a decision could be made to start accession negotiations.

Given the institutional deadlock over Ukraine in previous decades, the June 2022 summit was indeed "a historic moment," as European Council President Charles Michel described it (Brzozowski 2022c). In short, the EU was opening itself to the possibility of a massive eastward extension of its collective border, with transformative consequences for its geopolitical interests, economic profile, budgetary obligations, and decision-making mechanisms. But it was only a step in that direction. As one senior figure at the summit put it, "What we did was symbolic [but] the fulfillment of these promises will take a very long time indeed" (Ludlow 2022).

Agreeing to open negotiations on accession (2023)

The next formal step to turn the conclusions of the June 2022 summit into a true transformation of the EU for the EU was a decision that accession negotiations

could begin. To reach this point, the European Commission would have to conduct a detailed assessment of whether Ukraine had fulfilled the formal requirements set by the member states, while the member states would have to agree among themselves to open negotiations. These two processes were related but not identical: as a senior Commission official noted earlier, "The enlargement process is technically driven but at the end of the day, the quantity of water in the glass is a political judgement" (Author's interview, 11 May 2012).

Despite the rhetorical commitments made at the 2022 summit, it was not a foregone conclusion that the member states would agree to start negotiations with Ukraine. The most visible obstacle to consensus among the member states was Hungary's Prime Minister Viktor Orban, who signaled in September 2023 that the EU had "long and difficult questions to answer" before it could open negotiations with such a large country. Orban also voiced concern about the status of ethnic Hungarians in western Ukraine (Kyiv Post 2023). But he was not the only obstacle.

The issue was also raising concern among farmers in Poland and other member states, who feared competition from Ukraine's large-scale, low-cost agricultural sector (Moens and Brzezinski 2023). An internal study by the Council of the EU estimated that integrating Ukraine into the EU would require €186 billion from the Union's agricultural and cohesion funds (Moens 2023). There was also concern that Ukrainian accession would increase the EU's exposure to conflict with Russia, particularly given the EU treaty's provision on collective security (Besch and Ciaramella 2023). As a result, some member states were reluctant to commit to a date for Ukraine's accession (Caulcutt and Vinocur 2023).

Others stressed the necessity for reforms not only by the aspiring states but also by the EU itself: "an enlarged EU will only be stronger if we do what we have long hesitated to do, namely revise the way our union functions," said German Foreign Minister Annalena Baerbock (2023). Reflecting these concerns, the European Council summit in October concluded: "Aspiring members need to step up their reform efforts, notably in the area of rule of law, in line with the merit-based nature of the accession process and with the assistance of the EU. In parallel, the Union needs to lay the necessary internal groundwork and reforms" (European Council 2023).

In early November, the European Commission released its assessment of Ukraine's record, concluding that the member states should agree to start negotiations with Ukraine (European Commission 2023). But the clarity of this recommendation did not put an end to the hard bargaining. On the eve of the European Council's December 2023 summit, Orban declared that opening the door to membership for Ukraine would be "a terrible mistake, and they have to be prevented in this—even if 26 want to do this and only we are opposed" (Bayer 2023a). Within hours, the European Commission announced that it would release €10 billion earmarked for Hungary, about a third of the funds previously frozen due to rule of law concerns. Despite the Commission's insistence that this move was due to improved compliance by Budapest, most observers linked it to the upcoming Ukraine decision (Bayer 2023b). Finally, in a pre-arranged move, when the EU leaders gathered the following day, Orban left the room briefly and thus allowed the Union to approve the start of negotiations with Ukraine (Camut et al 2023). European Council President Charles Michel described the move as "historic" and Ukraine's President called it

a "victory" in his country's long struggle to start down the path to EU membership (Balmforth and Dysa 2023).

Though clearly historic and potentially transformational in comparison with the EU's long-standing refusal to take such a step, the negotiation of Ukraine's accession will be a lengthy process with plenty of opportunities for individual member states to block further progress. As such, the developments of December 2023 are better understood as a provisional result of hard bargaining with uncertain implications for the future, rather than as a commitment by the Union to transform itself. The many ongoing obstacles to a full realization of the EU's opening to Ukraine—including the intense controversy over Ukrainian agricultural exports, the growing success of Russia-friendly political parties across the EU, the sensitivity of institutional reform within the EU, and the uncertainty about Ukraine's continued ability to repel the Russian invasion (made worse by EU member states' foot-dragging on the provision of military aid)—underscore how difficult it will be to progress further in this direction. Hungary's and Slovakia's threats to block Ukraine's accession unless Kyiv agrees to renew its lapsed arrangement to transit Russian natural gas illustrates how transactional and thus contingent this has become (Gavin and Jochecova 2025).

