

## *Chapter 5*

# **The United States, the European Union and the Consolidation of Democracy in Eastern Europe**

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Democracy promotion is now one of the leading international “industries.” It is applied in various corners of the world from Kosovo to Burma and to Iraq. It is practiced by powerful states, international organizations, transnational NGOs and even by financial institutions such as the IMF and World Bank. And the justification for it seems pretty obvious. As Robert J. Art put it: “The reasons to support democracy abroad are simple and powerful: democracy is the best form of governance; it is the best guarantee for protection of human rights and for the prevention of mass murder and genocide; it facilitates economic growth; and it aids the cause of peace.”<sup>1</sup>

However, this paper will suggest the democracy promotion project may well have its best days behind it already, at least in post-Communist Europe. The success of the project in this region was closely linked with the policy of EU and NATO enlargement. The current “enlargement fatigue” and the fight against terrorism demand a fundamental re-thinking of the democracy promotion strategy vis-à-vis such countries as Russia, Belarus, Ukraine, Georgia, Macedonia, Albania or Serbia. Persistence of democracy in the new members of the EU and NATO cannot be taken for granted either. Even in these states, the democracy promotion project may be unsuited for addressing the current democratic deficiencies.

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<sup>1</sup> Art, Robert J., *A Grand Strategy for America* (Ithaca, NY: Cornell University Press, 2003), p. 69.

## Origin of the Project

The democracy promotion project is relatively new. It originated in the early 1980s when evidence began to emerge of a democratic breakthrough within the Communist bloc. (This was especially manifested by the rise to power in Poland of the independent trade union Solidarity.)

Of course, there are numerous examples in history of intervention in other states with the aim of promoting certain normative or political models. The Romans exported their laws and models of administration, the medieval crusades converted “barbarians” to Christianity and the French revolutionaries spread their universal principles of “*liberté, égalité, et fraternité*.” However, none of these projects were aimed at promoting democracy *per se*. In fact, before the 1980s, autocracy was usually seen as a plausible solution for countries facing economic malaise and political instability.<sup>2</sup> Moreover, some dictatorial regimes were seen as legitimate simply because they were anti-Communist. The Helsinki Process in Europe was concerned with security, economic cooperation, and human rights: the three famous baskets.<sup>3</sup> Democracy was not one of the objectives. The West tried to get the Eastern European dissidents out of prison, but not to make them government ministers through free and fair elections. It was widely assumed at the time that any overt attempts at regime change could cause a nuclear confrontation. It was not until a small group of intellectuals and public activists established the National Endowment for Democracy in 1983 that promotion of democracy was put on the political agenda.<sup>4</sup> But as far as I know, none of them envisaged at the time that their project would soon become the official policy of the United States and many other actors.

To sum up, the democracy promotion project proved to be enormously successful. But it would be wrong to think that this project—only twenty years old—will stay with us forever. In fact, my brief introduction tried to suggest that democracy promotion was the prod-

<sup>2</sup> See e.g. Robinson, Mark and Gordon White, eds., *The Democratic Developmental State: Politics and Institutional Design* (Oxford: Oxford University Press, 1996), p. 1.

<sup>3</sup> See e.g. Korey, William, “Human Rights and the Policy of Leverage for Human Rights and Security in Eastern Europe,” in Mastny, Vojtech and Jan Zielonka, eds., *Human Rights and Security. Europe on the Eve of a New Era* (Boulder, CO: Westview Press, 1991), pp. 77-105.

<sup>4</sup> See e.g. Scott, James M. and Carrie A. Steele, “Assisting Democrats or Resisting Dictators? The Nature and Impact of Democracy Support by the United States National Endowment for Democracy, 1990-99,” *Democratization*, Vol. 12, No. 4 (2005), pp. 439-460.

uct of specific historical circumstances that were grasped by a small group of political entrepreneurs not only within the NED but also in some other, largely non-governmental bodies such as the Soros Foundation or the Friedrich Ebert Stiftung.<sup>5</sup> The question is whether the project can be adjusted to the new circumstances of today.

