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EU's 'Eastern discontents' – when 'top-down' and 'bottom-up' politicisation collide – the case of Romania in the future of Europe debate

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ABSTRACT

Over the past decade, the wave of successive crises that hit the EU has tested the EU's legitimacy and resulted in increased EU politicisation. In the period between the Brexit referendum up until the 2019 European elections, several CEE member states (such as Poland and Hungary and to a lesser extent Romania) contested the EU for breaching their national sovereignty, claiming that their countries' values and identities are 'threatened' by the EU's interference. In this article, we analyse the case of Romania's clashes with the European Commission between 2017 and 2019 on the topic of rule of law backsliding. We analyse these discursive clashes in connection to the country's first Presidency of the Council, as an illustration of the increased politicisation placed in the overall context of the Future of Europe debates. The empirical part is based on a chronological account of selected qualitative data about how this national-supranational 'power struggle' unfolded in the studied period. The findings show that in the case of Romania two forms of politicisation coincided and collided - one that was 'bottom-up', marked by highly polarised national politics and an East–West division and another that was 'top-down' - defined by the tensions inside EU's own political dynamics between the Council and the Commission.

KEYWORDS

European elections; European Union; future of Europe; politicisation; Romania

Introduction

In recent years, European integration has become an increasingly contested issue in numerous EU member states, not just in the United Kingdom. This was both good and bad news for the EU's prolonged legitimacy crisis. After June 2016, the disruption brought by the UK's withdrawal from the EU was just the tip of the iceberg within a larger process of questioning and renegotiating relations between the EU and member states studied also under the name of 'polycrisis' (Zeitlin, Nicoli, and Laffan 2019). There is a strand in the literature that argues that this is the positive side of EU politicisation – that it manages to diversify and extend the European public sphere, provoking different categories of citizens to comment on EU affairs (Zürn 2019, De Bruycker 2020). To the contrary, there is another strand pointing to a rather 'dark side' of EU politicisation. It argues that this 'widening' of the debates also implies the promotion of divisive topics in transnational arenas (in the detriment of cooperation and solidarity), as it was the case during the Eurozone zone crisis, the migration crisis or the Brexit referendum. Thus, it was stressed that this increasing politicisation of the EU came at the cost of

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offering more visibility to extremist forces (with both left and far right parties that promoted radical anti-EU stances) (Bressanelli, Koop, and Reh 2020), which contributed to their consolidation in the European Parliament during the 2014–2019 mandate and further.

Beyond these theoretical disputes, the period between 2017 and 2019 represented a critical political juncture for the disruption of the European Public Sphere. It started right in the aftermath of Brexit and lasted until the preparations for the 2019 European elections and it was marked by an abundance of anti-EU narratives promoted at both national and supranational level and fears of massive voter absenteeism. Various actors tried to propose ways forward for this new legitimacy crisis in the EU. From this point of view, this 2-year interval represented a strategic context for the European Commission (EC hereby) to initiate what we previously called 'supranational politicisation' within the framework of the 'Future of Europe debates' (Butnaru-Troncotă and Ioniță 2021). With this initiative, the Juncker Commission tried to re-energize the European public sphere (engaging also the other EU institutions in the process), but it also expected to bring back EU topics on national public spheres, by including both MS Leaders and citizens to critically reflect on the bloc's future. Even though, in this period, the EU was not faced with a specific crisis *per se*, we argue that it was directly connected to the 'polycrisis' (Zeitlin and Nicoli 2020), reaching a peak of various accumulated tensions that allowed different forms of EU politicisation to collide. This is particularly observable around the topic of rule of law backsliding in CEE countries (Hungary, Poland and Romania) that have already received a lot of attention in the literature. There are already studies that try to map these transformations in terms of the challenges of EU politicisation before the 2019 elections, but there is little attention given to the specific case of Romania's governing elite discourse against the EU during its episode of rule of law backsliding. The article tries to fill this gap and discuss this specific period in Romania–EU relations at the institutional level, going beyond the legal discussions about the decisions that limit the independence of the judiciary and analysing it from a politicisation perspective.

In this context, the paper focuses on the specific case study of Romania during this critical juncture of the EU between 2017 and 2019. We analyse a selection of discourses and actions of Romania's main political representatives with the EC on the topic of rule of law and democracy backsliding, which are categorized using Vivien Schmidt's (2019) conceptual framework of 'top-down' and 'bottom-up' politicisation of the European public sphere. We reflect both at EU institutions' discursive engagement with Romania (as the EC tried to avoid its previous Article 7 experiences with Poland and Hungary), but also on how this inter-institutional 'dispute' was affected by Romania's polarisation in domestic politics in the context of its first Presidency of the Council of the EU (1 January–1 July 2019). Although the rule of law backsliding in Romania has been weaker and of a shorter duration than those observed in Poland and Hungary, there were numerous rhetorical confrontations between the representatives of the Romanian Government and representatives of the EC in the indicated period that deserve more attention. Our assumption in this article is that the clash between Romania's Government and the European Commission on the topic of rule of law was an illustration of the specific forms of EU politicisation that surfaced during the Future of Europe debates (2017–2019). This period was marked by highly polarised national politics in the case of Romania that coincided with the much talked about 'East-West division' inside the EU's own political dynamics while connecting rule of law issues with access to EU funds during the negotiations for the new Multiannual Financial Framework (MFF) 2021–2027.

Romania's case study enables us to closely observe the ways different actors in the EU engaged in politicisation prior to the 2019 elections and how this had influenced the asymmetries between the national and supranational sides of EU politics on the controversial topic of rule of law backsliding. Moreover, the case of Romania-EU clashes as result of politicisation is relevant particularly in the context of the most recent legal disputes provoked by the Polish

Constitutional Court ruling against the primacy of EU law issued in October 2021, after the Polish Prime Minister requested a review of a decision by the EU's Court of Justice (ECJ) that gave the bloc's law primacy (Deutsche Welle 2021).

The article is organised as follows: the first part engages with the theoretical discussions of the concept of politicisation in the EU, and the most recent contributions in the literature. The second part briefly discusses the main analytical strategy for the case study of Romania. The third part reconstructs in a chronological manner the main discourses and political events that marked the relation between Romania and the EU between 2017 and 2019, reflecting on how these double instances of politicisation ('top-down' and 'bottom-up') collided. Placing the main findings in the broader context of politicisation of the European Public Sphere literature, in the conclusions we explore new avenues of research on the topic.

State of the art on EU politicisation during the 'polycrisis'

Over the last few years, EU studies have been concerned with the effects of the so-called polycrisis on the increasing politicisation in the EU. The 'polycrisis' consists in the accumulated effects of the recent successive crises in the EU – the debt crisis, the migration crisis, Brexit, the resurgence of Euroscepticism and, most recently, the COVID-19 pandemic. This focus led to a mushrooming of enquiries into polarisation and contestation and the relationship between politicisation and European integration (Zeitlin and Nicoli 2020; Hapaala and Oleart 2021). The various forms and effects of EU politicisation in connection to the 'polycrisis' have been theorized prominently from a postfunctionalist perspective (Hooghe and Marks 2018), from the return of intergovernmentalism (Bickerton 2015), with adapted notions such as 'discursive intergovernmentalism' (de Wilde 2019) or discursive institutionalism (Schmidt 2019). These extensive scholarly discussions on the topic conclude on the fact this crisis-driven context left its mark on the European public sphere and it has had significant repercussions on relations between Member States: the Franco-German discord; the North–South divide; the UK's status after Brexit; the East–West fracture over the refugee crisis; but also between member states and EU's institutions (Zeitlin, Nicoli, and Laffan 2019). Another consequence was that this convergence of multiple polarised debates brought a nascent transnational public sphere to the discussion of EU affairs (Barth and Bijmans 2018) that also coincided with democratic backsliding in several MS (Gora and de Wilde 2020).

