The Conditions of Conditionality
The Impact of the EU on Democracy and Human Rights in European Non-Member States

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1 Introduction

“Democratic conditionality” is the core strategy of international organizations to induce non-member states to comply with its fundamental rules of statehood. This paper addresses two basic questions about democratic conditionality: How does it work and when is it effective? In order to answer these questions, we offer a theoretical discussion of strategies and mechanisms of conditionality as well as their conditions of success. Then we describe which strategy the EU uses, analyze the mechanisms that are at work in “democratic conditionality” in the European non-member countries, and explain under which conditions they are effective.

We argue, first, that the main strategy of conditionality of the EU is reactive reinforcement. According to this strategy, the international organization merely reacts to the fulfillment or non-fulfillment of its conditions by granting or withholding rewards but does not (proactively) punish or support non-compliant states. Second, we claim that the effectiveness of reactive reinforcement depends on domestic conditions in the target countries. Moreover, because of “weak” societies and “electoral volatility” in the countries we study, the central channel of influence is intergovernmental and the relevant domestic conditions of success are located at the...
governmental level of the target countries. Finally, our case studies show that the mechanism of material bargaining and the associated condition of negative domestic power costs are crucial for explaining the varying effectiveness of democratic conditionality.

The paper is organized as follows: Section 2 explicates different strategies of conditionality and describes EU democratic conditionality as a strategy of reactive reinforcement. In section 3 we develop a typology of mechanisms of reactive reinforcement and discuss their conditions of success. In section 4 we specify the test and alternative hypotheses and in section 5 we describe the research design of this study. In the remainder of the paper we summarize our case studies on Belarus, Slovakia under Meciar, Turkey, and Latvia.

2 Reactive Reinforcement: The EU Strategy of Democratic Conditionality

In applying conditionality, a social actor uses the mechanism of reinforcement to change the behavior of another actor. Reinforcement is a form of social control by which pro-social behavior is rewarded and anti-social behavior is punished. It is based on the expectation that, after a certain time, the actors subjected to reinforcement will stick to pro-social behavior in order to avoid punishment and continue to be rewarded.¹

Illustration 1 models the strategy of international conditionality as a decision tree. First, international organization IO offers state S a reward and specifies the conditions under which S will receive it. S then has the choice of either accepting and fulfilling the conditions or rejecting them. Generally, this decision results from cost-benefit calculations. If S values IO’s reward more highly than the costs of fulfilling IO’s conditions, S accepts the conditions and receives the reward. If the costs exceed the benefits, S rejects and does not fulfill the conditions. In this case, IO can react in three different ways which represent different strategies of conditionality:

(a) IO just withholds the reward but does not intervene beyond that. We call this strategy reactive reinforcement. If IO does more than just withholding the

¹ By associating conditionality exclusively with reinforcement, we differ from Kahler who proposes social learning as an alternative mechanism of conditionality (1992: 92). On the distinction between conditionality and learning, see also Checkel (2000: 4).
reward, we speak of proactive reinforcement. Proactive reinforcement can proceed in the following two ways.

(b) IO not only withholds the reward but inflicts extra punishment on the non-compliant state in order to increase the costs of non-compliance beyond the costs of compliance. If punishment is sufficiently severe, S will comply. This strategy of proactive reinforcement is coercive reinforcement.

(c) IO withholds the reward but gives extra support to the non-compliant state in order to decrease the costs of compliance or to enable S to fulfill the conditions. If support is sufficiently high to close the gap between the rewards and the costs of compliance, S will comply. This strategy of proactive reinforcement can be termed supportive reinforcement.

Illustration 1 Strategies of Conditionality

EU democratic conditionality can generally be characterized as reactive reinforcement. The EU offers two kinds of rewards to non-member countries, assistance and institutional ties. The most important programs of external assistance for European non-members in the post-Cold War era are Tacis (for the 13 member countries of the Community of Independent States including Mongolia) and Phare (for the other 13 formerly communist CEECs). They offer technical and financial assistance in the transition of these countries to market economies including funding for infrastructural projects, environmental protection and nuclear safety. Institutional
ties start with trade and cooperation agreements. At the next stage, these are followed by association agreements. Full membership is the strongest institutional tie. In addition to assistance, these institutional ties provide increasing inclusion in the EU market with the prospect of gains from trade and investment and increasing participation in EU decision-making.