## **Explaining Successes in Central and Eastern Europe**

The record of democracy promotion is mixed. It is enough to consider such cases as Iraq, Afghanistan, Cambodia, Zimbabwe or Belarus to see the limited effectiveness of the project. There is no doubt however, that Central and Eastern Europe represent a unique success story of democracy promotion. This is largely due to three factors. First, throughout the 1990s, the international environment was conducive to democracy building in Central and Eastern Europe. The Soviet Empire collapsed in a largely peaceful way and there was basically no effort on the part of Russia to stall reforms in Central and Eastern Europe by the use of force. The U.S. and EU were actively engaged in Central and Eastern Europe as “pacifiers,” aid providers and democracy trainers.<sup>6</sup> Even the war in the Balkans had (ironically) some positive impact on democracy building in Central and Eastern Europe because it deterred populist politicians there from self-destructive confrontation.

This leads me to another factor behind democracy promotion success in this region. I call this a compatibility factor, but Karl Deutsch used to call it “the autonomous probability of events.” Western pressure reinforced the domestic developments already taking place in Central and Eastern Europe. These countries were culturally close to the West with a high percentage of solid democrats. (This has hardly been the case in countries such as Albania, Moldova, Belarus, Ukraine and Russia where there are no more than 25 percent of solid democrats).<sup>7</sup>

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<sup>5</sup> For instance, according to 1998 statistics, the Soros Foundation has invested more in democracy-related projects in Russia than the European Union or its largest member states, such as Germany or Great Britain. See *The Economist* (December 12, 1998). See also Quickley, Kevin F.F., *For Democracy's Sake: Foundations and Democracy Assistance in Central Europe* (Washington: Woodrow Wilson Center Press, 1997), pp. 122-3.

<sup>6</sup> For the use of the term “pacifier” in this context see Joffe, Josef, “Europe’s American Pacifier,” *Foreign Policy*, 54 (1984), pp. 64-82.

<sup>7</sup> See Fuchs, Dieter and Hans-Dieter Klingemann, “Eastward Enlargement of the European Union and the Identity of Europe,” *West European Politics*, 25/Special Issue 2 (2002), p. 40.

Finally and most importantly in our context, both the EU and NATO identified democracy as a precondition for joining their ranks. This is usually called a policy of conditionality and in this particular case it worked remarkably well because the incentive was very substantial and the linkage between EU/NATO membership and democracy was clear and direct.<sup>8</sup> True, there is enough evidence to suggest that Western crafters were never in full control over democratic developments in the applicant countries. Moreover, the West has been crafting not only democracy but also the market economy, security and other matters. These various crafting projects were not necessarily in harmony and they often fell prey to intra-institutional rivalry or partisan (selfish) pressures of farmers, bankers or traders. Nor was there always a natural harmony between the various means applied by the West vis-à-vis the candidates to the EU and NATO. Although Western politicians often claimed to possess an overall strategic design for creating a democratic Europe, their rhetoric was often vague and ambiguous and their policies lacked a clear sense of direction. It is also important to point out that both the EU and NATO accession processes have often been handled in a dictatorial rather than democratic fashion: the candidates were presented with a long list of conditions for entrance and they were hardly in a position to negotiate these conditions let alone reject them.<sup>9</sup>

However, all this should not put into question the success of Western policies. The instrumental crafting of democracy with the use of leverage and linkage may have been less effective than claimed by Western officials. Nevertheless, the indirect impact or if you wish “demonstration effect” of the West was enormous and it coincided with the policy of leverage and linkage. Elites and the electorates in Central and Eastern Europe have been ready to put up with the Western policy of conditionality because they clearly believed that democracy Western style would be good for them. The question is whether these factors are still at play. What has changed and how will the ongoing changes affect democracy promotion?