EU politicisation was analysed both as a chance and a risk for further European integration (Rauh 2019). Even though there are different approaches to the topic, most of these studies coincide in arguing that the more the EU was confronted with successive structural crises, the more politicized its public sphere has become. Even though these crises unfolded around different topics – from economic and monetary policy, to borders and migrations, or democracy and the rule of law – it was argued that all of them managed to bring about similar conflicts over values and sovereignty losses surrounding the legal, economic and political legitimacy of the EU (Coman and Leconte 2019). There are contrasting opinions in the literature regarding the effects of this politicisation on the EU, and whether it leads to more integration, or contributes rather to differentiated integration or simply to disintegration. Some authors argued that this was a form 'politicisation' that proved healthy for the EU citizens, bringing European topics closer to national agendas and being more frequently commented on in national media, so the politicisation of the EU is seen as not just an inevitable, but often as a welcome development (Zürn 2016). Others considered this a form of 'disintegration' and renewed East–West tensions that would fundamentally change the EU (Börzel and Schimmelfennig 2017) and it could block any further integration and cooperation among member states. Politicisation was considered harmful and not good for the EU so there were many actors involved in the actions of 'depoliticisation' (Fawcett and Marsh 2014). They argued that these substantial dissonances between EU institutions during the recent crises led to severe conflicts among the member states' governments.

Additionally, politicisation is very much connected to the complex institutional setting of the EU's governance system. The changes introduced by the Treaty of Lisbon have attracted considerable attention in connection to EU's crises of legitimacy due to the high politics involved in everyday policy making, the risen role of the Council, the changed role of the European Parliament and the increased involvement of national parliaments and the responsiveness of EU and national actors to increasingly EU-sceptic publics. Thus, we can infer that the nature and scope of politicisation in the EU is directly connected to the complexity of the European political arena, resulting in the enmeshing of national and supranational public spheres. Most prominently in the aftermath of the Brexit referendum in June 2016 and the 'agonic' negotiations that followed the years after, the post-Lisbon balance of competences between member states and the supranational institutions in the EU started to be sharply contested by certain countries. This made politicisation more visible both at the national and at the supranational level. In this context, scholars outlined the fact a new transnational-national cleavage was created by the deepening of European integration and rising trade and immigration, thus changing the European party system through the rise of radical right and left parties opposing European integration (Hooghe and Marks 2018). At the same time, these subsequent crises gave voice to populist discourses and accentuated a form of increased politicisation that was managed by Eurosceptic forces for their own political marketing purposes. The rise of right-wing, Eurosceptic governments across the continent (in both old and new member states) encouraged a model of 'differentiated integration' (Schimmelfennig 2018). More and more scholars talked about 'EU's crisis of legitimacy' (Weiler 2012; Fuchs and Escher 2015; Hobolt 2018; Schmidt 2016) which manifests at the level of accentuated hostile perceptions against EU, that is being accused of intervening in spheres that were previously only under sovereign national control. Thus, the 'poly-crisis' has left traceable marks on intra-European unity in paradoxical ways: on one hand, it represented opportunities for wide and constructive reforms; on the other hand, it deepened divisions between member-states, and offered more space for anti-EU narratives and clashes between governments and EU supranational institutions (Baglioni and Hurrlemann 2016; Börzel and Risse 2018; Rauh 2019). Moreover, Bressanelli, Koop, and Reh (2020) also analysed the strategies pursued by a plurality of actors (the Commission, the European Parliament, national governments) to cope with member states' contestation of EU's legitimacy.

From a discursive institutionalist perspective, power struggles between various actors in the EU governance system can be traced to their public discursive interactions. However, discourses take place in specific institutional contexts (Schmidt 2019). As a result, politicisation varies substantially between different types of political arenas at the EU – national level and supranational level, as well as at their intersection. Recent evidence suggests that supranational elites (members of the EC, for example) communicate public interests more strongly in the face of politicisation (De Bruycker 2017). Among others, Carstensen and Schmidt (2018) and Schmidt (2019) show that the politicisation of the EU can be traced in various spaces, such as in public opinion, elections and in institutional development in the ways the EU becomes subject of public discussion, debate and contestation. One of the main assumptions of this approach is the constructivist idea that Europe is a 'discursive battleground' (Diez 2001). The other assumption is that all EU actors are engaged in discursive and institutional struggles for power and authority, as well as in gaining more legitimacy for their EU governing activities and this applies also to member states. Schmidt (2019) observed that the literature on EU politicisation was very much concerned with politics in the member-states, and with its effects on member-state leaders' decisions in the Council, and even on individual EU institutional actors on their own rather than on the increasingly politicized interrelationships among such actors (2019). 'Discursive battles' are fought not just over who is in charge of decision-making but also over who acts with legitimate authority, whose policies are legitimate, and on what grounds (Crum and Curtin 2015). Schmidt argued that politicisation manifests itself in multiple ways at the national and supranational levels: at the bottom, it manifests in the increasingly divisive debates, divided electorates, and in volatile party politics; from the bottom-up, it manifests through national-level influence on EU actors; and at the top, in the increasingly contestational nature of

interactions of EU actors (Schmidt 2019, 321). She also argues that the EU has moved from a national level 'politics without policy' to 'politics against policy' in the most contested domains (such as who should intervene to regulate rule of law controversial decisions in member states) or even to 'politics against polity' in the most extreme cases, notably with the UK voting to exit the EU. Other scholars argued that for analysing EU politicisation at the discursive level, there is a need to focus on the ways in which actors translate national political conflict into transnational politics (Kauppi 2018).

As such, using the terms proposed by Vivien Schmidt (2019), we aim to argue that the critical juncture between 2017 and 2019 offered different EU actors' incentives for both 'bottom-up politicisation' (defined as a process when national politics permeates member-state leaders' positions in the Council and their interactions with the Commission) and 'top-down politicisation' (defined as politically charged dynamics of interaction within and among EU actors) in the case of Romania.

Methodological considerations

The empirical analysis consisted in contextualizing the power struggles between supranational and national elites and also contrasts between EU institutions' representatives manifested at the discursive level in the debate about the rule of law backsliding in Romania between 2017 and 2019. It focuses on illustrating with example forms of 'politicisation at the bottom' (the case of Romania's national polarisation on the topic of fight against corruption and its controversial rule of law decisions) and forms of 'politicisation at the top', which the article then illustrates with the cases of the Parliament and the Commission's positions towards Romania on rule of law decisions, before and while the country held the Presidency of the Council of the EU (first half of 2019).

As we are interested in the ways the two types of politicisation collided in the studied period, we mainly focused on the main actors' positions as reflected in transnational media, rather than in the local/national one. We concentrated on how these 'discursive battles' between Romania's PSD-led Government and the EC were reflected in English-speaking transnational outlets like – *Euractiv, Politico Europe, Euronews or Balkan Insight*. Their coverage of EU affairs, combined with live-streamed events of the European Parliament debates and official documents issued by the Commission (reports) were the main sources that helped us map the evolution of both types of politicisation. Thus, our analysis focuses on the public statements made by the European Commission's representatives (EC president Jean-Claude Juncker, Vice-President of the EC Frans Timmermans and European Commissioner for Justice Věra Jourová). In connection to these statements, we analyse the responses of Romania's Government representatives (PM Viorica Dăncilă, Justice Minister Tudorel Toader) and other influential political figures, such as PSD's former leader Liviu Dragnea. We identified discourses pointing towards national-supranational clashes, but also EU-level clashes between supranational and intergovernmental bodies of the EU (i.e. the Commission, the Parliament or the Council) (see the selection of data in Table 1, in Annex).

Romania's anti-corruption saga

There were no political parties or institutions to contest the EU in a systematic way at the domestic level neither before nor after Romania became an official EU member in 2007. Eurobarometer data show that Romania ranks second among the EU MS with the highest proportions of citizens who have a positive view of the EU (Eurobarometer 2019). Before its accession in 2007, all political parties in Romania agreed to support the EU accession process, beyond all ideological differences. This continued also after 2007. As a consequence, for almost a decade, EU topics did not have any conflicting potential in domestic political discourse, and because of this there were authors arguing that Romania's public sphere was only partially Europeanized (Radu and Bârgăoanu 2015). While assessing the impact of the EU Membership on the postcommunist countries including Romania, at first scholars were 'surprised' to observe the lack of backsliding in political reforms (Levitz and Pop-

Eleches 2010). But after a decade, the situation of all CEE 'newcomers' but mostly the one of Romania and Bulgaria has been negatively re-evaluated as 'eternal laggards' of EU accession (Dimitrova 2021). Beside the mechanisms of EU conditionality in all three areas of the Copenhagen criteria (political, economic and social) the literature focused more on how the Commission exercised political pressure through the instrument of 'post-accession conditionality' in the field of judicial reform and combating organized crime and corruption, where scholars showed that Romania's evolution was very modest or in some cases it has even regressed since accession (Vachudova and Spendzharova 2012; Tanasoiu and Racovita 2012; Gateva 2013).

