

SOVEREIGNTY THROUGH SELECTIVE INTEGRATION: STRATEGIC NON-COMPLIANCE, COMPLIANCE MINIMALISM, AND GOVERNANCE HARDENING IN EU CRISIS POLITICS

Yassine Guennoun
Sidi Mohammed Ben Abdellah University
Fez, Morocco
yassine.guennoun@usmba.ac.ma
<https://orcid.org/0009-0003-8777-9781>

Abstract. *This article identifies Central Europe as a laboratory and stress-test for internal disintegration within the European Union, where states use the Union’s own rules to advance sovereignty-first agendas from inside membership. The Visegrad Group’s shift from a cohesive veto bloc during the 2015 migration crisis to fracture after Russia’s invasion of Ukraine, alongside Hungary’s consolidation of a migration security doctrine within the EU, point to a shared underlying pattern. The article theorises this pattern as sovereignty through selective integration and specifies its operation through three interlocking practices: strategic non-compliance, compliance minimalism, and governance hardening. Drawing on earlier case study work on the Visegrad Group and on Hungary, the analysis shows how this triad operates at both regional and national scales, why it stabilised during the migration crisis, and why it fractured under conditions of direct hard security exposure. The article clarifies the scope conditions under which selective integration can endure, the circumstances under which it breaks down, and the ways in which it produces internal disintegration without formal exit. It concludes by outlining implications for EU crisis governance and by indicating how the proposed triad can travel to other domains, including fiscal policy, digital regulation, and internal security.*

Keywords: Differentiated integration; Central Europe; European Union; Compliance minimalism; Strategic non-compliance; Governance hardening.

1. INTRODUCTION

If you want to see sovereignty politics inside the EU without the theatre of exit, then look no further than Central Europe. The Visegrad Group coordinated opposition to relocation during the 2015 migration crisis and turned coalition discipline into leverage against EU decisions, yet the same grouping fractured after the 2022 Russian invasion of Ukraine as Poland, Hungary, Slovakia, and Czechia diverged sharply in their threat perceptions and alliance choices (Guennoun, 2025a). Over a similar period, Hungary converted migration from a temporary emergency into a durable doctrine that joins restrictive law, symbolic campaigns, and sustained resistance to EU legal demands, while remaining inside the Union’s institutional shell (Guennoun, 2025b). These trajectories point to a shared logic: sovereignty is increasingly asserted through selective engagement with integration, pursued inside the Union’s framework rather than through formal withdrawal.

Securitisation and security governance provide one entry point into this dynamic, particularly where attention to speech acts, audiences, and legitimation clarifies how political leaders elevate specific issues to existential status and claim extraordinary authority in response (Buzan et al, 1998; McDonald, 2008). The wider literature on insecurity and governmentality then shows how these exceptional claims acquire

administrative thickness over time, settling into routines, infrastructures, and organisational habits that make emergency governance durable rather than episodic. Huysmans (2006), Aradau and Blanke (2010), and Foucault (2007) each trace this consolidation through different vocabularies, yet the practical implication converges: once technologies of control become embedded, they organise everyday rule and sustain crisis logics beyond the moment that initially authorised them. Read through this lens, border fortification, biometric filtering, and risk-based screening function as standard instruments of governance, and their location in implementation creates predictable openings for member states to shape the practical meaning of common rules.

European integration theory already explains why these openings exist, because Scharpf's (1999) distinction between negative and positive integration points to a persistent asymmetry in which market-making advances faster than the construction of shared regulatory capacity, an imbalance that becomes politically sharper once integration reaches into core state powers such as border control, fiscal authority, and internal security. Participation in these domains has also become increasingly differentiated, producing uneven commitments that are stabilised through formal arrangements and, just as importantly, through the everyday administrative handling of obligations at national level (Genschel & Jachtenfuchs, 2014; Schimmelfennig, 2018), while crisis episodes intensify the configuration by raising the political payoff of insulation in sensitive fields without dissolving governments' dependence on the benefits of continued access. Instead of a clean regime of opt-outs, the Union ends up with a crowded and unstable mix of exceptions, improvised accommodations, and overlapping obligations that make sense only at the point of national implementation.

The question of how states operate within this fragmented terrain sits at the centre of scholarship on illiberal and post-liberal governance in Central and Eastern Europe. Analyses of Hungary, in particular, describe a mode of rule that preserves liberal-democratic institutional form while redirecting legal and administrative instruments toward sovereignty consolidation and domestic control. As noted by Waterbury (2020), Scott (2023), and Kim (2023), the goal becomes sovereignty consolidation and domestic control, achieved through the very instruments meant to limit power. Work on illiberal transnational fields traces the networks of think tanks and media platforms that diffuse sovereignty-first narratives to normalise resistance (Coman et al., 2025), a dynamic mirrored in legal studies of border governance in Hungary and Greece that document responsibility gaps, stalled enforcement, and the limits of judicial remedies in the face of persistent non-compliance (Gkliati, 2022; Hungarian Helsinki Committee, 2023). What remains under-specified across these literatures is how open defiance, narrow implementation, and institutional durability combine into a single mode of statecraft that can both endure across crises and fracture under shifting threat environments. Existing work tends to examine resistance, partial compliance, or crisis institutionalisation as separate phenomena, leaving their interaction and sequencing analytically fragmented.

The argument that follows bridges these strands by specifying a practice-based mechanism operating across them, positing that both the Visegrad Group's crisis-era coordination and Hungary's migration doctrine are best understood as expressions of sovereignty through selective integration. This term refers to a pattern in which states retain the advantages and formal status of EU membership while filtering, reinterpreting, and sequencing their obligations to expand domestic room for manoeuvre. Three interlocking practices anchor this configuration: strategic non-compliance, denoting deliberate and openly signalled refusal to implement specific EU rules for domestic leverage; compliance minimalism, capturing the surface performance of obligations while their substantive effect is narrowed in practice; and governance hardening, naming the conversion of exceptional tools into durable institutional architecture that outlasts the initial crisis. The contribution of the article lies in binding these practices into a single mechanism that explains both the endurance of sovereignty-first strategies in permissive fields and their limits under constraining crises.