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<sup>8</sup> See e.g. Jacoby, Wade, *The Enlargement of the European Union and NATO: Ordering from the Menu in Central Europe* (Cambridge: Cambridge University Press, 2004) and Vachudova, Milada A., *Europe Undivided: Democracy, Leverage, and Integration after Communism* (Oxford: Oxford University Press, 2005).

<sup>9</sup> See e.g. Smith, Karen E., “The Evolution and Application of EU Membership Conditionality,” in Cremona, Marise, ed., *The Enlargement of the European Union*, (Oxford: Oxford University Press, 2003), pp. 114-5 or Barany, Zoltan D., “NATO’s Peaceful Advance,” *Journal of Democracy*, 15 (2004), pp. 63-76.

## The Nature of Change

There are three new developments that affect current democracy promotion, especially towards such countries as Russia, Belarus, Ukraine, Georgia, Macedonia, Albania, or Serbia. First, there is powerful pressure in some of the member states of the EU and NATO to halt the process of enlargement. This is due to a growing fear, especially within the EU-15, that further enlargements would make it difficult to handle the “imported” cultural and economic diversity. In fact, there is ample evidence to suggest that the vote against the European Constitution was in part a vote against further enlargements. Within NATO there is concern that further enlargements will bring it closer to very unstable regions without enhancing the organization’s financial and military resources. It is also feared that further enlargements will paralyze the decision-making system of both the EU and NATO.

However, the prospect of accession to EU and NATO represented the most powerful leverage towards the applicant countries. This prospect was also a stabilizing factor conducive to democracy building in the applicant countries. Local politicians resisted the autocratic temptation and tamed their mutual conflicts because they did not dare to frustrate their countries’ accession to the EU and NATO. Less attractive carrots would not have achieved similar effects. In fact, alternative solutions to fully-fledged membership have been tried in the past, but they failed especially in the case of the EU. (The NATO’s Partnership for Peace has been more successful than the EU’s projects of European Confederation or European Political Areas).<sup>10</sup> There is no reason to assume that any offer of “semi-demi” EU/NATO membership would have a similarly beneficial effect for the democracy promotion project. The question is: can democracy promotion ever succeed in the former Soviet space or in the Balkans without a EU/NATO membership offer? And if not, what kind of leverage would have to be used in this situation?

The war on terror has also had numerous detrimental effects on democracy promotion. To start with, the war has made the U.S. and the EU soften their critique of authoritarian policies in countries considered partners in the war on terror. Russia is a good example here

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<sup>10</sup>The former was proposed by then French President François Mitterrand, and the latter by the EC Commissioner Frans Andriessen. See e.g. Vernet, Daniel, “The Dilemmas of French Foreign Policy,” *International Affairs*, 68/4 (1992), pp. 655-64 or Andriessen’s speech to the 69th Assembly of Eurochambers, Brussels, April 19, 1991.

and so are several autocracies in the Caucasus. The Western message to local power holders has been clear: strategic rather than democratic considerations have again gained the upper hand. Moreover, the war on terror has made Western governments curb civil liberties in their own countries and enhance the powers of the executive branch (including the secret services) at the expense of the parliamentary and judicial branches. This has encouraged politicians in some of the former Communist countries to follow the Western path, albeit often in a more robust and undemocratic manner. It is also important to mention that the war on terror has so far had a destabilizing rather than stabilizing impact on the global international environment, although some may argue that things could have gotten much worse had such a war not been undertaken.

Finally there have been some disturbing developments on the democratic front in several Western countries, and they undermine the positive demonstration effect that the West used to have vis-à-vis other states. For instance, if Berlusconi's government in Italy could manipulate television broadcasting for partisan (if not personal) political ends then it is hard to expect that any autocrat outside the EU would be ready to follow EU's demands to make television broadcasting fair and free from political manipulation. Likewise, the ENRON scandal has made many people in the non-democratic world skeptical about the sincerity of Western anti-corruption campaigns that, after all, played an important part in democracy promotion. There are numerous similar examples.