With some minor exceptions, Eurosceptic voices were not present in Romania's domestic politics (in contrast to other CEE countries). Contestation and criticisms against the EU were almost absent. The criticisms were not against the EU *per se*, but were rather placed in the context of the Council's decisions and other member states' biases and hostile positions (such as the Schengen issue in 2011 – see more in Bârgăoanu 2012). Another such exception was the European Commission's criticism against Romania for jeopardizing the rule of law and the independence of the judiciary during the contentious impeachment of Romania's President by Parliament in 2012 (Carp 2014). Consequently, over the last two decades, there have been almost no anti-EU narratives in Romanian politics. We stress this in order to underline the powerful impact of this U-turn in Romania's official EU discourse (Euractiv 2019c).

Starting with 2017 and most visibly in the first part of 2019, when Romania held the Presidency of the Council of the EU, the biggest tensions between the Commission and Romania occurred. The rise to power of the Social Democratic Party (PSD hereby) coalition after the December 2016 elections in Romania marked the beginning of more than two years of continuous contestation of EU's 'abusive' interference in the country's domestic affairs. Numerous decisions of the government in the field of judiciary prompted reactions by EU institutions' representatives. Between 2017 and 2019 the EC, through its Vice-President Frans Timmermans engaged in a back-and-forth dialogue with Romanian authorities on sensitive topics that went beyond the specific discussions on the rule of law and judicial reforms or the Cooperation and Verification Mechanism (CVM), and included also talks in Romania's Schengen accession, the multi-speed Europe's scenario or even leading to contesting Romania's institutional ability to manage its role as President of the EU Council for the first part of 2019. The anti-corruption policy context is a particularly sensitive one for Romania, and it has deep connections with EU integration and the protection of European values (Iancu 2018). Moreover, the topic also had a crucial role in the massive civic mobilization and street protests that took place in this period of time in all major cities in Romania. In this sense, the EU's position against the Romanian left-wing government was supported at the domestic level not only by parliamentary political parties in the opposition (such as the National Liberal Party and most vocally by the Save Romania Union – the newest political party that was created just months before it entered the Parliament in 2016) but also by groups of Romanian citizens that joined the protests. In this context, Romania experienced a wave of anti-corruption and anti-government protests, which peaked in February 2017, when a half-million people took to the streets all over the country to oppose the emergency decree that intended to decriminalize low-level corruption. It was the largest protest Romania experienced since the fall of communism in 1989. During these protests, a striking image became viral in international media with the Romanian Protesters in Victory Square (centre of Bucharest) holding papers that formed the EU flag, a symbolic association between the anti-corruption message and pro-EU stances of the protesters (Deutsche Welle 2017). Next, other anti-government protests followed in August 2018, which drew around 100,000 Romanians from the diaspora all over Europe to Bucharest and ended in violence when the police clashed with protesters and used tear gas to disperse the crowds (Balkan Insight 2018b).

Seen in an EU context, the case of Romania proves very interesting from the point of view of topics addressed for contesting EU's legitimacy on rule of law matters. Challenger parties in CEE included from the beginning governing parties, like PiS in Poland and Fidesz in Hungary, whereas right-wing challengers became electorally stronger in many old member states only in recent years, rarely making it to government (with the exception of Italy starting with 2018). Romania is an exception in this sense

because its discontent did not come from the right-wing, but from the left-wing, governing party, part of the S&D group in the European Parliament. PSD, the party in power in Romania in a coalition from 2016 until the 2019 EP elections, was the main actor to oppose the EC on the topic of anti-corruption. Supplementary institutional tension was added by the fact that EC Vice president Timmermans (chosen as a *Spitzencandidat* for the S&D) was a colleague of the Romanian PM Dăncilă in the European socialist group.

There are numerous studies on Romania's failed anti-corruption policies, but there are just few analyses reflecting on how these confrontations contributed to different forms of EU politicisation. The core symbol of the country's pro-EU orientation was its fight against corruption. Since 2007, Romania (with Bulgaria) has been subjected to a post-accession conditionality: the cooperation and verification mechanism (CVM), centred on judicial reforms and anticorruption. The fight against corruption in terms of the number of high-ranking officials convicted in corruption-related cases carried out on the basis of the CVM became a domestic political conundrum, leading to increased political polarization. In fact, there are authors arguing that the gradual politicisation of the topic of anti-corruption has come to shape the political scene in Romania (Mungiu Pipidi 2018). Between 2017 and 2019, next to Poland and Hungary, Romania has become the subject of increased rule-of-law scrutiny by EU institutions, and there were frequent comparisons in international media between the three countries seen as EU's 'Eastern discontents'. We aim to analyse these events in the case of Romania not focused on their content (the discussion about legality of the decisions and how they break EU laws), but rather as instances of power struggles and politicisation between a member state and its relations with EU institutions, and how this critical juncture contributed to the politicisation of the European public sphere before the 2019 elections.

When politicisation 'at the top' meets politicisation 'at the bottom' – the clashes between Romania and the European Commission (2017-2019)

March 2017 marked the 60th anniversary of the Treaty of Rome. In the Brexit context, this festive moment for EU integration was rather a breaking point for the Union's redefinition. The Juncker Commission used this celebration to launch the *White Paper on the Future of Europe*, a strategic document that facilitated a two-year reflection process, which became known as the 'Future of Europe debates'. This institutionalised format of discussions over the future direction of the EU (that was continued by the 2021 launch of the Conference on the Future of Europe format) created a public forum that engaged different actors at the national and supranational level to express publicly on politically sensitive issues like the rule of law, democracy and migration in the EU (EPRS 2019). As previously argued, in our view, the Commission initiated a form of 'supranational politicisation' (Butnaru-Troncotă and Ioniță 2021) with the specific aim to facilitate a 'polarisation of opinions', as well as open contestation of EU's legitimacy in areas that were already disputed before, such as the rule of law, breaching EU values and attacks on democratic stability. In the same period of time, Romania has witnessed polarised national positions between the country's President Klaus Iohannis (that represents Romania in the Council and was the main institutional host of the Sibiu Summit – with a clear pro-EU stance) and the Government representatives from PSD that criticized the EC both at the national and at the supranational level. Already by the time the EC launched the *White Paper* in March 2017, the EU's Eastern and Western members were once again split over the question of a possible multi-speed Europe. Ahead of the EU's 60th anniversary Rome summit on 25 March 2017 French president Hollande organised the Versailles Summit (6 March) on the need to construct a two-speed Europe. The Summit was attended by the eurozone's 'big four' Germany, France, Italy and Spain, who have endorsed the idea of a 'multi-speed Europe', in which some countries could forge ahead with deeper integration, even if others do not want to follow suit. This meeting reignited tensions between the EU's eastern and western member states. Soon after that statement, the Visegrad states (Poland, Czechia, Slovakia and Hungary), during a meeting in Warsaw, were the other four new member states that expressed scepticism and disagreement regarding the 'multi-speed

Europe' approach discussed in Versailles (EUObserver 2017). Soon after that, in May 2017 Romania joined this group's position, announcing that any moves toward a 'multi-speed' EU could cause divisions in the bloc, and that it does not favour the creation of new mechanisms to address rule-of-law issues in Hungary or Poland (Reuters 2017).