Functioning as a theory-oriented and integrative study, this article builds directly on established empirical work regarding the Visegrad Group and Hungary's migration governance (Guennoun, 2025) instead of introducing new primary material. The framework is derived through a systematic re-reading of those cases, treating documented patterns of defiance, implementation design, and institutional

consolidation as observable indicators of the three practices identified here. Its primary contribution lies in re-reading those findings through a unified conceptual lens to position them within wider debates on securitisation, differentiated integration, and post-liberal governance. To this end, we propose the triad of strategic non-compliance, compliance minimalism, and governance hardening as a diagnostic device capable of travelling across policy fields where EU rules are shaped and trimmed through practice rather than formal opt-outs. The analysis first develops this conceptual framework in detail before returning to the Visegrad Group and Hungary as compressed empirical anchors. Finally, we use the contrast between the migration decade and the war in Ukraine to identify when sovereignty through selective integration endures and when it reaches its limits (Marusiak, 2024).

2. CONCEPTUALISING SOVEREIGNTY THROUGH SELECTIVE INTEGRATION

Central Europe reveals a kind of statecraft that refuses the usual categories, where governments do not leave the Union and do not simply comply either, but stay inside to draw on its resources while bending obligations where outcomes are actually produced. This article conceptualises that configuration as *sovereignty through selective integration*, describing a mode of rule where states preserve the status and benefits of membership yet calibrate the reach of supranational authority through targeted resistance, narrow implementation, and institutional redesign.

The idea synthesizes three distinct intellectual lineages: it begins with integration theory's classic distinction between negative and positive integration, where market opening tends to outpace the construction of common regulatory capacities (Scharpf, 1999), and links this asymmetry to later debates on differentiated participation in core state powers such as borders, internal security, and fiscal policy (Genschel & Jachtenfuchs, 2014; Schimmelfennig, 2018). These structural insights are read alongside work on securitisation and security governance, which maps how threat politics settle into the infrastructures and routines that organise everyday rule (Buzan et al., 1998; Huysmans, 2006; Aradau & Blanke, 2010; Foucault, 2007), and are further refined by studies of illiberal and post-liberal governance that observe how governments can preserve liberal-democratic forms while repurposing them toward sovereignty-first objectives (Waterbury, 2020; Kim, 2023; Lottholz, 2022). *Sovereignty through selective integration* names the precise overlap between these strands; a condition where integration in sensitive domains advances, yet its operation becomes uneven and conditional through state practice.

Within this configuration, I treat three recurring practices as the basic machinery through which member states recalibrate the practical meaning of EU membership. At times, governments decline to implement specific EU rules, judgments, or policy decisions and justify the refusal as a defence of national autonomy, turning enforcement delay into political leverage. At other times, governments translate obligations into domestic law in formally adequate ways while narrowing their substantive reach at the point of implementation, using administrative thresholds, procedural bottlenecks, and selective enforcement to control outcomes. A third practice operates across crises with a slower rhythm: temporary instruments introduced under emergency pressure, including exceptional legal provisions, monitoring infrastructures, and improvised administrative arrangements, become ordinary state capacity once they are embedded in budgets, routines, and institutional mandates. The subsections that follow define these practices as *strategic non-compliance*, *compliance minimalism*, and *governance hardening*, and then show how they combine into a single mechanism that produces bargaining leverage, preserves formal alignment, and raises the political and administrative costs of reversal.

2.1 Strategic Non-Compliance

Strategic non-compliance denotes the moment a member state government decides to withhold implementation of a specific EU obligation and to do so in full view, because the domestic payoff is expected to outweigh legal exposure or reputational cost. The move is announced, defended, and repeated. It appears in speeches, government communication, and the surrounding mobilisation that casts resistance as protection against external imposition. The forms vary, from refusing to transpose a directive to slowing or blocking collective financial decisions, yet the identifying feature is consistent: authorities keep the

contested posture public and durable, including after adverse judgments, and they absorb the legal dispute into a wider sovereignty narrative. Hungary offers a clear illustration of this dynamic; where political actors dismissed Court of Justice rulings as illegitimate intrusions into national competence and continued the contested practices regardless (Gkliati, 2022; European Parliament, 2022).

This posture is the deliberate use of open non-compliance as a political tool, and it survives because domestic politics move faster than enforcement. This paper claims that defiance is calculated, because it is deployed to signal resolve to core voters and to force domestic opponents into reaction rather than initiative. EU sanctions rarely interrupt this sequence, and infringement procedures stretch over years. Hence, financial penalties lag behind political cycles. This temporal gap allows governments to extract political return first and absorb legal cost later. *Strategic non-compliance* thrives, and sometimes requires, policy fields where implementation runs through national authorities and where supranational enforcement cannot operate in real time. For analytical purposes, the diagnostic boundary is somewhat clear. The practice is absent when governments retreat quietly, reverse course rapidly under legal pressure, or shift to technical compliance without publicly owning the earlier refusal. Most notably, *strategic non-compliance* requires visible persistence, because the public display of defiance is itself part of the political instrument.

2.2 Compliance Minimalism

Compliance minimalism refers to a manoeuvre in which governments continue to ‘play the game’ under formal rules while reshaping how those rules bite in practice. It works a bit like a player who knows the rulebook by heart and has no problem following it when the referee is close, but starts pushing, slowing, and bending the moment they are not watched. On paper, everything looks fine. Legal texts are adopted, institutions remain in place, reports are filed on time. In practice, compliance starts to mean something else once rules fall into administrative hands. The clearest place to watch this happen is migration and border governance. The process runs with a dull kind of precision, almost mechanical. Eligibility rules tighten without announcement, applicants are quietly redirected into accelerated or exceptional tracks, and procedural blockages stack up until protection survives mostly as a legal fiction. Official language never misses a beat as authorities continue to insist that nothing fundamental has changed and that alignment with EU directives remains intact (Gkliati, 2022; Hungarian Helsinki Committee, 2023). Review and appeal mechanisms still make the line-up, but they no longer touch the ball. Decisions slip past them and settle in security agencies and discretionary administrative corners where scrutiny fades and outcomes tend to stick. From a distance, the institutional architecture continues to resemble supranational expectations. At the point of implementation, however, outcomes move decisively away from them.