From the beginning, the EU (then EC) has made assistance and institutional ties – first informally and later formally – conditional on the fulfillment of democratic and human rights standards. Generally, these conditions become more stringent as external countries seek to upgrade their institutional ties with and assistance by the Union. Already in January 1989, the European Parliament demanded that “reference to human rights should figure” in the Trade and Cooperation Agreements the EC was beginning to negotiate with the CEECs and should be mentioned specifically in the negotiating mandates given to the Commission. In April, the Council made resumption of the negotiations with Romania conditional upon this country’s compliance with its human rights commitments in the CSCE framework. And in November, the Paris summit established that “initiatives aimed at the countries of Eastern Europe as a whole are applicable only to those which re-establish freedom and democracy.” During his visit to Belgrade in May and June 1991, President of the Council Santer stated that Yugoslavia’s passage from the Cooperation Agreement to association “hinges on political conditions such as […] progress in establishing democracy and respect for human rights and the rights of minorities.”

After the dissolution of the Soviet Union, the Commission confirmed that “negotiating […] new types of agreements has to be subject to political conditions (respect of human rights and democratic freedoms, guarantees for minorities, etc.) […]” In May 1992, the Council underscored that “respect for democratic principles and human rights […], as well as the principles of a market economy, constitute essential elements of cooperation and association agreements between the Community and its CSCE partners.” Henceforth, the EU added a clause to the agreements which stipulated a suspension of the agreements if CEECs fail to comply with these

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5 Europe 5136, 22 November 1989, 8.
6 Europe 5503, 1 June 1991, 7.
7 Europe 5677, 27 February 1992, 5.
8 Europe 5729, 14 May 1992, 11.
principles. In November of the same year, the Council approved Phare guidelines which made aid conditional upon the “state of advance of the reforms in each of the beneficiary countries.”\textsuperscript{9} On this basis, Croatia and Serbia-Montenegro have long been denied Phare aid. In July 1993, the new Tacis regulations strengthened conditionality, too: “The level and intensity of the assistance will take into account the extent and progress of reform efforts in the beneficiary country.”\textsuperscript{10}

Finally, at its Copenhagen summit in June 1993, the European Council established the “stability of institutions guaranteeing democracy, the rule of law, human rights and respect for and protection of minorities” as the sine qua non political condition of accession to the EU. In its 1997 Opinion on the applications and in its subsequent annual progress reports, the Commission has regularly evaluated the political conditions in all candidate countries. In 1997, its negative assessment temporarily deleted Slovakia from the list of first-rate candidates; and since 1999, Turkey’s failure to fulfill the political criterion has been the most serious obstacle to the opening of accession negotiations with this country.

In sum, the EU has generally made the assistance and institutional ties conditional upon the respect for human rights (including minority rights) and liberal democratic reform. Countries that failed to fulfill the political criteria were denied assistance or the upgrading of their institutional ties. Only in a few cases did the EU suspend existing agreements (Romania 1989, Yugoslavia 1991); it has never invoked the “human rights clause” inserted in all agreements since 1992 (Smith 2001: 39f). In comparison, proactive reinforcement has only played a very minor role in EU political conditionality. First, although EU members have participated in UN sanctions and NATO military interventions against Yugoslavia, the EU as an organization has not been primarily involved in these coercive measures. Second, according to Karen Smith (2001: 49), only 1% of the EU’s total aid budget was dedicated to the direct support of democratization in the CEECs. Rather, the EU leaves it to the external states to create the political conditions under which they will be materially and institutionally rewarded.

\textsuperscript{9} Europe 5858, 16/17 November 1992, 8.
\textsuperscript{10} Europe 6028, 24 July 1993, 6.
3 Mechanisms and Conditions of Reactive Reinforcement: How and When Can Democratic Conditionality Succeed?