The latter two factors will have a more detrimental impact on democracy in the former Soviet and Yugoslav republics than in the new member states of the EU and NATO. But it is also increasingly evident that membership in these two organizations was also a mixed blessing for democracy. Let me concentrate here on the case I know better: the EU.

## **Democracy After Joining the EU**

As already stressed, the EU played an important role in democratic consolidation in Central and Eastern Europe. One of the EU's conditions for entrance was the establishment of a workable democracy. As the 1993 EU summit in Copenhagen stated: candidate states must

have “stability of institutions guaranteeing democracy, the rule of law, human rights, and respect for and protection of minorities.”<sup>11</sup> Moreover, joining the Union was a means of creating the economic, political and institutional conditions under which a new democracy could consolidate and persist. This has been proven by the Greek, Spanish and Portuguese cases, and the idea was to repeat the same success story in Central and Eastern Europe.<sup>12</sup>

However, EU membership has also some detrimental impact on democracy in the new (but also in the old) member states. In fact, some critics go as far as to argue that EU membership perverts rather than enhances democracy in the new member states. First, and most obviously, the EU’s membership complicates the structure of democratic decision-making by making it more multi-layered and multi-centered. (I should add that the competencies of various layers and centers are currently under-defined and overlapping). Second, EU membership enhances the powers of non-majoritarian institutions such as the European Commission, the European Court of Justice and various regulatory agencies. National parliaments tend to be less powerful democratic players after a country joins the EU (or even before that, as the EU accession process has shown). Third, EU membership broadens the democratic public space. As a consequence, democratic decision-making within the EU will have to accommodate a more diversified set of interests and cultural orientations.

Of course, it is hoped that the Union will manage to find new ways of assuring the transparency, responsiveness and accountability of its institutions. It is also hoped that this imperfect democratic unit will manage to assure greater system effectiveness and thus compensate for its inability to enhance genuine participation by its citizens. However, there is no doubt that joining the EU has changed the nature of democracy in the new member states and it is far from clear how these new members will cope with the new challenges. For instance, providing greater access of citizens to the European decision-making process seems to be most urgent in the new member states from Central and Eastern Europe whose citizens feel particularly detached from this

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<sup>11</sup> See Council of the European Union, *Presidency Conclusions: Copenhagen European Council* (Brussels, 1993).

<sup>12</sup> See Tsoukalis, Loukas, *The European Community and its Mediterranean Enlargement* (London: Allen and Unwin, 1981).

process. According to the 2006 Eurobarometer, in most of the new member states, the vast majority of citizens believe that their voice does not count in the EU. In Latvia, only 18 percent of those polled believe that their voice counts, in the Czech Republic, 20 percent and in Estonia and Slovakia, 21 percent (the EU average is 36 percent).<sup>13</sup>

What is at stake here is not so much a turn towards authoritarianism, but erosion of democratic quality in the new member states. It seems to me that the democracy promotion project as we know it is quite unsuited for addressing the democratic quality problems just mentioned.

### **The EU and U.S. as Democracy Promoters**

Do the EU and the U.S. promote democracy differently in the region? My answer is basically negative although with certain important qualifications.<sup>14</sup> To start with, there is a problem of a EU-U.S. dichotomy when analyzing foreign policies in general and democracy promotion policies in particular. The EU is extremely heterogeneous. There are some states such as France and Great Britain that are historically interventionist, but there are also states such as Finland, Sweden, Austria or Ireland that try to be “neutral” and refrain from active intervention in other countries’ “internal” affairs. Some of the EU member states tend to side with America, while others tend to oppose American policies in an open or discrete manner. Moreover, different parties and political leaders within each of the discussed states have different worldviews and policies. For instance, some European politicians tried to reach out to civil society in autocracies (e.g. Max van der Stoep), while others preferred to rely on inter-state channels (e.g. Hans-Dietrich Genscher). Similarly in America, some believe that democracy requires first of all popular participation, while others argue that it is difficult, if not impossible, to be a democracy without a workable state. Again, there are numerous similar examples.