The attraction of *compliance minimalism* lies in its ambiguity, allowing governments to preserve access to the material and symbolic benefits of membership, including structural funds and the appearance of rule-of-law adherence, while enjoying a measure of legal insulation against infringement proceedings. Minimalist compliance therefore complements *strategic non-compliance*, enabling governments to narrow the effect of supranational rules without the political risks of open rejection when direct refusal would be too costly or visible. *Compliance minimalism* is empirically undermined where implementation produces substantively equivalent outcomes to EU expectations despite domestic discretion, rather than systematic outcome-narrowing through administrative control.

2.3 Governance Hardening

Finally, *governance hardening* captures the process through which emergency tools, temporary exceptions, and ad hoc responses become embedded in the institutional fabric of the state. Drawing on security studies that emphasise how techniques introduced under the sign of crisis evolve into routine forms of administration (Buzan et al., 1998; Huysmans, 2006), and Foucault’s account of *dispositifs* as material and discursive apparatuses that organise conduct and perception to convert exception into rule (Foucault, 2007), the concept applies these insights to the specific context of Europeanised statecraft.

Guennoun, Y. (2025). Sovereignty through selective integration: Strategic non-compliance, compliance minimalism, and governance hardening in EU crisis politics. *Politics & Security*, 14(4), 16–30. <https://doi.org/10.54658/ps.28153324.2025.14.4.pp.16-30>

In practice, crisis moments often justify the introduction of new legal categories, specialised agencies, and technological infrastructures, where border fences, biometric databases, and expanded police powers appear first as necessary responses to extraordinary conditions. Once these measures are installed, they stop behaving like temporary responses and start behaving like assets. They create interests inside the bureaucracy, absorb resources, and organise information flows in ways that favour their own continuation. Removing them becomes costly in practice. It requires legislation, budgetary reallocation, and administrative disruption. While keeping them delivers an immediate signal of control and capacity.

Over time, these measures stop feeding on fear altogether. What once needed emergency language to survive turns into routine governance, used without explanation and rarely questioned. The tools stay in place because they now actually work. They organise routines, structure decisions, and signal control, long after the emergency that introduced them has faded. This matters most in Europeanised policy fields. Instruments arrive labelled as EU compliance, but they do not stay loyal to that label. Once implementation begins, domestic authorities decide what gets enforced, what gets slowed down, and what quietly drops out. Repeat this long enough and the function shifts. What began as compliance infrastructure settles into something else entirely. What enters as infrastructure for meeting EU obligations can end up serving nationally defined agendas, even as its legal form continues to signal alignment. For instance, investments in surveillance systems and screening procedures encouraged by EU funding instruments can later serve selective enforcement or deterrent functions that stretch the spirit of common rules (Khoury & Hindow, 2025; European Digital Rights et al., 2025). *Governance hardening* thus exceeds the routinisation of exception by explaining how crisis-born capacity becomes a domestic lever for reshaping supranational rules under conditions of delegated authority. As emergency derogations linger in statute books and temporary coordination bodies evolve into permanent hubs, *governance hardening* changes the terrain on which strategic non-compliance and *compliance minimalism* operate, raising the practical cost of reversing sovereignty-first choices and providing the material backbone for their continuation. The absence of hardening would be indicated by the dismantling or deactivation of crisis instruments once pressures subside, rather than their consolidation into routine capacity.

2.4 The Triad as Mechanism

Strategic non-compliance, *compliance minimalism*, and *governance hardening* operate as a unified mechanism through which *sovereignty through selective integration* is enacted and stabilised. In this dynamic, open defiance of specific rules signals resolve and tests the boundaries of enforcement, minimalist implementation lowers the immediate risks of sanction by preserving formal conformity, and *governance hardening* converts contingent responses into institutional infrastructure that is difficult to unwind.

The mechanism depends on context as it does not operate everywhere in the same way. Basically, it takes hold where EU enforcement is slow, implementation runs through national administrations, and disputes can be depicted as issues of security or sometimes identity. Under these conditions, the sequence stabilises. Where enforcement is fast, discretion is limited, or hard security constraints are immediate, it breaks down. The point of the mechanism is to account for this unevenness. It explains why the same practices harden in some domains and fall apart in others, rather than pretending to offer a general law of EU governance. Rather than attempting an exhaustive mapping of these conditions across the Union, the sections that follow focus on two empirical anchors where the triad has already been identified: the Visegrad Group's crisis-era coordination, illustrating the mechanism's operation in a regional setting, and Hungary's migration trajectory, showing how it crystallises into a national doctrine of post-liberal governance (Guennoun, 2025a; 2025b). This comparison creates leverage for asking when *sovereignty through selective integration* can endure and when external shocks, such as a major war, constrain its scope.

Designed for export, the conceptual vocabulary developed here offers a diagnostic frame for other policy domains where member states seek to protect sensitive competences while remaining inside the common framework, including fiscal surveillance, rule-of-law conditionality, and internal security. In each case, researchers can ask how far *strategic non-compliance* is pursued, where compliance minimalism

substitutes for open defiance, and to what extent crisis-born instruments have hardened into durable architecture, before the analysis turns to the Central European cases to show how the mechanism works in practice.

3. TWO EMPIRICAL ANCHORS: REGIONAL COALITION AND NATIONAL DOCTRINE

The argument rests on two cases examined in detail elsewhere, specifically the Visegrad Group's trajectory from migration crisis coordination to post-2022 fracture and Hungary's decade-long migration securitisation (Guennoun, 2025a; Guennoun, 2025b), which this section reads through the lens of *sovereignty through selective integration* rather than reconstructing their developments. The aim is to demonstrate how the triad of *strategic non-compliance*, *compliance minimalism*, and *governance hardening* operates at regional and national scales inside the same institutional environment.