I propose to distinguish four typical possible mechanisms of reactive reinforcement by combining two dichotomies. On the one hand, we can distinguish *material bargaining* and *social influence* mechanisms of conditionality depending on the kind of rewards offered to the target countries. On the other hand, the strategy of conditionality can use an *intergovernmental* or a *transnational* channel (Table 2).

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<thead>
<tr>
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<th>Intergovernmental</th>
<th>Transnational</th>
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<tr>
<td><strong>Material Bargaining</strong></td>
<td>Intergovernmental Bargaining  (condition: net material benefits of governmental actors)</td>
<td>Transnational Bargaining  (conditions: net material benefits of societal actors plus societal strength)</td>
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<tr>
<td><strong>Social Influence</strong></td>
<td>Intergovernmental Social Influence  (condition: governmental salience of European international community)</td>
<td>Transnational Social Influence  (conditions: societal salience and strength)</td>
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According to the bargaining mechanism, the target countries are offered material or other tangible political rewards in return for compliance --- such as financial assistance, market access, and technical expertise. Political actors in the target countries then calculate whether the rewards offered by the international organization are worth the costs of adaptation. If the welfare or power balance is positive, they will comply.

By contrast, the rewards offered through the social influence mechanism are social --- such as international recognition and legitimacy, a high status, or a positive image.\(^{11}\) By withholding these rewards, through “shaming” and “shunning”, the organization seeks to trigger social-psychological reactions like embarrassment, loss of face and feelings of exclusion. Social influence is only effective inside the actor’s in-group or community. Only the social rewards of a group to which an actor belongs or aspires to belong, and with which the actor identifies herself or himself, can have a conformity-inducing effect. Thus the effectiveness of EU social influence will mainly depend on the degree to which non-member actors identify themselves with the EU community. In other words, it is commitment to „Europe“ that matters most. Only

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\(^{11}\) On social influence, see, e.g., Cialdini/Trost (1998) and Johnston (2001). We count as social rewards only those that are not directly and immediately linked to material benefits.
actors that regard the EU as their „aspiration group“ find it painful to be shamed and shunned as a result of conditionality (see also Pridham 1999: 1223).

Through the intergovernmental channel, non-member governments are targeted directly. Use of this channel implies that the success of reactive reinforcement depends on the government’s cost-benefit calculations and governmental commitment to „Europe“. If neither material nor social rewards are sufficient to induce governmental compliance, conditionality can still be effective via the transnational channel, that is, via societal actors in non-member countries. Societal actors will be responsive to reactive reinforcement if their material cost-benefit balance is positive (bargaining) or if they aspire to become a part of „Europe“ (social influence). In order to have an impact on an unresponsive government’s policy, however, societal (material or social) responsiveness must be combined with societal strength, that is, the societal actors in question must be strong enough to force the government to comply with the rules, for instance as a result of their institutional or coalition-building power in the political system, their ability to mobilize the electorate, or their capacity of staging anti-government revolts.12

Conditions in the Target Countries: Weak Societies, Volatile Electorates
Whereas we assume the conditions of effective intergovernmental bargaining and social influence to vary among the Eastern and Southern non-member countries, we propose that transnational relations channel will typically not provide a promising channel for EU conditionality policy because of domestic structural conditions.

The domestic structure of the CEECs is generally characterized by the weakness of society vis-à-vis the state. This is obvious in the presidential systems of government that prevail in the former Soviet republics but also applies to the advanced parliamentary democracies of Central Europe: Even here, political parties have been organized top-down, are little rooted in society and social organizations, and depend on the state for their resources. As „cartel parties“, they fail to fulfill the function of societal interest aggregation and bottom-up interest mediation. Moreover, industrial relations are generally characterized by a state-dominated corporatism (in many cases even patrimonial networks), and an active civil society has failed to emerge despite promising beginnings in the revolutions of 1989. Rather, levels of

12 Note that these mechanisms are analytically distinct but not mutually exclusive in practice.
political participation have declined. This domestic structure gives both governments and parties ample space for discretionary decision-making and strongly limits the influence of societal actors on day-to-day policy-making.\textsuperscript{13} This characteristic of societal weakness also holds for Turkey. Thus, since societal strength is a necessary condition of transnational reinforcement, this mechanism is unlikely to be effective and operative in the international socialization of Central and Eastern Europe.