Differences exist because the EU and the U.S. are different types of actors, and they are under different kind of domestic pressures. Let me first illustrate the latter, more obvious point. It is easier for the

<sup>13</sup> See *Eurobarometer* (Brussels: European Commission, June 2006), p. 30.

<sup>14</sup> For an opposite argument see Kopstein, Jeffrey, “The Transatlantic Divide over Democracy Promotion,” *The Washington Quarterly*, 29 (2006), pp. 85-98.

U.S. to recommend further EU enlargements because these are European not American electorates that are reluctant to agree to further waves of EU enlargement. But the U.S. electorate is not entirely agnostic when it comes to Eastern Europe either and official U.S. policies are clearly taking account of this pressure. Consider for instance the U.S. refusal to grant visa free travel to Polish citizens. The U.S. government is also quite careful in recommending further enlargement of NATO. (Both policies could enhance the effectiveness of democracy promotion).

The U.S. and the EU act differently in international affairs because they are different types of actors. Unlike the U.S., the EU is not a state with a foreign policy reflecting its “national interest.” The EU lacks the basic legal and institutional characteristics of a state and it is even difficult to talk about its own equivalent of *raison d’etat*. Its foreign policies are more about internal power diffusion than about external power projection. The mechanism of foreign policy coordination within the EU is still relatively weak.<sup>15</sup> Moreover, the U.S. possesses an impressive military might, while the EU is basically a civilian power trying to shape the international environment through trade, aid, and diplomacy. These differences cannot but influence democracy promotion policies. For instance, EU common “strategies” or “positions” towards external actors are usually vague and individual EU member states tend to label their own (and at times partisan) foreign policies as European. Consider the EU’s incoherent response to the Orange Revolution in Ukraine last year.<sup>16</sup> This does not mean, however, that U.S. policies are always coherent. Consider the recent “royal” treatment by the U.S. of Nursultan Nazarbaev, President of Kazakhstan, despite his poor democratic record registered by the U.S. Department of Justice.

Transatlantic coordination of these already somewhat incoherent democracy promotion strategies is not easy, especially in a situation of crisis. Although some European countries tend to align their own policies with those of the U.S., the pattern of transatlantic coherence is neither constant nor clear. Much depends on the issue and the peo-

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<sup>15</sup> See e.g. Nuttall, Simon, “Coherence and Consistency,” in Hill, Christopher and Michael Smith, eds., *International Relations and the European Union*, (Oxford: Oxford University Press, 2005), pp. 91-112.

<sup>16</sup> See e.g. Ash, Timothy Garton and Timothy Snyder, “Ukraine: The Orange Revolution,” *New York Review of Books*, LIII/7 (2005), p. 30.

ple in charge of foreign policies at a given time. Consider, for instance, diverging U.S. and German approaches to the 1981 crushing of Solidarity (even though at the time Germany was one of the U.S.' closest allies).

## Conclusions

Several conclusions can be drawn from this analysis. First of all and most obviously, democracy can hardly be imposed by decree, especially those issued by external actors. A complex institutional system of incentives and disincentives has to be put in place to make democracy promotion work. It is equally important that elites and electorates in the targeted countries are convinced that democracy is good for them. In other words, democracy is unlikely to emerge in a country with few democrats, even if there is strong external pressure.

This leads me to another important conclusion. The democratic credentials of the democracy promoter are crucial for the effectiveness of democracy promotion. The point is not only to avoid double political standards, but also to convince targeted countries that democracy can be as good for them as it is for the democracy promoters. Efforts to craft democracy in other states will remain fragile if the crafter itself engages in undemocratic practices. Crafters should be able to set the examples of good democratic practice to be followed by others.

Another related conclusion is that external crafting and engineering of democracy has serious limitations. (Of course, this is not to encourage a policy of benign neglect towards autocracies). Democracy is not a kind of intellectual commodity that can be sold, imposed or transplanted onto other countries in a direct and straightforward manner. Democracy is a product of complex political bargaining involving both internal and external actors with different political interests and cultural backgrounds.