3.1 Visegrad as Regionalised Selective Integration

Previous work on the Visegrad Group highlighted how the four governments utilised migration governance as an arena for collective resistance to integration in core state powers (Glien & Zamęcki, 2021; Guennoun, 2025a), engaging in a regionalised form of *strategic non-compliance* during the 2015 crisis by aligning against relocation schemes and relying on slow enforcement to sustain a line that invited repeated infringement procedures (Jaroszewicz & Gniazdowski, 2015; Gkliati, 2022; CJEU, 2020). Concurrently, the discourse of 'flexible solidarity' illustrates *compliance minimalism* at coalition scale, where governments accepted the formal architecture of Schengen yet insisted on narrow interpretations to preserve domestic discretion, using shared positions to normalise this reading as a legitimate variant of membership (Visegrád Group, 2021). Although *governance hardening* was weaker here than in national settings, it remained visible in the consolidation of security strategies (Czyż, 2024) until the war in Ukraine shifted the conditions for this regionalised selective integration. As Poland and Czechia moved toward robust support for Kyiv while Hungary adopted a transactional line (Czyż, 2024; Guennoun, 2025a), the divergence marked the point where *strategic non-compliance* ceased to be collectively manageable, leaving *sovereignty through selective integration* to persist as a national practice once hard security considerations reordered threat perceptions.

3.2 Hungary as Doctrinal Selective Integration

The Hungarian case, examined elsewhere as a 'migration doctrine', demonstrates the same triad embedded in a national setting, where the early securitisation of migration fused external threat narratives with assertions of constitutional sovereignty to shape legal reforms and border measures (Jaroszewicz & Gniazdowski, 2015; Waterbury, 2020; Guennoun, 2025b). Seen through the present framework, the recurrent refusal to align with EU asylum and NGO law even after clear Court of Justice judgments exemplifies a *strategic non-compliance* that is both deliberate and publicly justified as a defence of national autonomy (CJEU, 2020, 2021; European Parliament, 2022).

Open defiance cannot go on forever, eventually confrontation becomes costly, and so authorities change tactics and slide into compliance minimalism. The outlook softens without a significant change in outcome. Laws are tweaked to absorb specific criticisms while leaving the restrictive core intact. Rights organisations show how this keeps push-backs and limited access alive over time, all while institutions keep repeating the vocabulary of EU directives as if nothing has changed (Hungarian Helsinki Committee, 2023; Gkliati, 2022). What emerges is not straightforward non-compliance, but a working arrangement in which partial legal alignment, procedural density, and selective enforcement hold together. This is *compliance minimalism* as it actually operates, not as an abstract category, and it functions as a key moving part of the broader mechanism developed in this article.

The longer trajectory is secured through *governance hardening*, as crisis-era measures such as border fences, surveillance infrastructures, and biometric controls have been consolidated into a stable border

Guennoun, Y. (2025). Sovereignty through selective integration: Strategic non-compliance, compliance minimalism, and governance hardening in EU crisis politics. *Politics & Security*, 14(4), 16–30. <https://doi.org/10.54658/ps.28153324.2025.14.4.pp.16-30>

regime whose operation no longer depends on acute crisis conditions (Khoury & Hendow, 2025; European Digital Rights et al., 2025), a material consolidation reinforced by a parallel symbolic layer in the form of national consultation campaigns that recast resistance as democratic mandate rather than institutional deviation (Hungarian Government, 2017, 2018). This combined material and symbolic structure has proven sufficiently robust that the war in Ukraine did not dismantle it, with the hardened apparatus instead absorbing the shock through differentiated treatment of arrivals, extending preferential access to culturally proximate refugees while leaving the sovereignty-first orientation of the regime intact (Vidra & Messing, 2025; Human Rights Watch, 2025).

3.3 What the Two Anchors Show

Read side by side, the Visegrad and Hungarian trajectories bring into focus both the flexibility and the limits of *sovereignty through selective integration*. They show how the triad can function through coalition-building and shared narratives of resistance at the regional level, where coordination amplifies defiance but remains exposed to shifts in the security environment, while also demonstrating how the same practices can be embedded within a national order to form a doctrine capable of enduring across successive crises. Although both anchors unfold within the same EU legal framework and draw on comparable repertoires of securitisation, their divergence turns on the scale and depth of *governance hardening* and on whether *strategic non-compliance* is sustained by collective backing or carried nationally. These differences structure the analysis that follows, which places the migration decade and the war in Ukraine in direct comparison in order to specify the conditions under which the triad remains operative and the points at which its capacity to hold begins to erode.

4. CRISIS ENVIRONMENTS: MIGRATION GOVERNANCE AND WAR

Sovereignty through selective integration operates differently depending on the crisis terrain in which it is activated, because each crisis carries its own institutional time horizon, monitoring profile, and distribution of discretion between EU and national authorities. Migration governance during the 2010s combined wide national latitude with fragmented oversight and a slower enforcement tempo, conditions that allowed the triad to develop through prolonged contestation and iterative adjustment. The war in Ukraine introduced a contrasting environment defined by immediate hard security exposure, compressed decision cycles, and tighter alliance expectations, shifting the constraints under which *strategic non-compliance*, *compliance minimalism*, and *governance hardening* can be pursued and reshaping their political payoffs.

4.1 Migration as Permissive Field

The 2015 migration crisis unfolded inside a policy architecture that looked solid from the outside but worked very differently once real pressure was applied. The Union held wide legal competences, yet the work that actually determined outcomes processing asylum claims, managing reception, and controlling borders remained in national hands. Harmonisation set the framework, but the actual weight is carried by implementation. In other words, monitoring never really sealed the distance between law on paper and what happened on the ground (Schammann et al., 2021). The system looked centralised, but the controls were elsewhere. A shared blueprint sat at the centre, while separate players decided how fast to move and what to strip out, provided the final shape still passed inspection. That opening let governments hollow out commitments from the inside and still keep the benefits, the funding, and the symbolic weight of EU membership.

Earlier work on the Visegrad Group and Hungary treats the migration crisis as a permissive moment rather than a legal vacuum. As EU rules were present but implementation sat squarely with national administrations under uneven and delayed oversight (Glied & Zamecki, 2021). This gap is important because it created room for both *strategic non-compliance* and *compliance minimalism* to operate at relatively low short-term cost (Guennoun, 2025a; Guennoun, 2025b). The easiest way to see this pattern

is in the refusal by Poland and Hungary to implement relocation decisions. The stance was openly confrontational and invited infringement procedures, yet it functioned as a domestic performance of sovereignty and cultural defence whose political returns arrived faster than legal penalties (CJEU, 2020; Jaroszewicz & Gniazdowski, 2015). At the same time, Hungarian authorities used the same flexibility to rework legislative detail and administrative practice so that restrictive outcomes stayed in place while the ‘appearance of compliance’ was preserved (Hungarian Helsinki Committee, 2023; Gkliati, 2022). EU enforcement moved slowly, which helped avoid escalation and allowed the strategy to hold.