To be sure, non-member governments are generally subject to the most powerful sanctioning mechanism of society --- electoral confirmation and defeat. “Electoral democracies” have come into being early in the transition process and have persisted although many CEECs have failed to institutionalize consolidated “liberal democracies” (Diamond 1996: 23-25). Even the most illiberal Central and Eastern European governments have not prohibited independent opposition parties or abolished elections altogether; and even unfair elections can hold unpleasant surprises for the incumbents (see the Yugoslav elections in 2000; cf. Jasiewicz 1998: 166). Yet if elections are to serve as an instrument of conditionality, a majority of the electorate must either identify itself strongly enough with “Europe”, or be sufficiently concerned with the opportunity costs of non-compliance, to make a conscious choice for pro-European political parties.

However, it seems that actual voting behavior is more strongly shaped by immediate concerns with personal security and welfare than by concerns about the government’s compliance with European norms. Most often, changes in government have been caused by societal dissatisfaction with the hardships of economic shock therapy, economic mismanagement by the incumbent government, and corruption scandals, and dissatisfaction has turned against reform-friendly and reform-adverse governments alike (cf. Jasiewicz 1998: 186; Pravda 2001: 26f). Thus, we suggest that elections are in most of the cases best treated as a random factor that sometimes happens to provide an opening for improved compliance.\textsuperscript{14}

Finally, although we consider transnational mechanisms of conditionality to be generally inefficient, this does not apply to the “transgovernmental” channel. Often,


\textsuperscript{14} For instance, the ascendance of centrist political forces in the Romanian elections of 1996 and the Bulgarian elections of 1997 certainly strengthened the Western identity of these states and improved their compliance with community rules but it was the economic situation in both countries that brought about the change in voters’ decisions. As the elections of 2000/01 show, voters may again shift their
non-member governments are multi-party governments composed of political forces whose identification with “Europe” and cost-benefit assessments of compliance with European norms differs. In these cases, the norms spread, and the rewards offered, by conditionality may strengthen “pro-European” coalition partners or bureaucratic institutions and thereby bring about policy change. Thus, in order to refine the analysis, we propose to include mechanisms of transgovernmental material bargaining and transgovernmental social influence in the analysis.

4 Test Hypotheses and Alternative Factors

Test Hypotheses

On the basis of this discussion of mechanisms and conditions, I put forward hypotheses about the effectiveness of democratic conditionality in the non-member countries. The test hypotheses focus exclusively on the inter- or transgovernmental channels. Moreover, they treat international factors as constants and societal conditions as irrelevant. Given these assumptions, the effectiveness of conditionality will vary with the costs (material bargaining mechanism) and the commitment (social influence mechanism) of governmental actors in the target countries.

(T1) According to the mechanism of intergovernmental bargaining, variation in compliance will mainly depend on the political costs of fulfilling the conditions put forward by the EU (such as a reduction of governmental power or reelection chances). Generally, the costs can be expected to rise the more they affect the government’s core political practices and power base.

(a) Conditionality will be effective if the target government reaps net power benefits from compliance, that is, the international material rewards offered for compliance outweigh the domestic power costs.

(b) The smaller the policy changes a government has to implement or the less these changes affect the government’s power base, the more likely conditionality will be effective.

If cleavages within the government present openings to transgovernmental bargaining, the effectiveness of the policy conditionality will depend on the degree to allegiance away from the most Westernized political forces if these fail to provide for effective governance and an improvement of the economic situation.
which it strengthens the bargaining power of reform-oriented forces within the
government and the bureaucracy. In particular, they must be able to make credible
threats vis-à-vis the opponents of reform (such as leaving the government or
obstructing policies dear to them).

