

## **Member States' Constitutional Crises and Deficiencies in EU's Implementation of the Copenhagen Political Criteria**

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### **Abstract**

Accession negotiations have contributed significantly to the Europeanization of democracy, the rule of law, human rights and economic models in Central and Eastern Europe and the Balkans. However, recent constitutional crises in Central and Eastern European countries demonstrate that the Copenhagen Criteria have failed to ensure that all candidate states have reached the required degree of stability in their constitutional systems before accession. Why did the EU fail to screen out those applicants that as yet lacked sufficiently strong democratic institutions, despite the great efforts made during the screening process? By clarifying the interaction between the EU value order and the constitutional orders of the Member States, revisiting the evolution of the EU value-protecting mechanism, and analyzing the socio-political and economic factors behind the constitutional crises in Hungary and Poland, this paper argues that the overhasty pace of the accession negotiations, and the fact that the current value-protecting mechanism was unable to sufficiently empower civil society in the candidate states, are important reasons for the weakness of the current mechanism.

**Key Words:** Copenhagen Criteria, constitutional crisis, EU democracy, rule of law in the EU, EU human rights