Over time, procedural adjustments reshaped the administrative landscape. Emergency measures stayed in place and became part of ordinary governance. Transit zones did not disappear. Accelerated asylum procedures ceased to be exceptional safeguards and instead became routine tools for fast-tracking rejection. What had been justified as temporary settled into routine. Administrative practice bent around these tools and then began to rely on them. Money followed the shift. Surveillance technologies and biometric systems expanded, often with support from EU funding instruments, and gave physical weight to what had started as improvised fixes (Khoury & Hendow, 2025; European Digital Rights et al., 2025). Over time, a restrictive border regime took shape that no longer needed constant crisis talk to keep running. It had become infrastructure. In Hungary, the migration state of emergency remained in force long after the immediate pressures of 2015 subsided to supply legal cover for exceptional practices (Hungarian Helsinki Committee, 2023), while in the Visegrad context, repeated meetings and joint declarations helped naturalise a sovereignty-first reading of EU obligations (Visegrád Group, 2021; Glied & Zamecki, 2021).

Ultimately, viewed through the perspective of the triad, migration governance in this decade offered a permissive field where *strategic non-compliance* could be sustained due to delayed sanctions, *minimalist implementation* allowed governments to claim adherence while altering outcomes, and *hardening* successfully turned crisis responses into entrenched governance structures, resulting in a pattern of selective integration that remained formally compatible with membership yet altered the practical content of common rules.

4.2 War as Constraining Field

Russia’s full-scale invasion of Ukraine in February 2022 fundamentally altered the strategic environment for Central European states, bringing hard security concerns to the foreground as questions of military supply, alliance credibility, and deterrence came to dominate elite and public debate (Czyż, 2024; Helwig, 2023). In this setting, *sovereignty through selective integration* ran out of room, most clearly at the regional level. Consistent with security studies scholarship highlighting how external threat compresses timelines and narrows acceptable policy space, driving states in exposed positions to prioritise reliable protection and material capabilities over symbolic autonomy (Walt, 1987; Lake, 2009; Buzan & Wæver, 2003), the Visegrad experience followed this pattern as Poland and Czechia rapidly aligned with United States and NATO preferences. By increasing defence spending and taking on forward roles to present themselves as front-line states within a Western security community (Beck, 2024; Bugajski, 2025), these governments found that *strategic non-compliance* toward EU foreign policy positions became harder to justify domestically where it risked signalling weakness in the face of Russian aggression.

In contrast, Hungary pursued a distinct trajectory, maintaining a narrow interpretation of national interest that emphasised energy security and resisted joint EU measures on sanctions and military support (Guennoun, 2025a), a stance that appears through the lens of the triad as an attempt to extend *strategic non-compliance* into the security field. While veto threats and delays over Ukraine-related funds replicated familiar patterns from migration governance, the coalition support that had sustained *sovereignty through selective integration* at the regional level during the 2010s was no longer available, leaving the Visegrad platform to lose much of its relevance for high politics as Poland and Czechia built new formats of cooperation with like-minded states (Kaniok & Hloušek, 2025; Ušiak, 2024).

Furthermore, the war reshaped the meaning of *compliance minimalism* by creating a distinct calculus compared to migration governance, where narrow implementation had limited direct consequences for other member states. In the security field, half-hearted alignment on sanctions or support risked

weakening the overall position of the Union and exposing internal divisions to external actors (Costa et al., 2024; Helwig, 2023), raising the reputational and strategic costs of minimalist compliance for governments under direct threat. Once the security environment changed, regional defiance was no longer a useful currency. This is why Poland and Czechia stepped back from alignment across the board, without abandoning contestation altogether.

Here, Hungary walked alone. Its migration doctrine absorbed the shock of war without losing shape, carrying forward a hardened border regime and a sovereignty-first legal architecture already set in place. What followed was a shift in classification rather than retreat. Authorities drew a sharp line between categories of movement, folding Ukrainian refugees into a narrative of proximity and deservingness while leaving ‘other migrants’ governed by the older securitising frame that had structured policy since the migration crisis (Vidra & Messing, 2025; Human Rights Watch, 2025). Consequently, while *strategic non-compliance* shifted from the centre of public debate, it persisted in the handling of broader migration issues and funding disputes, just as *compliance minimalism* and *governance hardening* continued to shape everyday interactions at the border.

4.3 What Crisis Comparison Reveals

The comparison between the migration decade and the war in Ukraine clarifies the scope conditions for *sovereignty through selective integration*, demonstrating that where crises unfold in fields highly dependent on national implementation and where enforcement remains slow or contested, the triad can be sustained and deepened. Migration governance in the 2010s met these precise conditions, creating an environment where *strategic non-compliance* generated domestic and regional leverage, *minimal implementation* protected formal alignment, and *hardening* locked in a sovereignty-first regime.

In contrast, hard security crises create a less permissive terrain because external threat compresses time and heightens the value of reliable collective action, rendering regionalised selective integration fragile. In this environment, divergent threat perceptions and alliance choices undermine coalitions that previously coordinated resistance, as illustrated by the Visegrad fracture after 2022 (Czyż, 2024; Beck, 2024). Consequently, national doctrines anchored in hardened governance structures can endure under pressure, but the space for openly defiant or minimalist positions in high politics contracts sharply once security stakes rise, particularly for states dependent on external protection.

The implication reaches beyond Central Europe as *Sovereignty through selective integration* consolidates most easily in policy domains where Union authority passes through domestic administrations and where crisis can be depicted as cultural or social rather than military. External shocks then reshape the balance between regional coalitions and national doctrines without dissolving the underlying tensions inside European governance.

5. IMPLICATIONS FOR EU GOVERNANCE AND DIFFERENTIATION

The mechanism of *sovereignty through selective integration* speaks directly to debates on differentiated integration, internal disintegration, and EU foreign policy, positioning *strategic non-compliance*, *compliance minimalism*, and *governance hardening* as central techniques through which member states shape the practical content of integration in sensitive domains while remaining formally aligned with the Union.