(c) **Conditionality will be effective, if one or more governmental actors (i) reap net power benefits from compliance and (ii) possess the bargaining power to make the other governmental actors comply.**

(T2) By contrast, according to the mechanism of *intergovernmental social influence*, commitment to “Europe” will be paramount. Target governments weigh up the improvement of their international image against possible domestic losses in legitimacy.

(a) **Conditionality will be effective if the target government reaps net social benefits from compliance, that is, the international social rewards offered for compliance outweigh domestic social costs.**

(b) **The stronger the identification of a government with “Europe”, the more likely conditionality will be effective.**

Again, social influence may work through transgovernmental channels. In this
case, the intra-governmental bargaining power of the pro-European actors is as crucial
as in transgovernmental bargaining. A threat by a governmental actor is credible if
this actor perceives the social costs of non-compliance with European norms to
exceed the benefits of remaining in government or going along with the other
governmental actors, and the threat will be effective if, for the other governmental
actors, the costs of compliance with the European conditions are smaller than the
costs of the threat (if executed).

(c) **Conditionality will be effective, if one or more governmental actors (i) reap net social benefits from compliance and (ii) possess the bargaining power to make the other governmental actors comply.**

**Alternative Explanations**

In contrast to the test hypotheses, alternative explanations contend that international
and societal factors do make a difference for the effectiveness of conditionality.

Regarding the international level, many observers point to inconsistencies in
EU democratic conditionality. First, they accuse the EU of using “double double
standards”. The first double standard is that applicants sometimes have to meet higher
normative standards than members, especially in the area of minority protection but also with regard to the administrative capacity criterion (see Dimitrova 2002; Grabbe 1999: 3; De Witte 2000: 3). The second accusation of double standards concerns the suspicion that some CEECs are treated more favorably per se than others. Most obviously, because of its strategic relevance, Russia was rewarded with aid and institutional ties despite severe human rights violations in Chechnya (see Smith 2001: 39). Second, they argue that not all external states are offered the same benefits.

Whereas one group of countries (above all the Central European countries) are treated as serious candidates for membership and have received specific assistance to prepare themselves for accession, others (most notably the CIS members) are not regarded as candidates for membership. At least, their membership prospects are so distant that they will not have any impact on their current political cost-benefit calculations (see Pravda 2001: 22f; Smith 2001: 37-39, 54). The alternative hypotheses take up these observations and contain predictions about their conditional effects on the success of conditionality.

(A1) The first alternative hypothesis postulates that it matters for effectiveness whether the conditions for rewards are rules that are consensually shared among the member states and coherently defined and applied in the EU. According to the material bargaining mechanism, target governments may otherwise be able to avoid compliance by manipulating conflicts between member states; in the perspective of social influence, moreover, the compliance pull of a contested, ill-defined and incoherent norm will be reduced (Franck 1990).

*The more consensual and coherent the norms set up as conditions, the more likely conditionality will be effective.*

In this study, the central difference is between the consensual and time-honored conditions of individual human rights, democracy and the rule of law, on the one hand, and the contested and new condition of minority rights.

(A2) The second alternative hypothesis postulates that differences in rewards (or the likelihood that rewards will be delivered in the foreseeable future) affect the effectiveness of conditionality. The smaller the expected (short-term) reward for compliance, the lower the incentive to comply. Hence,
The more distant the perspective of membership, the less likely conditionality will be effective.

By contrast, we assume that the quality of rules does not matter and that membership is accorded predominantly on the basis of merit (see also Vachudova 2001: 11). Thus, the distance of the membership perspective is dependent on compliance (and not the other way round).

Regarding the societal level, Milada Vachudova argues that transnational reinforcement has been crucial for the effectiveness of conditionality. In her opinion, “the conduits for international influence on domestic politics were the electorate and the opposition, not the government” – “EU leverage helped remove rent-seeking nationalists from office by tarnishing their Westernizing image, and by supplying EU membership […] as a convincing electoral platform for emerging moderate parties.” (2001: 5). In turn, the responsiveness of the electorate depended on whether societal opposition against communism had been strong or not and, consequently, whether transition to democracy was characterized by a liberal or nationalist pattern of change. (Vachudova 2001: 3f; cf. also Pridham 2001: 18, 21).