Part 4: Conclusions

How the EU responds to unforeseen but challenging developments in neighboring states reveals a great deal about the Union's protean power, as well as the limits and contingency of this power. A series of developments in Ukraine, stretching from the country's independence in 1991 to the full-scale Russian invasion in 2022, were both unforeseen by the EU and directly relevant to its treaty commitment to promote "an ever closer Union among the peoples of Europe." These developments created opportunities for the EU to offer Kyiv a path to accession and thus to demonstrate its protean power, its ability to respond to challenging but unforeseen external developments through innovation and transformation of the self. But as shown above, the EU failed three times before finally (and just barely) reaching consensus on the innovations necessary to seize this opportunity.

While Ukraine's quest for EU accession remains a work in progress, the case studies above suggest several lessons regarding the dynamics and the limitations of protean power. Some are relevant to the general utility of the protean power concept and others are relevant specifically to understanding EU enlargement through this conceptual lens.

First, this paper's study of five episodes in EU relations with Ukraine confirms that protean power is not a quality or capacity that some actors have, and others lack. Instead, it's a way of understanding processes that are deeply political (and thus inevitably contested) and highly contingent on various enabling and limiting factors. So rather than ask whether a particular actor is or possesses protean power, it is more fruitful to consider an actor's potential to generate protean power in particular circumstances. And because this potential is both politically contested and subject to various contingencies, it may change over time for any given actor on any given issue.

By extension, an actor's potential to generate protean power—i.e., to undertake significant policy innovation and transformation of the self—may be subject to the balance of costs and benefits. As such, not all unforeseen and challenging external developments have the same transformative effects. Decision-makers may recognize an opportunity for innovation and transformation, or even a pressing functional need for it, and yet fail to seize the opportunity because of countervailing incentives.

By the same logic, it could be that an actor's protean power potential is subject to a tipping point dynamic—a point in time where the shifting balance of incentives motivates either a willingness to change or an abandonment of change that has become too costly. Russia's unforeseen full-scale invasion of Ukraine in 2022 clearly redefined the definition of the desirable and the limits of the possible on EU enlargement, constituting a tipping point where EU members concluded collectively that radical uncertainty in the Union's eastern neighborhood could no longer be managed by traditional means. In turn, this led them to take unprecedented, taboo-breaking steps toward membership for Ukraine.

However, the five episodes discussed here also provide powerful evidence that the manifestation of protean power in the field of enlargement is contingent on the Union's pre-existing legal and normative commitments, the distributional effects of any potential accession in economic or geopolitical terms, the willingness of member states' governments to leverage this issue for other gains, and critically on these variables' mediation through the dynamics of bargaining among member states. In fact, the intergovernmental aspect of the Union continues to limit its capacity for transformation of the collective self and its institutions, so the ultimate outcome of this new trajectory on Ukrainian accession remains uncertain. Observing these negotiations in detail goes a long way toward demystifying the phenomenon of protean power and debunking simple arguments about the catalytic effects of security threats. It also offers sobering lessons about the prospects for other states seeking EU accession.

References

Anderson, E. 2022. Ukraine belongs in the EU, Commission chief von der Leyen says, Politico, 28 February.

Baerbock, A. 2023. Speech at the Conference on Europe, Berlin, 2 November. https://www.auswaertiges-amt.de/en/newsroom/news/-/2629342, Accessed 16 Mar 2024.

Balmforth, T. and Y. Dysa. 2023. Ukraine's Zelenskiy hails 'victory' after EU decision to open accession talks, Reuters, 14 December.

Bayer, L. 2023a. Orban doubles down on opposition to EU accession talks with Ukraine, The Guardian, 13 December.

Bayer, L. 2023b. European commission unlocks €10bn for Hungary, despite criticism from MEPs and experts, The Guardian, 13 December.

Besch, S. and E. Ciaramella. 2023. Ukraine's accession poses a unique conundrum for the EU. Carnegie endowment for international peace, 24 October.

Beunderman, M. 2005. Blow to Kiev as Brussels closes door to further enlargement, EUobserver, 9 November.

Bildt, C. 2006. Open wide Europe's doors. International Herald Tribune, 7 November.

Brzozowski, A. and B. Sieniawski. 2022. Poland, Slovenia, Lithuania say Ukraine deserves EU candidate status, EurActiv, 24 February.