Between April and November 2017, the Commission's attention was drawn towards Romanian authorities' interference in the judicial process. Referring to the anti-government protests from January to February of that year, Jean-Claude Juncker brought to discussion the need for "the irreversibility of [judicial] reforms" and Romania's ongoing bid to join the Schengen Agreement (Euractiv 2017). Thus, the EC President connected issues to the CVM, in what might be perceived as a complex manifestation of 'politicisation at the top', as the EC is not the actor with legitimate authority to decide on a country's entry in the Schengen Agreement. The Council concluded in 2011 that Romania formally fulfilled the criteria to apply in full the Schengen acquis (European Commission 2012), while the European Parliament had already given the green light for Romania to enter, pending on the EU Council vote. The Juncker Commission raised a new 'bone of contention' against Romania on a sensitive aspect – the legitimacy of the supranational body to reverse/stall decisions made at intergovernmental level, exporting this power struggle to the public sphere, through means of discourse. After this episode, the EC continued to exercise pressure on Romania's governing coalition to ensure the above-mentioned irreversibility of judicial reforms. Following a planned overhaul presented by Justice Minister Tudorel Toader (August 2017) and nationwide street protests, the EC asked for details, in order to ensure the continuity of reforms. By the end of that month, the EC's representatives in Romania reaffirmed their concern over the impact of the overhaul on the independence of the judiciary (Euractiv 2017c), with no immediate response from Bucharest on the matter. The only official communication between the three main EU institutions on the internal developments from Romania (2017–2019), visible to the public sphere, was the annual report on progress in Romania under the CVM, drafted by the EC and forwarded to the Council and the European Parliament. Between 2017 and 2018, this exchange of views highlighted several critical aspects of the judicial reform in Romania (European Commission , 2017, 2018a). Moreover, concerns about national-level politicisation have also led EU officials to increasingly communicate with the public directly – to inform the citizens of EU actions, as well as to legitimate those actions

An example of this was the Commission's White Paper and launch of Future of Europe debates in March 2017, when the EC's President Juncker acted as a 'supranational communicator'. "

The year 2018 brought intensified contestation of EU's actions in Romania. In late January 2018, Romania's Parliament approved Viorica Dăncilă (former MEP from PSD) as the nation's first female prime minister – and the third prime minister in just 1 year. Starting with Jean-Claude Juncker's State of the Union Speech, the tensions between Bucharest and Brussels intensified, reaching new highs in terms of warnings and proposed measures. The State of the Union Speech in the autumn 2018 reaffirmed the EC's stance on the importance of the rule of law topic, pointing out that the Juncker cabinet will not refrain from activating Article 7 of The Treaty on European Union, in case of major threats posed to the rule of law, which was deemed to be 'not optional' (European Commission 2018b). While not naming the Member States who caused concern, Juncker's speech clearly pointed to Hungary, Poland and (to a lesser extent) Romania, which registered downfalls concerning the rule of law. While Warsaw and Budapest were already under the incidence of Article 7 (Michelot 2019), Romania was repeatedly warned by the EC regarding its threats posed to the independence of the judiciary. Romania was nonetheless explicitly mentioned in the speech, as Jean-Claude Juncker (somewhat ironically) invited all of EU's leaders to meet in Sibiu (Romania) in May 2019, for the informal Summit, preceding the elections for the European Parliament. Following this speech, the EC renewed its warnings within a hearing of Commissioner Frans Timmermans in the European Parliament's Human Rights and Civil Liberties Committee. While acknowledging that Romania 'has made progress in the past, sometimes even spectacular progress', the EC's Vice-President pointed out that the general situation of the reforms 'has deteriorated' (Balkan Insight 2018a). Officials in Bucharest were quick to respond as PSD's leader Liviu Dragnea declared to be disappointed by

Timmermans' comments, labelling them as 'brutal threats' (Idem). The reaction came to emphasize the tension between Romanian authorities and EU institutions, with the former using the interference of EU officials as a means to legitimize domestic decisions.

The debate on the rule of law in Romania, organised by the European Parliament in October 2018, was another manifestation of 'bottom-up' politicisation. Romanian PM Viorica Dăncilă used the platform to criticise EU institutions for their inaccurate portrayal of the situation in the country – the Romanian official accused EU institutions of double standardisation of similar issues in different countries. Nevertheless, in her speech, the head of the Romanian Government campaigned for a 'bottom-up' approach of decision-making, taking into account the needs of national citizens and for the decoupling of this process from the CVM instrument, used since 2007 to monitor the country (European Parliament 2018a). The end of October 2018 saw another high-rank official from Romania addressing the European Parliament – President Klaus Iohannis, who participated in the plenary session on the debate on the Future of Europe. Among other issues (and in contrast with Dăncilă's speech) he declared his country's attachment to the European project, pointing out that many aspects of the young Romanian democracy are still subject to improvement. A highlight of his speech was the emphasis put on respect for the rule of law, mentioned as both a value praised by Romanian citizens and European institutions (Romanian Presidency 2018). These reactions lead to a second layer 'bottom-up politicisation, as an evident clash between the two main representatives of the Romanian state. They both transferred their national disagreement into the supranational public sphere, using the European Parliament as a platform to further politicize and use the EU in Romania's internal struggle between power and opposition (Prime Minister-President). This specific context in Romanian domestic politics amplified the politicisation of the rule of law backsliding. Moreover, in October 2018 the recurrent national dispute between the government and the judicial apparatus led to a new reaction by a representative of the EC, when Justice Commissioner Věra Jourová expressed her concerns regarding the interference of Bucharest in the judicial sector, as the country was preparing to host the Presidency of the EU Council (Euractiv 2018a). In this context, a clear display of 'policy without politics' can be observed, as the EU official highlighted the need for a decoupling of the Presidency from internal affairs of the host country. It was later demonstrated that the 'Brussels model' neutralised domestic issues, as Romanian authorities only focused on fulfilling their assumed mandate, without using the Presidency as a platform to expose or mitigate socio-political issues or disputes with EU institutions (Coman 2020). Another controversial statement was made in December 2018 in an interview with German Sunday newspaper *Welt am Sonntag*, where EC President Juncker said that despite being technically well-prepared 'the Bucharest government has not fully understood what it means to chair the EU countries' (Deutsche Welle 2018). This is a very political statement, particularly related to a similar statement made by the Romanian President Iohannis in the same period of time, as an attack against the PSD Government (Mediafax 2018). Practically both the Romanian President and the President of the EC attacked Romania's government ability to conduct the EU Presidency and this also shows a model for politicisation at the top – creating a tension between the Commission and the Council. Juncker also added that 'Prudent action requires a willingness to listen to others and a strong desire to put one's own concerns to one side' (DW, 2018) and this type of statement clearly demonstrates that in this period EC actively contributed to the politicisation of the debate on domestic affairs in Romania.

Other elements contributed to an increased politicisation of the topic of anti-corruption. Several PSD members were placed under investigation for corruption and abuse of power, including the leader of the PSD himself, Liviu Dragnea. In this context, in July 2018 the former head of the National Anticorruption Directorate (DNA), Laura Codruța Kövesi was forced out of office. The country's PSD justice minister Tudorel Toader accused her of alleged abuse of power, and President Klaus Iohannis reluctantly signed off on her dismissal after the constitutional court in Bucharest ruled that he could not block the decision. This incident created another tension between the Romanian Government and the EC, as Romania did not support her candidacy for this position, trying to block her participation in the hearings for the job. Finally, in October 2019, Kövesi was appointed by the

European Council to head its newly created European Public Prosecutor's Office, after a long negotiation between the European Parliament and Council. The entire incident in itself of her dismissal, her hearings for the EU job and in the end the Council's negotiations are an illustration of the manifestation of the two types of politicisation.

Not only the EC but also the European Parliament (EP) had its own role in the politicisation process in the case of Romania, confirming the fact that in the post-Lisbon era it became an increasingly political actor in the inter-institutional 'dynamics at the top' (Schmidt 2018). In November 2018, the EP issued a Resolution on the rule of law in Romania, drawing on articles from the Charter of Fundamental Rights of the European Union, the European Convention on Human Rights, previous hearings in the European Parliament, opinions of the Venice Commission, reports of the EC and even the Romanian Constitution (European Parliament 2018b). The document called for the Romanian government and parliament to fully implement the recommendations of the Venice Commission and the EC, triggering strong reactions from Bucharest, where members of the governing coalition accused European institutions of interfering with the country's independence, by imposing their own views and rules (Euractiv 2018b). Moreover, the resolution brought to the forefront the European Parliament's power to issue warnings on issues concerning the daily life of European citizens, regardless of their nationality. Nevertheless, the institution lacks sufficient power to impose sanctions on Member States, requiring the intervention of the EC, the EU Council or the Court of Justice to pursue such actions. Romania's Government promptly reacted, continuing the accusations against the EC for its interference in the country's internal affairs during the plenary debate on the Romanian Presidency of the EU Council in the EP (January 2019). During the event, Prime Minister Viorica Dăncilă urged EU representatives and Member States to leave internal matters 'in the hands of Romanians' (European Parliament 2019a). Thus, the EP was again used as a discursive platform to project internal and EU-Member States disputes.