(A3) These observations point to the relevance of one major condition of effective transnational social influence – societal salience, that is, the degree to which society defines itself as “European” or “Western” and to which it values liberal political principles. If salience is high, so is the chance for non-compliant governments to be voted out of office.

The higher the societal salience of “Europe” and liberal norms, the more likely conditionality will be effective.

(A4) Alternatively, according to the material bargaining mechanism, it is the loss of, or failure to gain, material benefits that will mobilize societal actors most forcefully in favor of European conditions. We can further assume that this societal mobilization will be easiest and involve a crucial part of the population in those countries in which economic interdependence with the EU is high or in which the socioeconomic potential for high interdependence is high.

The higher the economic exchange between the EU and a target country (or the higher the level of socioeconomic development of a target country), the more likely conditionality will be effective.

Again, we contend that the effectiveness of EU democratic conditionality can be explained without taking into account these variations at the societal level.
Research Design: Case Study Selection

The research design is “comparative case studies”. The selection of cases is guided by two criteria. The first one is “significant conflict” between EU conditions and the situation in the target countries. We selected “problematic cases” for the methodological reason that the conditionality strategy and the reaction it triggers will be most visible where there is substantial conflict (in comparison to cases in which it only requires some technical adaptation on the basis of normative consensus). The more visible cases are more easily observed and traced because they involve sustained public exchanges, get greater attention by the political institutions and receive better media coverage. The substantive reason for this case selection is simply that the challenge to the conditionality strategy is higher in cases of significant conflict and that we will learn more about its effectiveness than by looking at “easy cases”.

The second criterion of case selection is variation on the independent variables. With regard to the test hypotheses, we not only selected cases of varying power costs of compliance and varying governmental commitment to “Europe” but also cases that allow us to differentiate the effects of material bargaining from those of social influence. This proved to be difficult for two reasons. First, the conditions of material bargaining and social influence are likely to be correlated: Governments that identify themselves with “Europe” or the “West” are more likely to follow basic Western rules of political conduct on their own initiative or, at least, regard adaptation to Western norms as less costly than low-commitment governments. The changes demanded by Western organizations will therefore likely be small, not undermine their power base, and therefore cause comparatively minor political costs. Second, in the EU case it is hard to tell whether a given outcome is attributable to promised social or material rewards because both usually go together. For instance, the highest form of recognition and social status is the offer of membership. At the same time, membership is the highest material incentive.

To cope with the first problem, we selected countries among which the constellation of test variables varies as much as possible (both unfavorable; one favorable, the other unfavorable; both favorable). The degree of compliance will then tell us more precisely whether social or material rewards were causally influential.
With regard to the second problem, we decided to look beyond the EU to the Council of Europe and the OSCE. These organizations were actively involved in the transmission of basic liberal norms independently of and before the EU but did not have any significant material rewards to offer. Including the efforts of these organizations (where applicable) will tell us whether social influence alone was effective and whether the (later) involvement of the EU (offering material rewards in return for compliance) changed the effectiveness of conditionality. Finally, with regard to the control variables, we not only looked for variation but also for cases in which the predicted effects of the test variables were different from those of the control variables.

Belarus serves as a “negative benchmark” with unfavorable conditions across the board. With each further case, the conditions for the effectiveness of conditionality become more favorable. The case of Slovakia under Meciar juxtaposes unfavorable test conditions with favorable control conditions. The Turkish case represents a mixed constellation of test variables with, again, positive values for the confounding factors. Finally, Latvia is a case of largely favorable test conditions but unfavorable control conditions.

For an overview, see Table 3 in which the negative sign indicates a hypothesized negative effect of the variable on the effectiveness of conditionality whereas a positive sign indicates a positive effect.