Brzozowski, A. 2022a. EU leaders tone down Ukraine's membership plan, EurActiv, 11 March.
Brzozowski, A. 2022b. Ukraine, Moldova should get EU candidate status, Georgia might need to wait, EU executive says, EurActiv, 17 June.
Brzozowski, A. 2022c. EU leaders grant candidate status to Ukraine and Moldova, EurActiv, 23 June.
Deutscher Bundestag. 2005. Bundeskanzler unterstreicht inhaltliche Auslegung der Stabilitätsfrage, 27 Januari. https://webarchiv.bundestag.de/archive/2009/0508/aktuell/hib/2005/2005_027/02.html, Accessed 16 Mar 2024.
Camut N. et al. 2023. Orban's walkout was planned, Macron says, Politico, 15 December.
Caulcutt, C. and N. Vinocur. 2023. Backlash grows against Ukraine's EU accession, Politico, 4 October.
European Commission. 2023. Communication on EU Enlargement Policy, COM(2023) 690 Final, Brussels, 8 November.
Council of the European Union. 2022. Communication CM 2003/22, 4 March.
Council of the European Union. 1991. General Affairs Council, Declaration on Ukraine, 2 December.
European Council. 1999. Conclusions, 10 and 11 December.
European Council. 2014. Statement of the heads of state or government on Ukraine. Brussels, 6 March.
European Council. 2022. Conclusions, 24 February.
European Council. 2023. Granada Declaration, 6 October.
Euractiv. 2015. Ukraine wants roadmap to EU accession at Riga summit, 21 May.
Gavin, G. and K. Jochecova. 2025. Pump Russian gas or face the consequences, Fico threatens Ukraine, Politico, 9 January.
Gromadzki, G. et al. 2006. Will the Orange Revolution Bear Fruit? EU-Ukraine Relations in 2005 and the Beginning of 2006. Warsaw: Stefan Batory Foundation.
Herszenhorn, D.M. 2022.. Netherlands' tight fist now chokes Ukraine's EU bid, Politico, 10 March.
Herszenhorn, D.M. et al. 2022. EU countries unanimously back Ukraine – except on its bid to join the EU, Politico, 15 June.
Hinnant, L. 2022. AP evidence points to 600 dead in Mariupol theater airstrike, AP News, 4 May.
Freedom House. 1999. Freedom in the World 1999 - Ukraine, 1999. https://www.refworld.org/reference/annualreport/freehou/1999/en/95183, Accessed 16 Mar 2024
Katzenstein, P., and L. Seybert. 2018. *Protean power: Exploring the uncertain and unexpected in world politics*. Cambridge: Cambridge University Press.
Ludlow, P. 2022. June 23–24: Rhetoric and Reality, EuroComment Post-Summit Briefing 2022/05.
Makszimov, V. 2022. EU promises to 'seriously' look into Ukraine's membership appeal, EurActiv, 1 March.
Maurice, E. 2015. Ex-Soviet states accept limited EU perspective, EUobserver, 22 May.
Mirovalev, M. 2022. Bucha killings: 'The world cannot be tricked anymore,' Al Jazeera, 4 April.
Moens, B. and B. Brzezinski. 2023. 'Incomprehensible': How the EU lost control in Ukraine grain fight, Politico, 27 September.
Moens, B. 2023. Ukraine's accession would cost €186B, EU estimates, Politico, 4 October.
Obbema, F. and Visser, J. 2016. Vijf EU-landen blokkeerden lidmaatschap Oekraïne, Volkskrant, 1 April.
Penkova, T. 2014. The Vilnius Summit and Ukraine's Revolution as a Benchmark for EU Eastern Partnership Policy, www.ispionline.it, Accessed 16 Mar 2024.
Politico. 2002. How Verheugen put the king of Kiev in his place, September 18.
Pomorska, K., and D.C. Thomas. 2025. The protean power of Europe: Innovation and transformation in the face of radical uncertainty. *Comparative European Politics*. https://doi.org/10.1057/s41295-025-00431-w
Kyiv Post. 2023. 'Difficult Questions' Before Ukraine EU Membership Talks: Orban, 29 September.
Rettman, A. 2013a. EU and Ukraine: What went wrong? EUobserver, 25 November.
Rettman, A. 2013b. EU leaders close the door on Yanukovych, EUobserver, 20 December 2013.
Rettman, A. 2014a. EU gives Ukraine enlargement hint, EUobserver, 10 February 2014.
Rettman, A. 2014b. Ukraine accession promise would help EU-Russia relations, EUobserver, 13 February.
RFE/RL. 2022. Zelensky Calls for Ukraine's Immediate EU Membership But Bloc Cool on Idea, 28 February.
Robert, A. 2014. France denies EU membership perspective to Kyiv, Euractiv, 12 March.
Stern, D. 2017a. Dutch block aspirational communique at EU-Ukraine summit, Politico, 12 July.
Stern, D. 2017b. EU and Ukraine – close but not that close, Politico, 13 July.
Tannock, C. 2002. 'Intolerant' Verheugen. Politico, September 25.

Thomas, D.C. 2021. *The limits of Europe: Membership norms and the contestation of regional integration*. Oxford: Oxford University Press.
Irish Times. 2002. Russia, ex-Soviet republics will not join EU, says Prodi, 28 November.
Financial Times. 2005. Don't know much about geography, 25 January.
Ukrainian Week. 2013. EU-Ukraine Summits: 16 Years of Wheel-Spinning, 28 February. https://ukrainianweek.com/eu-ukraine-summits-16-years-of-wheel-spinning/, Accessed 16 Mar 2024.

Daniel C. Thomas is Professor of International Relations at Leiden University.