This paper has also tried to suggest that the democracy promotion project is more suited for facilitating or even orchestrating a democratic breakthrough in authoritarian states than for enhancing democratic quality in new democracies. This is because there are different legitimate models of democracy and it is difficult to establish which dimensions of democratic quality are superior or inferior. As Marc Plattner rightly observed: "Modern liberal democracy has a composite

nature, consisting of often conflicting aspects. [And] democracy is a form of government that must not only be democratic but also effectively governed.”<sup>17</sup> The latter comment is particularly relevant to new democracies in Eastern Europe because they are still confronted with relatively porous borders, high levels of unemployment and widespread crime and corruption.

Moreover, external intervention in internal affairs of democratic states is a highly contentious proposition. This is even the case among member states of the European Union. Since the Amsterdam Treaty came into force, the Union has had the right to intervene not only if a member state violates a vast body of economic and administrative *acquis*, but also if it does not comply with the principles of democracy, human rights, and the rule of law proclaimed in Article 6(1) EU. However the Haider affair in 2000 has clearly shown the difficulty of applying this article in practice.<sup>18</sup>

The final conclusion is quite obvious if not trivial. Democracy promotion is doomed to be less effective when the Americans and Europeans fail to work together. U.S. and EU democracy promotion policies do not fundamentally diverge, but the plurality of different actors within the “trans-Atlantic” camp makes any coherent policy more of an exception than a rule.

These are all general observations that ought to be applied on a daily basis towards individual cases. Two cases seem to me particularly illuminating and important in present-day Eastern Europe: Ukraine and Poland. The case of Ukraine will show whether promotion of democracy through EU and NATO enlargement is still a viable option.<sup>19</sup> It will also show whether the EU and the U.S. are willing and able to promote a wider international environment conducive to

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<sup>17</sup> Plattner, Marc F., “The Quality of Democracy. A Skeptical Afterword,” *Journal of Democracy*, 15 (2004), p. 107.

<sup>18</sup> The Union applied this article for the first time in 2000 when Jörg Haider’s FPÖ extremist party became part of the Austrian government. However, the exercise proved only partly successful and was quite controversial. See e.g. Cramér, Per and Pál Wrangle, “The Heider Affair, Law, and European Integration,” *Europarättslig tidskrift* 28 (2000) or Matthew Happold, “Fourteen against One: The EU Response to Freedom Party participation in the Austrian Government,” *International and Comparative Law Quarterly*, 49 (2000), p. 953.

<sup>19</sup> See an interview with then French President, Jacques Chirac in *Gazeta Wyborcza*, February 28, 2005, p. 28.

democracy in this country. One can hardly imagine democracy triumphing in Ukraine if an increasingly autocratic Russia is being embraced by the West for economic and strategic reasons.

The Polish case will show whether the erosion of democratic quality can be halted in a member state of the EU and NATO. In June 2006, the European Parliament's resolution condemned "the general rise in racist, xenophobic, and anti-Semitic and homophobic intolerance in Poland."<sup>20 21</sup> And during his recent visit to Brussels, Poland's Prime Minister, Jaroslaw Kaczynski, was reminded by the President of the European Commission, José Manuel Barroso, that the EU is a community of values that forbids discrimination of minorities, introduction of the death penalty and curbing the central bank independence. However, it seems clear that more action on the part of the EU (and the U.S.) would be needed to halt the rise of autocratic tendencies in present-day Poland.

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<sup>20</sup> See Bernstein, Richard, "Europa: Stung by EU Judgment, Poland has a Rebuttal," *International Herald Tribune*, June 29, 2006, p. 2. Available at: <http://www.iht.com/articles/2006/06/29/news/europa.php>

<sup>21</sup> See *Gazeta Wyborcza*, August 31, 2006, p. 8.