The first part of 2019 reached a peak in the political turmoil in Romania–EU relations. The first was because of the first 6 months of 2019, when Romania held the rotating presidency of the Council of the European Union. Its first Presidency of the Council came in a very difficult context – ahead of the European Parliament elections, at the end of a five-year legislative cycle marked by a rise in Eurosceptic forces, and in the period when Brexit started to become a political reality. Thus, Romania had to perform the role of 'honest broker' at the helm of Council of the EU Presidency when its government was in direct institutional conflict with the European Commission on the topic of rule of law backsliding. In its official strategy, the Romanian presidency of the EU Council placed cohesion at the core of EU's actions, 'as an expression of unity among member countries, regions and people' (romania2019.eu). This objective visibly contrasted with both evolutions inside the EU during the Future of Europe debates (marked by heightened East–West divisions over the multi-speed Europe scenario), but also between the Romanian Government and the EC. Overall, the Romanian Presidency pursued a work program based on four complementary pillars: a Europe of convergence, a safer Europe, Europe as a stronger global actor, and a Europe of common values. The last aspect, that of a 'Europe of common values' proved to be highly controversial looking at the events marked by contrasting views regarding the future shape of the EU.

An important moment at the beginning of 2019 was the draft law mentioning the possibility of fund withdrawal for Member States that have rule of law issues, which was backed by the European Parliament. The new instrument was nonetheless rejected by MEPs from countries under Article 7 or likely to be targeted by the procedure – among those, of the 13 MEPs from the PSD in Romania, while representatives of the opposition voted in favour. Building on Věra Jourová's statements from October 2018 and Frans Timmermans' recurrent harsh statements on the rule of law issue in Romania, the authorities in Bucharest launched an investigation against the two officials, who were accused of falsifying the CVM report – according to reports, Jourová and Timmermans, alongside the head of the EC representation in Romania, Augustina Cristea, and Romania's chief prosecutor Augustin Lazăr, constituted 'an organised crime group' (Euractiv 2019a).

In March 2019, in the middle of Romania's EU Council Presidency, the Commission's Vice-president Frans Timmermans visited Bucharest in a rather double position – to have other meetings with PM Dăncilă about the rule of law controversial decisions, but also to receive the title of Honoris Causa from a Romanian University (Romania Journal, 2019). Commissioner Timmermans used this occasion to address the Romanian national public sphere (the audience gathered in the Aula of the National Library in Bucharest), but also other citizens who could follow his speech via live broadcast. In his acceptance speech, he made a very political statement mentioning that 'Romania would have been like Ukraine if it didn't enter the EU' (Digi24, 2019). With this occasion, he urged for the implementation of the Commission's CVM recommendations by the Romanian Government, as the EU supranational body experienced 'a refusal of the commission's documents by the Romanian government' (Euronews 2019). This strong political statement, comparing Romania with Ukraine, coming after the EC President's controversial statement about Romania not being able to conduct the EU Presidency is a clear example of the EC's role in intensifying the politicisation with Romanian authorities.

The lack of reform was again mentioned in an address by Timmermans formulated as an explicit institutional threat – the EU official explicitly referred to Romania's negative record in terms of reform, urging the government in Bucharest to refrain 'from any steps, which reverse the progress accomplished over the past years' and clearing the fact that, if no progress on the matter is recorded, 'the Commission will have to act, and use the means at its disposal' (European Commission 2019). Although the European Commission itself did not refer explicitly to the activation of Article 7, the EU Commissioner for Justice Věra Jourová mentioned that 'The European Commission has not discussed yet about the activation of Article 7 in the case of Romania', pointing out that further developments on the matter of rule of law would draw the Commission's decision (Agerpres 2019). It is important to underline that PSD's relations with the European Socialists and Democrats remained frozen since April 2019 (Politico 2019a). These incidents added to EU tensions and further politicisation, especially because the Commission Vice President Timmermans was the figure proposed by the European socialists (that included also PSD from Romania) as their main candidate for the next European Commission leader. Nevertheless, a spokesperson for the Commission mentioned after the Sibiu Summit that if further negative steps are taken in aspects regarding the rule of law, such as the promulgation of the amendments to the Criminal Code, 'the Commission will trigger the Rule of Law framework without delay, and will suspend the Cooperation and Verification mechanism' (Euractiv 2019b).

A second debate on the state of rule of law in Romania, organized by the European Parliament in April 2019 proved to be a more inclusive exhibit of 'bottom-up' politicisation of the public sphere. Representatives from the two supranational EU institutions (i.e. the Commissionner and the Parliament) discussed all aspects covered by the CVM reports (and presented by commissioner Jourová, who urged Romanian authorities to 'revert to the path of reform'). Participants from all EU political families engaged in a debate that highlighted the difficulty of approaching complex issues such as the rule of law and fundamental rights in a year marked by European elections. As transcripts of the debate show (European Parliament 2019b), the debate was full of contradictions and accusations, maintaining a high level of politicisation on the matter.

Finally, the Sibiu Summit (9 May 2019) marked the end of the clash between the EC and Romania, as both Member States and EU institutions were preparing for the European Parliament elections. In fact this event was used by both sides for restating their political positions. The Sibiu Summit, hosted by Romania's Presidency of the EU Council, was officially hosted by the Romanian President Klaus Iohannis, as he represents the country in the European Council. The event benefited from a wide media attention (national and international), being the closing event of the Future of Europe debates and the final step of the Leaders' strategic agenda. President Iohannis did not invite PM Dăncilă at the Sibiu Summit, and there were accusations between the two sides on this topic, showing the level of division in Romanian domestic politics around EU topics. Moreover, just a few days after the Summit ended and the Summit Declaration was issued

(that stressed the importance of unity and solidarity in the EU), VP of EC Timmermans launched another direct threat, warning Romania that the EU will act 'without delay' over 'major' rule-of-law concerns. On 13 May 2019, Timmermans sent a letter to the PM Dăncilă (that leaked the Romanian media) that sent a clear warning that the EU is ready to 'trigger the rule of law framework without delay' (Politico 2019b). In reaction, PSD representatives accused the EC of dragging Romania's domestic issues into the campaign for the European elections. On 27 May, the politician behind PSD' Government controversial decisions Liviu Dragnea was arrested and Romania's PM changed her discourse, as she disavowed the reform of the criminal code during her last visit in June 2019 with President Juncker and Vice President Timmermans (Euractiv 2019c).

Conclusions

For almost 10 years after its accession, the EU was never a contentious topic in Romanian politics. Moreover, in terms of overall public opinion provided by the Eurobarometer, Romanian citizens had constantly some of the highest levels of trust in EU institutions among all EU members. In this context, the wave of political contestation against the EU from Romanian government representatives between 2017 and 2019 came as a surprise to many analysts. Several controversial decisions to undermine the rule of law by the PSD Government facilitated increasingly polarized national debates. This played a relevant role in tightening the tensions between Romania and the EC prior to the 2019 European elections, which coincided also with Romania's first Presidency at the Council of the EU. Thus, a 'power struggle' unfolded in the studied period, as media institutions and European bodies focused on the increased polarisation of Romania's national politics (analysed as an instance of 'bottom-up' politicisation). These anti-EU narratives in Romania occurred at the same time with Poland's and Hungary's own clashes with the EC (during the first activation of Article 7). These incidents strengthened an overall East–West division and contrasting views inside EU's own political dynamics between the Council and the Commission (analysed as an instance of 'top-down' politicisation) in a moment of critical reflection over EU's future. The main assumption of our analytical approach is that within this complex web of national–supranational interactions, between 2017 and 2019 the European Public Sphere became both a platform and an arena used by all involved actors to expose their political agenda, to exert pressure on their counterparts and influence public opinion for or against EU legitimacy. We believe the 'clash of narratives' between the Romanian Government and the EC, contextualised in this specific critical juncture for the EU – the period between 2017 and 2019 with the major events that marked the 'Future of Europe' debates is relevant: The paper aims to contribute to the existing literature on EU politicisation in the specific context of CEE democratic backsliding, under the wave of populist contestation that marked the 2019 European elections. By examining the Romanian context, the article provides nuances to similar analyses in other Eastern European countries.