5.1 Variable Geometry and Coalitions

While research on European foreign policy has long emphasised the role of informal groupings and coalitions in driving collective action, especially in crisis contexts (Keukeleire & Delreux, 2022; Costa et al., 2024), the Visegrad experience and its aftermath demonstrate that such groupings can conversely operate as vehicles for *sovereignty through selective integration*. Where governments share a sovereignty-first reading of contested policies and face low immediate security costs, regional coalitions serve to magnify the effects of *strategic non-compliance* and minimalist alignment. However, the post-2022 shift toward ad

hoc coalitions of the willing in support of Ukraine indicates a structural counter-move, as states that perceive veto politics as threatening vital interests search for formats that bypass recalcitrant partners (Rankin, 2025; Helwig, 2023). This dynamic suggests that *sovereignty through selective integration* at the coalition level is self-limiting: the more a grouping relies on defiance and minimalism, the stronger the incentives for others to construct parallel arrangements that reduce its blocking power, revealing that variable geometry has a dual face capable of shielding sovereignty-first agendas while simultaneously insulating the Union against their most disruptive effects.

5.2 Internal Disintegration by Practice

The triad sharpens how internal disintegration is usually approached in the literature because it pushes the analysis beyond the prevailing emphasis on formal differentiation. Most accounts have focused on opt-outs, treaty protocols, and institutionalised arrangements that regulate non-participation (Genschel & Jachtenfuchs, 2014; Schimmelfennig, 2018), yet the Central European cases indicate a different route through which cohesion erodes from within. Rather than withdrawing from common frameworks, member states remain formally integrated while progressively thinning out the operational content of shared rules. Internal disintegration, as used in this article, refers to the territorial divergence of outcomes produced by formally uniform rules due to sustained variation in implementation, enforcement, and institutional capacity, even in the absence of treaty change or exit.

This form of fragmentation is difficult to register through legal categories alone, because obligations remain formally intact and institutional maps continue to project coherence while the lived experience of rights and protections diverges sharply at the point of implementation. Migration and asylum offer the clearest illustration, since individuals can face radically different chances of access depending on where they encounter the system despite the existence of harmonised law. The mechanism developed here predicts that such divergence is most likely in policy domains characterised by high dependence on national administration, uneven monitoring, and the durability of crisis-born capacity. The result is a layered Union in which disintegration advances through administrative routines and infrastructural investments, producing uneven outcomes without requiring explicit legal rupture. Cohesion thus becomes increasingly formal rather than substantive, maintained at the level of law while eroding in practice.

5.3 Directions for Further Research

The triad developed in this article opens a distinctly IR line of inquiry because it treats EU membership as a strategic setting in which authority, compliance, and distributional conflict are negotiated under institutional constraint. These extensions are offered as analytically bounded sites for testing the mechanism across different enforcement tempos, monitoring capacities, and distributions of discretion. A first extension lies in fiscal surveillance and macroeconomic governance, where scholars can trace how *strategic non-compliance* crystallises around deficit rules and conditionality, how *compliance minimalism* is performed through interpretive sequencing and domestically managed 'adjustments,' and how crisis instruments that enter as contingent bargains acquire durability as everyday leverage once they become embedded in routines, expectations, and reputational scripts.

A second and increasingly consequential terrain is digital regulation and internal security, particularly in policy fields where monitoring infrastructures, data-sharing arrangements, and cross-border police cooperation are expanded through reference to terrorism, cyber threat, and systemic risk.

Once EU rules pass into national administration, their meaning is no longer settled by the text. It is settled by who handles them. Domestic authorities decide what data is opened, which thresholds matter, and what gets enforced first. Some instruments continue to serve shared regulatory goals. Others are quietly turned. They keep their legal shape while doing different work underneath. This only holds under the right conditions: time, cover, and room to operate before anyone intervenes. On paper, the system still looks intact. In practice, control has already moved.

From the Brussels side, delegation does not behave like a neutral transmission chain, even if it is often treated as one. Once rules leave the supranational level and enter national administrations, they pass

into hands that decide how fast things move, which files receive attention, and how information circulates. At that point, formal alignment stops guaranteeing shared effects. The law may look uniform, but in reality outcomes drift. Similar obligations begin to produce uneven results because implementation lives in practice, not in text. This is where the cohesion problem actually takes shape, inside routine administrative work and inside the infrastructures that grow around it and quietly lock those practices in over time. Read this way, *sovereignty through selective integration* captures how authority actually works inside institutional cooperation: common frameworks endure, enforcement remains uneven, reputational pressure does selective work, and practical control steadily goes back to the state.

6. CONCLUSION

Central Europe serves as the empirical stress-test for the triad theorised in this article. The concepts of *strategic non-compliance*, *compliance minimalism*, and *governance hardening* were developed to capture how sovereignty is exercised from within EU membership, and the Central European cases place that framework under examination. The migration crisis showed how the Visegrad Group converted control over implementation into bargaining leverage and agenda power, yet that regional capacity proved conditional on a permissive threat environment in which disputes could be managed as governance conflict rather than existential security exposure. The war in Ukraine exposed the limits of that regional strategy as hard security exposure reordered incentives and threat perception, tightening the tolerance for divergence and raising the cost of intra-group ambiguity. Hungary followed a different trajectory, pushing the triad inward and stabilising it as a national doctrine, with crisis politics solidifying into doctrine as legal categories, physical infrastructures, and administrative routines embedded sovereignty-first preferences that persisted as external conditions changed. Across these cases, the pattern holds. States retain the benefits of membership and filter obligations at the precise point where policy outcomes are produced. This article captures that pattern under the concept of *sovereignty through selective integration* and specifies its mechanism through *strategic non-compliance*, *compliance minimalism*, and *governance hardening*.

The conceptual move lies in treating these practices as an ordered sequence operating through the political structure of delegation. *Strategic non-compliance* functions as a signalling and bargaining device that exploits enforcement tempo and the visibility of defiance to generate domestic legitimacy and external leverage. *Compliance minimalism* operates through interpretive control and administrative design, sustaining formal alignment while reducing substantive effects through procedures, thresholds, and selective enforcement. *Governance hardening* secures the whole configuration by converting crisis instruments into routine state capacity, raising the institutional and political costs of reversal and carrying sovereignty-first preferences across electoral time and political turbulence. In combination, the triad clarifies how authority can be reshaped from within through the everyday politics of implementation even as the legal surface of the order continues to display consistency.

