

EUROPE AS A DEMOCRACY PROMOTER. LESSONS LEARNED

A Conference of the Romanian Academic Society
Mamaia, July 4-7, 2005

TOPIC:

The recent elections in Ukraine and Romania, as well as the invitation to join the European Union extended in 2003 to Croatia and Turkey have put some strain on some of the most common assumptions regarding the relation between democratization and European conditionality. After many rounds of free and fair elections, Romania, which is well advanced on the path of integration, concluding negotiations by end 2004, has encountered minor frauds and important degradations of freedom of expression during its fall 2004 elections. Precisely the same weeks, Ukraine, kept on the fringes of Europe without a clear European perspective, was mobilizing importantly for democracy and managing a tremendous change. The examples of Croatia and Turkey are also paradoxical. After Croatia's application was accepted, the leverage of Europe to press Croatia on delicate issues, such as cooperation with the International Court of Justice, seemed rather diminished. One must remember that Europe's constant criticism of treatment of minorities in the Baltic States, where millions of Russian citizens could not vote in European elections, due to their lack of citizenship did not in any way hinder the successful journey of these countries to Europe. On the contrary, Turkey, marginalized for years, recorded a tremendous progress in terms of political freedoms and governance in recent years.

So when does Europe work best? When Europe is just an incentive, as in Ukraine or Turkey, or when Europe already has EU conditionality mechanisms working, as in Croatia or Romania? The answer, after this last fall, seems far from obvious. Undeniably, the opportunities for

political integration of the periphery into the European center matter enormously for democracy, and no other continent benefited more from the presence of a democratic and economically attractive center. The so-called economic and democracy 'gravity' models (the periphery is attracted to the center) can plausibly be set in motion to work alongside each other, and in the ideal case generate synergetic benefits. Gains from trade and inward investment may ease the politics of the democratic transition. The credibility of the ongoing democratic transition should enhance the quality and perceived reliability of the investment climate. This becomes then a double, interactive, politico-economic gravity model. The battered concept of transition is validated easier in a European context, because it is a voyage to a known destination.

Contemporary Europe has clearly developed into a gravity field which has so far involved a group of 20 states with a total population of 250 million, counting only states that have either acceded to the EU from prior conditions of non-democracy or have the prospect of doing so. A further 16 states with a total population of 400 million people are being embraced by the European Neighbourhood Policy, which seeks to extend the logic of Europeanisation without the prospect of EU accession.

However, whether the Neighbourhood Policy can succeed in democratizing the outer European periphery, or if democracy in the new accession countries- or those soon to accede- has reached a safe harbour are important but unanswered questions. Democracy is taken for granted after EU accession, the discussion about political criteria and substantive democracy being often replaced by a discussion on *acquis communautaire*, compatibility of institutions, and 'digestion'. No mechanisms exist to assist progress of democracy after a country concludes negotiations, the underlying assumption being that after this stage is reached it can only go right.

Most of the candidate countries achieved credible democratic ratings very early on in the transition after the end of the communist regimes. These were initially overnight regime changes in 1989-90, which then saw a more gradual deepening of democratic practice beyond the parliamentary institutions into the judiciary and civil society. The laggard in the class was Slovakia, where former Prime Minister Meciar seriously abused his exercise of power, for example with manipulation of the Constitution. By 1997, with a democracy score of 3.80, Slovakia was well on the way to ruining its chances of EU accession with the rest of Central Europe. EU conditionality on this point was entirely credible. The people got the message, and in due course elected another government that could slip into European normality within the life of a single parliament, and Slovakia was able to join the rest on accession day in May 2004. The general conclusion from the EU's 'big bang' accession of 10 new member states also became clear. The intensity of the

competitiveness of the accession process, with the Commission's half-yearly monitoring reports implicitly looking for grounds to differentiate between front-runners and laggards, was so strong that all arrived at the finishing line bunched closely together, to the point that there could be no discrimination between the candidates in the final political judgement.

A second category contains the remaining accession candidates. Only Bulgaria and Romania could not keep up with the pack. However they have not given up. According to the Freedom House data Bulgaria and Romania have been progressing from almost 4 to almost 3, thus becoming semi-consolidated democracies. The EU has agreed to a 2007 target accession date, thus sharpening the edge of the conditionality process. Problems of governance remain pervasive in Romania, to the point that early in 2004 negative evaluations in the European Parliament began to open up the question whether Romania might be detached from Bulgaria, and miss the 2007 target date. Problems at the 2004 elections further complicate the Romania case.

The imperfectly democratic Turkey of the last several decades was seen as incapable of completing Turkey's economic and societal modernisation, to the point of risking degeneration into Islamism. It was also recognised that Turkey could not achieve this full Western-standard democratisation without anchorage in the European Union. Turkey has thus engaged in the most powerful conceivable process of sequential conditionalities and reforms with the EU, with six so-called 'Harmonisation Packages' of measures ranging from changes in the constitution to detailed policy reforms in relation to human rights, the role of the military, the quality of the judiciary and the treatment of minorities (in particular but not only the Kurds). The last three years have seen sufficient progress towards meeting the Copenhagen criteria to warrant the opening of accession negotiations.

Indirect conditionality works, however, equally well, with the election of a new President of Serbia in July 2004, which was a very hard contest between a radical Serb nationalist versus a pro-European democrat. The EU intervened very clearly in the election campaigning, calling upon the Serb people to understand that one choice would bring them closer to Europe, and the other would leave them isolated.

A third category consists of the remaining Balkan states and entities that are not yet accepted as accession candidates by the EU, but do have officially acknowledged 'perspectives of full membership' in the long run, and are partners in the EU in preparing and executing Stabilisation and Association Agreements (SAA), which involves a specific conditionality method. The SAA process is a derivative of the accession negotiation process, but with less-demanding criteria, involving a large landscape of political, economic

and increasingly also security policies. The Freedom House scorecard shows a gradually improving record, with the group average trending down from 4.38 to 3.92 in the period 1997 to 2003. The full half of the glass is there to be seen, but so is a certain feeling of impatience and stagnation, as these countries feel Europe is not so eager to embrace them.

A fourth category consists of the European CIS states, all except Belarus members of the Council of Europe, but which as a group exhibit some reversal of the process of democratic reform. They started in 1997 with a better average position of 4.38 on the Freedom House scorecard than the Balkan SAA states, yet they have relapsed to an average of 5.04 by 2003, thus entering the category now of semi-consolidated authoritarian regimes. This is most obviously the case with Russia, and one may expect the next readings there to continue to mark the Putin regime's slide towards increasing authoritarianism. While Lukashenko's Belarus is in a class of its own among European states as a consolidated authoritarian regime, the other states of the group (Ukraine, Moldova and South Caucasus) are stories in the making. Georgia and Ukraine have made important steps towards democratisation in 2004, Moldova has elections in 2005. This latter group become now target states for the EU's new European Neighbourhood Policy (ENP), which puts democracy and human rights issues up front on the agenda. The ENP may be described as a weaker derivative of the SAA model for the Balkan states. The issue here is whether the balance between obligations and incentives, demanded and offered by the EU, will become powerful enough to have a material impact of reform trends in these countries. The states of this group have all been asking for a long-term perspective of EU membership, which the EU has refused out of concern of raising premature or totally unrealistic expectations.

The Editors