Using Schmidt's analytic framework (2019), we analysed the multiple layers of EU politicisation, as involved actors used public platforms (official websites, pan-European media outlets) to project their influence on the general public. Starting from Jean-Claude Juncker's *White Paper* presentation (March 2017) and ending with the elections for the European Parliament (May 2019), both 'bottom-up' and 'top-down' forms of politicisation are visible, as actors in our analysis (EU institutions and government representatives) resorted on a regular basis to public statements, presentation of official documents and/or public debates to capture the public's attention on a number of sensitive issues in both Romania and the EU as a whole – rule of law, justice reforms and EU conditionality. The findings confirm that the Juncker Commission was more actively engaged in EU politicisation than other supranational institutions. This was also argued in the previous research, where we showed that the Juncker Commission acted strategically in terms of public communication in 2017 and by launching the Future of Europe debates it seized the 'moment and stirred a wide transnational debate envisioned to last for the remaining 2 years of its mandate (2017–

2019). This type of 'supranational politicisation' (Butnaru-Troncotă and Ioniță 2021) included all major critical aspects that the EU as a whole should tackle in the years to come after the UK would have left the Union and this is reflected also in Romania-EC contradictions. In terms of institutional power and legitimacy to act, the EC's actions in the studied period against aspects of democratic backsliding in some member states proved less efficient. But in terms of public communication EC's controversial statements strengthened the divisions between Member States: in favour or against EU values

The issue of 'double politicisation', which allows both EU institutions and member states' institutions to contest EU norms and even take actions against this, needs to be more closely analysed, looking at how the cases of Hungary and Poland unfold in the future. EU politicisation could become a game changer for the European integration process in the years to come. As Romania's case proves, more discussions are necessary around the rapid distancing between the CEE Member States 'discontents' and the EU supranational institutions.

Our findings show that the collision between the two instances of politicisation can either manifest separately or collide in certain circumstances, depending on the nature of the crisis and the way it is projected in the European Public Sphere. In a future post pandemic context, marked by a potential reform of the national – supranational balance of power in EU decision-making (as the Conference on the Future of Europe promises), the 'disruption' will continue to manifest. Thus, as the East–West division continues to play a role in public discourses on EU's legitimacy, further research going beyond Romania's case could bring more insights on the impact of a politicisation on the European Public Sphere. More in-depth research on other manifestations of 'top down' and 'bottom up' forms of politicisation and their intersection is further needed.

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References

Agerpres. 2019. "Romania's New Justice Ordinance Could Trigger Article 7, EU Commissioner Says", retrieved at: https://www.agerpres.ro/english/2019/04/04/commissioner-jourova-activation-of-art-7-for-romania-depends-on-what-happens-in-the-following-days–286764, accessed 15 October 2021.

Baglioni, S., and Hurrelmann, A. 2016. "The Eurozone crisis and citizen engagement in EU affairs", West European Politics, 39:1, 104–124, doi: 10.1080/01402382.2015.1081507

Balkan Insight. 2018a. "European Commission Renews Warning on Romania's Rule of Law", retrieved at: https://balkaninsight.com/2018/10/02/european-commission-renews-warning-on-romania-rule-of-law-10-02-2018/, accessed 15 October 2021.

Balkan Insight. 2018b. "Romanian Riot Police Tear Gas Protesters in Bucharest", retrieved at: https://balkaninsight.com/2018/08/10/romanian-riot-police-tear-gas-protesters-in-bucharest-08-10-2018/, accessed 15 October 2021 2021.

Balkan Insight. 2018c. "Romania May Sue Commission Over Damning Justice Report", retrieved at: https://balkaninsight.com/2018/11/14/romania-mulls-suing-brussels-over-justice-report-11-14-2018/, accessed 15 October 2021.

Bârgăoanu, A. 2012. "The Historical Legacy of the Current Euro Crisis. The Battle for Interpretation." *Transylvanian Review* 21 (1): 101–114.

Barth, C., and P. Bijsmans. 2018. "The Maastricht Treaty and Public Debates about European Integration: The Emergence of a European Public Sphere?" *Journal of Contemporary European Studies* 26 (2): 215–231. doi:10.1080/14782804.2018.1427558.

Bickerton, C., ed. 2015. *The New Intergovernmentalism: States and Supranational Institutions in the Post-Maastricht Era*. Oxford: Oxford University Press.

Börzel, T. A., and F. Schimmelfennig. 2017. "Coming Together or Drifting Apart? the EU's Political Integration Capacity in Eastern Europe." *Journal of European Public Policy* 24 (2): 278–296. doi:10.1080/13501763.2016.1265574.
Börzel, T. A., and T. Risse. 2018. "From the Euro to the Schengen Crises: European Integration Theories, Politicization, and Identity Politics." *Journal of European Public Policy* 25 (1): 83–108. doi:10.1080/13501763.2017.1310281.
Bressanelli, E., C. Koop, and C. Reh. 2020. "EU Actors under Pressure: Politicisation and Depoliticisation as Strategic Responses." *Journal of European Public Policy* 27 (3): 329–341. doi:10.1080/13501763.2020.1713193.
Butnaru-Troncotă, M., and D. Ioniță. 2021. "The Commission Takes the Lead? 'Supranational Politicisation' and Clashes of Narratives on Sovereignty in the 'Future of Europe' Debates." In *Tracing the Politicisation of the EU: The Future of Europe Debates before and after the 2019 Elections*, edited by T. Haapla and A. Oleart. Cham, Switzerland: Palgrave Macmillan 217–241 doi:10.1007/978-3-030-82700-7_10 .
Carp, R. 2014. "The Struggle for the Rule of Law in Romania as an EU Member State: The Role of the Cooperation and Verification Mechanism." *Utrecht Law Review* 10 (1): 1–16. doi:10.18352/ulr.252.
Carstensen, M. B., and V. A. Schmidt. 2018. "Ideational Power and Pathways to Legitimation in the Euro Crisis." *Review of International Political Economy* 25 (6): 753–778. doi:10.1080/09692290.2018.1512892.
Coman, R., and C. Leconte. 2019. "Contesting EU Authority in the Name of European Identity: The New Clothes of the Sovereignty Discourse in Central Europe." *Journal of European Integration* 41 (7): 855–870. doi:10.1080/07036337.2019.1665660.
Coman, R. 2020. "The Rotating Presidency of the EU Council as a two-level Game, or How the "Brussels Model" Neutralises Domestic Political Factors: The Case of Romania East European Politics ." 36 (4): 586–602. doi:10.1080/21599165.2020.1737522.
Crum, B., and D. Curtin. 2015. "The Challenge of Making European Union Executive Power Accountable." In *The European Union: Democratic Principles and Institutional Architectures in Times of Crisis*, edited by S. Piatoni, 63–87. Oxford: Oxford University Press.
De Bruycker, I. 2017. "Politicization and the Public Interest: When Do the Elites in Brussels Address Public Interests in EU Policy Debates?" *European Union Politics* 18 (4): 603–619. doi:10.1177/1465116517715525.
De Bruycker, I. 2020. "Democratically Deficient, yet Responsive? How Politicization Facilitates Responsiveness in the European Union." *Journal of European Public Policy* 27 (6): 6, 834–852. doi:10.1080/13501763.2019.1622587.
De Wilde, P. 2019. "Media Logic and Grand Theories of European Integration." *Journal of European Public Policy* 26 (8): 1193–1212. doi:10.1080/13501763.2019.1622590.
Deutsche Welle. 2017. "Romania: Protesters form EU flag at anti-government rally", retrieved at: https://www.dw.com/en/romania-protesters-form-eu-flag-at-anti-government-rally/a-37723734, accessed 15 October 2021.
Deutsche Welle. 2018. "Romania not fit for EU presidency, says EU's Jean-Claude Juncker", retrieved at: https://www.dw.com/en/romania-not-fit-for-eu-presidency-says-eus-jean-claude-juncker/a-46892994, retrieved at.
Deutsche Welle . 2021. "Poland's Top Court Rules against Primacy of EU Law", retrieved at: https://www.dw.com/en/polands-top-court-rules-against-primacy-of-eu-law/a-59440843, accessed 15 10October 2021.
Diez, T. 2001. "Europe as a Discursive Battleground: Discourse Analysis and European Integration Studies." *Cooperation and Conflict* 36 (1): 5–38. doi:10.1177/00108360121962245.
Digi 24. 2019. "Frans Timmermans: România ar fi putut avea soarta Ucrainei", retrieved at: https://www.digi24.ro/stiri/frans-timmermans-romania-ar-fi-putut-avea-soarta-ucrainei-1096368, accessed 15 October 2021.
Dimitrova, A.L. Understanding Europeanization in Bulgaria and Romania: following broader European trends or still the Balkan exceptions?" European Politics and Society, 22:2, 295–304, doi: 10.1080/23745118.2020.1729054
EPRS. 2019. "The Future of Europe Debates in the European Parliament. A Synthesis of the Speeches by EU Heads of State or Government", retrieved at: https://www.europarl.europa.eu/RegData/etudes/IDAN/2019/637948/EPRS_IDA(2019)637948_EN.pdf, accessed 15 October 2021.
EU Observer. 2017. "EU's Big Four Back 'multi-speed' Europe", retrieved at: https://euobserver.com/news/137134, accessed 15 October 2021.
Euractiv. 2017. "EU Commission Concerned over Romanian Judicial Overhaul", retrieved at: https://www.euractiv.com/section/justice-home-affairs/news/commission-concerned-over-romanian-judicial-overhaul/, accessed 15 October 2021.
Euractiv. 2017c. "EU warns Romania over judicial reforms", retrieved at: https://www.euractiv.com/section/justice-home-affairs/news/eu-warns-romania-over-judicial-reforms/, accessed 15 October 2021.
Euractiv. 2018a. "Vera Jourova: EU Expects Romania to Manage Its Presidency without Hiccups", retrieved at: https://www.euractiv.com/section/future-eu/news/jourova-eu-expects-romania-to-manage-its-presidency-without-hiccups/, accessed 15 October 2021.
Euractiv. 2018b. "Romania Goes on anti-Brussels Path over Rule of Law", retrieved at: https://www.euractiv.com/section/justice-home-affairs/news/romania-goes-on-anti-bruxelles-path-over-rule-of-law/, accessed 15 October 2021.
Euractiv. 2019a. "Romania Investigates Timmermans and Jourova, Commission Says They Have Immunity", retrieved at: https://www.euractiv.com/section/politics/news/romania-indicts-timmermans-and-jourova-commission-says-they-have-immunity/, accessed 15 October 2021.
Euractiv. 2019b. "Romania's Schengen Perspective in Jeopardy over Rule of Law", retrieved at: https://www.euractiv.com/section/future-eu/news/romanias-schengen-perspective-in-jeopardy-over-rule-of-law/, accessed 15 October 2021.