The crisis comparison clarifies the scope conditions under which this mechanism operates and explains why regional coordination fractured. Migration governance over the previous decade depended heavily on national implementation and functioned under fragmented oversight, which meant that control over pacing, access, and procedural sequencing could be politicised without immediately triggering decisive enforcement. It also allowed disputes to be framed as questions of culture, identity, and social order rather than military necessity, and in that configuration defiance, procedural narrowing, and institutional consolidation become politically productive because costs are deferred and enforcement is filtered through national administrations. The war in Ukraine reordered these conditions, compressing decision cycles, making alliance credibility central, and turning internal division into an immediate strategic liability. The shift from veto bloc to strategic void follows from this divergence in hardening trajectories: once *governance hardening* locks states onto incompatible security tracks, the space for regional cohesion closes and the coalition logic becomes structurally unrecoverable. National doctrines anchored in hardened governance structures proved capable of adjustment, yet the high-stakes security field imposed firmer limits on how far selective integration could extend.

For research on European integration and disintegration, two implications follow from this comparison. *Sovereignty through selective integration* redirects attention away from formal differentiation and toward the practical life of common rules. Administrative decisions and infrastructural investments generate durable divergence even when legal commitments remain formally intact. Cohesion therefore turns on enforcement and monitoring design as much as on treaty architecture. Slow enforcement, uneven visibility of implementation, and the quiet permanence of crisis instruments expand the operational space for selective integration. Looking ahead, enlargement and deeper defence integration are likely to intensify these dynamics by increasing heterogeneity in administrative capacity and raising the political value of discretion in sensitive domains. The outcome is a Union that can remain legally coherent while becoming operationally uneven.

The triad is offered here as a diagnostic device, designed to structure comparative research across other domains of European and international governance, including fiscal surveillance, digital regulation, internal security, and rule-of-law conditionality. It fixes attention on three observable questions framed as a single diagnostic sequence: where *strategic non-compliance* functions as bargaining posture, how administrative design and interpretive control translate *compliance minimalism* into practice, and when crisis-born instruments harden into durable governance capacity. Working through these questions across cases makes it possible to locate where operational divergence is produced under stable legal form. Tracing these dynamics across domains and regions clarifies how supranational authority is recalibrated under delegation and how internal disintegration advances through implementation even as the institutional surface continues to signal cohesion.

REFERENCES

- Aradau, C., & Blanke, T. (2010). Governing circulation: A critique of the biopolitics of security. In M. de Larrinaga & M. G. Doucet (Eds.), *Security and global governmentality: Globalization, governance and the state* (pp. 41–56). Routledge.
- Beck, R. (2024, April 3). *The Visegrád Four: From troubled to broken*. Foreign Policy Research Institute. <https://www.fpri.org/article/2024/04/visegrad-four-from-troubled-to-broken>.
- Bugajski, J. (2025, January 14). *Poland seeks more effective regional formats as the Visegrád Group fractures*. Jamestown Foundation. <https://jamestown.org/program/poland-seeks-more-effective-regional-formats-as-the-visegrad-group-fractures/>.
- Buzan, B., & Wæver, O. (2003). *Regions and powers: The structure of international security*. Cambridge University Press. <https://ir101.co.uk/wp-content/uploads/2018/11/Buzan-Waever-2003-Regions-and-Powers-The-Structure-of-International-Security.pdf>
- Buzan, B., Wæver, O., & de Wilde, J. (1998). *Security: A new framework for analysis*. Lynne Rienner.
- Coman, R., Paulis, E., Puleo, L., & Trino, N. (2025). Building and legitimizing an illiberal transnational field: Illiberal think tanks' struggle for cultural hegemony in Poland and Hungary. *European Political Science*, 3, 513-531. <https://doi.org/10.1057/s41304-025-00544-6>
- Costa, O., Juncos, A. E., Müller, P., & Sjursen, H. (2024). Contested but resilient: Accounting for the endurance of the European Union's foreign policy. *JCMS: Journal of Common Market Studies*. <https://doi.org/10.1111/jcms.13686>.
- Court of Justice of the European Union. (2020, December 17). *Commission v Hungary (Asylum)*, Case C-808/18 (Judgment). <https://curia.europa.eu/juris/liste.jsf?num=C-808/18>

- Guennoun, Y. (2025). Sovereignty through selective integration: Strategic non-compliance, compliance minimalism, and governance hardening in EU crisis politics. *Politics & Security*, 14(4), 16–30. <https://doi.org/10.54658/ps.28153324.2025.14.4.pp.16-30>
- Court of Justice of the European Union. (2021, November 16). *Commission v Hungary (Criminalisation of assistance to asylum seekers)*, Case C-821/19 (Judgment; Press release No 205/21). <https://curia.europa.eu/jcms/upload/docs/application/pdf/2021-11/cp210205en.pdf>
- Czyż, A. (2024). The Visegrad Group countries towards the war in Ukraine in 2022. *Studia Politologiczne*, 73, 254–271. <https://doi.org/10.33896/SPolit.2024.73.15>
- European Digital Rights, Access Now, & Hungarian Civil Liberties Union. (2025, May 6). Hungary's new biometric surveillance laws violate the AI Act. EDRI. <https://edri.org/our-work/hungarys-new-biometric-surveillance-laws-violate-the-ai-act/>
- European Parliament. (2022). Report on the situation in Hungary pursuant to Article 7(1) TEU (A9-0217/2022). European Parliament. https://www.europarl.europa.eu/doceo/document/A-9-2022-0217_EN.html
- Foucault, M. (2007). *Security, territory, population: Lectures at the Collège de France, 1977–1978*. Palgrave Macmillan. <https://mirror.explodie.org/Foucault-Security-Territory-Population.pdf>
- Genschel, P., & Jachtenfuchs, M. (Eds.). (2014). *Beyond the regulatory polity? The European integration of core state powers*. Oxford University Press. <https://hdl.handle.net/1814/34498>
- Gkliati, M. (2022). The next phase of the European Border and Coast Guard: Responsibility for returns and push-backs in Hungary and Greece. *European Papers*, 7(1), 171–193. <https://doi.org/10.15166/2499-8249/553>
- Glied, V., & Zamecki, Ł. (2021). Together, but still separated? Migration policy in the V4 countries. *Politics in Central Europe*, 17(s1), 647–673. <https://doi.org/10.2478/pce-2021-0027>
- Guennoun, Y. (2025a). The Visegrad Group and the war in Ukraine: From veto bloc to void. *Politics & Security*, 13(3), 35–45. <https://doi.org/10.54658/ps.28153324.2025.13.3.pp.35-45>
- Guennoun, Y. (2025b). From Crisis to Doctrine: A Decade Of Migration Securitization And Strategic Defiance In Hungary. *Politics & Security*, 13(3), 46-57. <https://doi.org/10.54658/ps.28153324.2025.13.3.pp.46-57>
- Helwig, N. (2023). EU Strategic Autonomy after the Russian Invasion of Ukraine: Europe's Capacity to Act in Times of War. *JCMS: Journal of Common Market Studies*, 61: 57–67. <https://doi.org/10.1111/jcms.13527>.
- Human Rights Watch. (2025). Hungary. In *World report 2025*. <https://www.hrw.org/world-report/2025/country-chapters/hungary>
- Hungarian Government. (2017, April 3). The national consultation packages are already being delivered, including a letter from the Prime Minister. Cabinet Office of the Prime Minister. <https://akadalymentes.2015-2019.kormany.hu/en/cabinet-office-of-the-prime-minister/news/the-national-consultation-packages-are-already-being-delivered-including-a-letter-from-the-prime-minister>.
- Hungarian Government. (2018). *Proposal on the «Stop Soros» legislative package*. <https://helsinki.hu/wp-content/uploads/STOP-SOROS-LEGISLATIVE-PACKAGE-PROPOSAL.pdf>
- Hungarian Helsinki Committee. (2023). *Country report: Hungary – 2023 update*. Asylum Information Database (AIDA). https://asylumineurope.org/wp-content/uploads/2024/07/AIDA-HU_2023-Update.pdf