Euractiv. 2019c. "EU Praises Romanian U-turn on Controversial Reforms", retrieved at: https://www.euractiv.com/section/justice-home-affairs/news/eu-praises-romanian-u-turn-on-controversial-reforms/, accessed 15 October 2021.
Eurobarometer. 2019. "Public Opinion in the European Union", retrieved at: https://www.euroskop.cz/gallery/106/31937-first_results_overall.pdf, accessed 15 October 2021.
Euronews. 2019. "Frans Timmermans Piles Pressure on Romania over Corruption Reforms", retrieved at: https://www.euronews.com/2019/03/13/eu-chief-frans-timmermans-piles-pressure-on-romania-over-corruption-reforms, accessed 15 October 2021.
European Commission. 2012. ""Communication from the Commission to the European Parliament and the Council. Biannual Report on the Functioning of the Schengen Area". 1 November 2011- 30 November 2011- 30 April 2011- 30 April 2012", retrieved at: https://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2012:0230:FIN:EN:PDF, accessed 15 October 2021.
European Commission. 2017. "Report from the Commission to the European Parliament and the Council on Progress in Romania under the Cooperation and Verification Mechanism", retrieved at: https://ec.europa.eu/info/sites/default/files/comm-2017-751_en.pdf, accessed 15 October 2021.
European Commission. 2018a. "Report from the Commission to the European Parliament and the Council on Progress in Romania under the Cooperation and Verification Mechanism", retrieved at: https://ec.europa.eu/info/sites/default/files/progress-report-romania-2018-com-2018-com-2018-851_en.pdf, accessed 15 October 2021.
European Commission. 2018b. "President Jean-Claude Juncker's State of the Union Address 2017", retrieved at: https://ec.europa.eu/info/sites/default/files/soteu2018-speech_en_0.pdf, accessed 15 October 2021.
European Commission. 2019. "Remarks by Frans Timmermans on Further Strengthening of the Rule of Law in the EU", retrieved at: https://ec.europa.eu/commission/presscorner/detail/en/SPEECH_19_197, accessed 15 October 2021.
European Parliament. 2018a. "Debate on the Rule of Law in Romania: Statement by Viorica Dancila, Romanian Prime Minister (09:19 - 09:26)", retrieved at: https://multimedia.europarl.europa.eu/en/debate-on-the-rule-of-law-in-romania-statement-by-viorica-dancila-romanian-prime-minister_I161002-V_v, accessed 15 October 2021.
European Parliament. 2018b. "Resolution on the Rule of Law in Romania", retrieved at: https://www.europarl.europa.eu/doceo/document/TA-8-2018-0446_EN.html, accessed 15 October 2021.
European Parliament. 2019a. "Romanian Presidency of the Council: Debate with Prime Minister Viorica Dăncilă", retrieved at: https://www.europarl.europa.eu/news/en/press-room/20190109IPR23015/romanian-presidency-of-the-council-debate-with-prime-minister-viorica-dancila, accessed 15 October 2021.
European Parliament. 2019b. "Rule of Law in Romania (Debate)", retrieved at: https://www.europarl.europa.eu/doceo/document/CRE-8-2019-04-15-ITM-015_EN.html, accessed 15 October 2021.
Fawcett, P., and D. Marsh. 2014. "Depoliticisation, Governance and Political Participation." *Policy and Politics* 42 (2): 171–188. doi:10.1332/030557313X13868593346016.
Romania Journal. 2019. "Frans Timmermans to Be Awarded the Title of Doctor Honoris Causa by SNSPA", retrieved at: https://www.romaniajournal.ro/society-people/frans-timmermans-to-be-awarded-the-title-of-doctor-honoris-causa-by-snspa/, accessed 15 October 2021.
Fuchs, D., and R. Escher. 2015. "Is There a Legitimacy Crisis in the European Union?" In *The Legitimacy of Regional Integration in Europe and the Americas*, edited by A. Hurrelmann and S. Schneider. London: Palgrave Macmillan 75–97 doi:10.1007/978-3-030-82700-7_10 .
Gateva, E. 2013. "Post-accession Conditionality – Translating Benchmarks into Political Pressure?" *East European Politics* 29 (4): 420–442. doi:10.1080/21599165.2013.836491.
Gora, A., and P. de Wilde. 2020. "The Essence of Democratic Backsliding in the European Union: Deliberation and Rule of Law." *Journal of European Public Policy*. doi:10.1080/13501763.2020.1855465.
Haapla, T., and A. Oleart, eds. 2021. *Tracing the Politicisation of the EU: The Future of Europe Debates before and after the 2019 Elections*. Cham, Switzerland: Palgrave Macmillan.
Hobolt, S. B. 2018. "The Crisis of Legitimacy of European Institutions." In *Europe's Crises*, edited by M. Castells, O. Bouin, J. Caraça, G. Cardoso, J. B. Thompson, and M. Wieviorka, 243–268. New Jersey: John Wiley & Sons.
Hooghe, L., and G. Marks. 2018. "Cleavage Theory Meets Europe's Crises: Lipset, Rokkan, and the Transnational Cleavage." *Journal of European Public Policy* 25 (1): 109–135. doi:10.1080/13501763.2017.1310279.
Iancu, A. 2018. "Questioning Anticorruption in Post-Communist Contexts: Romanian MPs from Commitment to Contestation." *Südosteuropa. Journal of Politics and Society* 66 (3): 392–417. doi:10.1515/soeu-2018-0030.
Kauppi, N., ed. 2018. *"Toward a Reflexive Political Sociology of the European Union"*. Cham, Switzerland: Palgrave Macmillan.
Levitz, P., and G. Pop-Eleches. 2010. "Why No Backsliding? the European Union's Impact on Democracy and Governance before and after Accession." *Comparative Political Studies* 43 (4): 457–485. doi:10.1177/0010414009355266.
Mediafax. 2018. "Iohannis: Nu suntem pregătiți pentru preluarea președinției Consiliului UE, din cauza acestui accident al democrației românești care este Guvernul Dragnea-Dăncilă/Reacția Șefului PSD", retrieved at: https://www.mediafax.ro/externe/iohannis-nu-suntem-pregatiti-pentru-preluarea-presedintiei-consiliului-ue-din-cauza-acestui-accident-al-democratiei-romanesti-care-este-guvernul-dragnea-dancila-reactia-sefului-psd-17638215, accessed 15 October 2021.
Michelot, M. 2019. "The 'Article 7' Proceedings against Poland and Hungary: What Concrete Effects?", retrieved at: https://institutdelors.eu/en/publications/__trashed/, accessed 15 October 2021.