- Huysmans, J. (2006). *The politics of insecurity: Fear, migration and asylum in the EU*. Routledge, 208 p.
- Jaroszewicz, M., & Gniazdowski, M. (2015, September 9). *The Hungarian stage of the migration crisis*. Centre for Eastern Studies (OSW). <https://www.osw.waw.pl/en/publikacje/analyses/2015-09-09/hungarian-stage-migration-crisis>.
- Kaniok, P., & Hloušek, V. (2025). Visegrad Four as an institution in times of EU crises. *European Politics and Society*, 1–19. <https://doi.org/10.1080/23745118.2025.2488815>.
- Keukeleire, S., & Delreux, T. (2022). *The foreign policy of the European Union* (3rd ed.). Palgrave Macmillan.
- Khoury, C., & Hendow, M. (2025, February). *Advances in border management: Digitalisation trends and emerging technologies* (Working paper). International Centre for Migration Policy Development. <https://research.icmpd.org/wp-content/uploads/2025/02/Advances-in-Border-Management-Digitilisation-trends-and-emerging-technologies.pdf>.
- Kim, S. (2023). «Illiberal democracy» after post-democracy: Revisiting the case of Hungary. *The Political Quarterly*, 94(3), 437–444. <https://doi.org/10.1111/1467-923X.13255>
- Lake, D. A. (2009). *Hierarchy in international relations*. Cornell University Press.
- Lottholz, P. (2022). Theorizing post-liberal forms of statebuilding and order-making globally. In P. Lottholz, *Post-liberal statebuilding in Central Asia* (pp. 27–50). Bristol University Press. <https://doi.org/10.51952/9781529220025.ch002>
- Marusiak, J. (2024). Russia's aggression against Ukraine and its impact on the energy cooperation of Visegrad Group countries. In *EU energy and climate policy after COVID-19 and the invasion of Ukraine* (pp. 95–118). Routledge. <https://doi.org/10.4324/9781032624839-8>
- McDonald, M. (2008). Securitization and the construction of security. *European Journal of International Relations*, 14(4), 563–587. <https://doi.org/10.1177/1354066108097553>
- Rankin, J. (2025, January 13). EU plans Ukraine fund without Hungary to bypass Orbán veto. *The Guardian*. <https://www.theguardian.com/world/2025/dec/19/ukraine-war-briefing-hungary-agrees-to-allow-eu-loan-to-kyiv-but-will-not-contribute>
- Schammann, H., Gluns, D., Heimann, C., Müller, S., Wittchen, T., Younso, C., & Ziegler, F. (2021). Defining and transforming local migration policies: A conceptual approach backed by evidence from Germany. *Journal of Ethnic and Migration Studies*, 47(13), 2897–2915. <https://doi.org/10.1080/1369183X.2021.1902792>
- Scharpf, F. W. (1999). *Governing in Europe: Effective and democratic?* Oxford University Press.
- 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. <https://doi.org/10.1080/13501763.2017.1421252>
- Scott, J. W. (2023). Hungary's illiberal border politics and the exploitation of social, spatial and temporal distinctions. *European Urban and Regional Studies*, 31(1), 14–28. <https://doi.org/10.1177/09697764231186741>
- Vidra, Z., & Messing, V. (2025). The representation of the arrival of Ukrainian refugees in the Hungarian media in 2022. *Central and Eastern European Migration Review*, 14(24), 1–20. <https://doi.org/10.54667/ceemr.2025.08>

- Guennoun, Y. (2025). Sovereignty through selective integration: Strategic non-compliance, compliance minimalism, and governance hardening in EU crisis politics. *Politics & Security*, 14(4), 16–30. <https://doi.org/10.54658/ps.28153324.2025.14.4.pp.16-30>
- Visegrád Group. (2021, July 9). *Joint statement of the Prime Ministers of the Visegrad Group*. <https://www.visegradgroup.eu/home/documents/2021/joint-statement-of-the-210713>
- Walt, S. M. (1987). *The origins of alliances*. Cornell University Press. <https://web.stanford.edu/class/ips198/docs/Walt.pdf>
- Waterbury, M. A. (2020). Populist nationalism and the challenges of divided nationhood: The politics of migration, mobility, and demography in post-2010 Hungary. *East European Politics and Societies*, 34(4), 962–983. <https://doi.org/10.1177/0888325419897772>