Mungiu-Pippidi, A. 2018. "Explaining Eastern Europe: Romania's Italian-Style Anticorruption Populism." *Journal of Democracy* 29 (3): 104–116. doi:10.1353/jod.2018.0048.

Politico. 2019. "EU Warns Romania It Will Act 'Without Delay' over 'Major' rule-of-law Concerns", retrieved at: https://www.politico.eu/article/frans-timmermans-letter-eu-warns-romania-it-will-act-without-delay-over-major-rule-of-law-concerns/, accessed 15 October 2021.

Presidency, R. 2018. "Speech by President of Romania, Klaus Iohannis, at the European Parliament Plenary Session on the Debate on the Future of Europe", retrieved at: https://www.presidency.ro/en/media/speech-by-president-of-romania-mr-klaus-iohannis-at-the-european-parliament-plenary-session-on-the-debate-on-the-future-of-europe, accessed 15 October 2021.

Radu, L., and A. Bârgăoanu. 2015. "Advocates or Challengers of Europeanization? an Inquiry into the Discourse of the Romanian Elites on the European Union in the Context of EU Elections 2014." *Transylvanian Review of Administrative Sciences* 11 46 162–177.

Rauh, C. 2019. "EU Politicization and Policy Initiatives of the European Commission: The Case of Consumer Policy." *Journal of European Public Policy* 26 (3): 344–365. doi:10.1080/13501763.2018.1453528.

Reuters. 2017. "Romania Opposes multi-speed EU, New Mechanisms for Hungary and Poland", retrieved at: https://www.reuters.com/article/us-cee-summit-melescanu-idUSKBN18K25W, accessed 15 October 2021.

Schimmelfennig, F. 2018. "European Integration (Theory) in Times of Crisis. A Comparison of the Euro and Schengen Crises." *Journal of European Public Policy* 25 (7): 969–989. doi:10.1080/13501763.2017.1421252.

Schmidt, V. A. 2016. "Reinterpreting the Rules 'By Stealth' in Times of Crisis: A Discursive Institutionalist Analysis of the European Central Bank and the European Commission." *West European Politics* 39 (5): 1032–1052. doi:10.1080/01402382.2016.1186389.

Schmidt, V. A. 2019. "Politicization in the EU: Between National Politics and EU Political Dynamics." *Journal of European Public Policy* 26 (7): 1018–1036. doi:10.1080/13501763.2019.1619189.

Tanasoiu, C., and M. Racovita. 2012. "Post-Accession (Anti-) Corruption Record in Romania and Bulgaria." *L'Europe En Formation* 2 (364): 243–263. doi:10.3917/eufor.364.0243.

Vachudova, M., and A. Spendzharova. 2012. "The EU's Cooperation and Verification Mechanism: Fighting Corruption in Bulgaria and Romania after EU Accession." *European Policy Analysis, SIEPS* March 2012 1–20.

Weiler, J. H. H. 2012. "In the Face of Crisis: Input Legitimacy, Output Legitimacy and the Political Messianism of European Integration." *Journal of European Integration* 34 (7): 825–841. doi:10.1080/07036337.2012.726017.

Zeitlin, J., F. Nicoli, and B. Laffan. 2019. "Introduction: The European Union beyond the Polycrisis? Integration and Politicization in an Age of Shifting Cleavages." *Journal of European Public Policy* 26 (7): 963–976. doi:10.1080/13501763.2019.1619803.

Zeitlin, J., and F. Nicoli. 2020. "Introduction Zeitlin, J., Nicoli, F." In *The European Union beyond the Polycrisis? Integration and Politicization in an Age of Shifting Cleavages*. London: Routledge 963–976 9781032085449 .

Zürn, M. 2016. "Opening up Europe: Next Steps in Politicisation Research, West European Politics West European Politics ." 39 (1): 164–182. doi:10.1080/01402382.2015.1081513.

Annex

Table 1. Timeline of the main events and interactions between Romania and the EU institutions (2017-2019) analysed in the paper.

Date	Event	Actors
1 March 2017	'White Paper on the Future of Europe' is launched	European Commission
11 May 2017	Juncker talks corruption and Schengen during visit to Romania	European Commission, Romanian Government
24 August 2017	EU Commission expresses its concerned over Romanian judicial overhaul	European Commission
30 August 2017	EU issues warning on Romania's judicial reforms	European Commission
13 September 2017	President Jean-Claude Juncker's State of the Union Address 2017	European Commission
15 November 2017	Issue of the Report from the Commission to the European Parliament and the Council on progress in Romania under the Cooperation and Verification Mechanism	European Commission, EU Council, European Parliament
September 2018	President Jean-Claude Juncker's State of the Union Address 2018	European Commission
1 October 2018	European Commission renews warnings on Romania's rule of law management	European Commission
3 October 2018	Debate on the rule of law in Romania: in the European Parliament, with participation of Romanian PM Viorica Dăncilă	European Parliament, Romanian Government
23 October 2018	Speech by President of Romania, Klaus Iohannis, at the European Parliament debate on the Future of Europe	European Parliament, Romanian Presidency
26 October	EU Commissioner Věra Jourová expresses her concern regarding Romania's ability to manage the Presidency of the EU Council	European Commission
13 November 2018	Issue of the Report from the Commission to the European Parliament and the Council on progress in Romania under the Cooperation and Verification Mechanism	European Commission, EU Council, European Parliament
13 November 2018	The European Parliament issues a resolution on the rule of law in Romania	European Parliament
15 November 2018	Leaders of the ruling coalition in Romania criticise EU institutions on their approach towards the rule of law management	Romanian Government
16 December 2018	Liviu Dragnea (Leader of Social Democrat Party) accuses European institutions of 'discriminatory' treatment	Romanian Social Democrat Party
15 January 2019	Romanian Presidency of the Council: debate in the European Parliament with PM Viorica Dăncilă	European Parliament, EU Council, Romanian Government
21 February 2019	Romania launches criminal investigations against EU commissioners Frans Timmermans and Věra Jourová; Commission says they have immunity	Romanian Government, European Commission
13 March 2019	During his visit in Romania, EU Commissioner Frans Timmermans issues new warning regarding Romania's negative track record on corruption management and justice laws reform	European Commission
3 April 2019	EU Commissioner Frans Timmermans issues declaration on further strengthening of the rule of law in the EU, expressing his concern on Romania's lack of reform	European Commission
8 April 2019	EU Commissioner Věra Jourová declares Romania's new justice ordinance could trigger Article 7 of the TEU	European Commission
15 April 2019	New round of debates in the European Parliament on the rule of law in Romania, with participation of Romanian PM Viorica Dăncilă	European Parliament, Romanian Government
9 May 2019	Informal summit of the EU leaders in Sibiu, Romania	European Council, European Commission
10 May 2019	EU Commissioner Frans Timmermans warns Romania that EU will act 'without delay' over 'major' rule-of-law concerns	European Commission
13 May 2019	New warning on Romania's rule of law, reiterating the possibility of activation of Article 7	European Commission
23-26 May 2019	European Elections	-