Table 4: Overview of Case Study Conditions and Results

<table>
<thead>
<tr>
<th></th>
<th>Costs</th>
<th>Commitment</th>
<th>Rules</th>
<th>Rewards</th>
<th>Interdependence</th>
<th>Societal Salience</th>
<th>Compliance</th>
</tr>
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<tbody>
<tr>
<td>Belarus</td>
<td>-</td>
<td>-</td>
<td>+</td>
<td>-</td>
<td>-</td>
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<tr>
<td>Slovakia</td>
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<td>+/-</td>
<td>vary</td>
<td>+</td>
<td>+/-</td>
<td>+</td>
<td>-</td>
</tr>
<tr>
<td>Turkey</td>
<td>-</td>
<td>+</td>
<td>vary</td>
<td>+</td>
<td>+</td>
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<td>-</td>
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<tr>
<td>Latvia</td>
<td>+</td>
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<td>+</td>
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(1) **Costs.** In the Latvian case, the net power costs for the major government parties of complying with Western demands for minority protection were low compared to the potential power costs in the other case study countries.

(2) **Commitment.** Whereas in Turkey and Latvia, the governmental elite has always identified strongly with the “West” and “Europe”, this has not been the case in Belarus and only partially so in Slovakia under Meciar.
(3) **Rules.** In Slovakia and Turkey, EU conditions encompassed general democratic standards as well as minority rights. Whereas in Belarus minority protection is not an issue at all, in Latvia it has been the only issue in democratic conditionality.

(4) **Rewards.** All countries in the sample except Belarus are recognized as candidates for membership.

(5) **Interdependence.** Here we use a threshold of 50% in the EU share of a country’s foreign trade. Whereas Belarus and Latvia have remained below this threshold throughout the 1990s, the economic relevance of the EU for Slovakia and Turkey has passed the 50% margin in the period of investigation.

(6) **Societal Salience.** To establish the degree societal salience, we use survey data on attitudes toward EU membership and liberal democracy. Whereas in Belarus and Latvia societal salience has been low on both accounts, it has been high in Slovakia. The Turkish record is mixed (high salience only of EU membership).

(7) **Compliance.** The indicator for compliance is rule-consistent behavior as evaluated by the EU (in its Opinions and reports). Formal and discursive recognition of EU rules is not sufficient. The values for the test and alternative conditions will be explained in more detail in the case study sections.

At first glance, the signs for “compliance” perfectly match the signs for “costs” but not more than half of the signs for the other variables. Moreover, in the Turkish case, the negative sign for compliance corresponds (only) to the sign for costs. These are initial indications that the effectiveness of EU democratic conditionality in the selected countries may indeed depend on governmental cost-benefit assessments rather than European commitment and that the alternative factors do not matter consistently for the compliance with European democratic and human rights norms. In the following case studies, we will substantiate this general impression.

6 **Case Studies: Belarus, Slovakia, Turkey, and Latvia**

In this remainder of the paper, we present a brief summary of our case studies. They combine a structural analysis of the theoretically derived conditions of effectiveness and a process analysis of Western conditionality policies and the responses of the
target countries. Here, we focus on the analysis of conditions and outcomes and draw some preliminary conclusions. The summaries follow a common template. First, they list the main issues of contention targeted by the conditionality strategy (conflict). Second, they briefly describe the instruments of conditionality employed by the EU and other regional organizations (conditionality). Third, they describe those conditions in the case study countries that serve as independent variables in the test and alternative hypotheses (conditions). Fourth, they assess the effectiveness of conditionality (effectiveness) and, finally, they discuss the theoretical implications of the case studies (results).

6.1 Belarus

Conflict. Since Aleksandr Lukashenka was elected President in July 1994, Belarus has developed into what is today the most autocratic regime in all of Europe. In November 1996, Lukashenka used a referendum to concentrate governmental powers in his hands, to extend his period of office until 2001, to dissolve the elected parliament, and to replace it with a new two-chamber legislature filled with his followers. In September 2001, Lukashenka was confirmed in an election that failed to meet basic standards of fairness. In Belarus, the media are controlled by the state; independent newspapers were shut down and forced to be printed abroad. Members of the opposition are arrested, persecuted, and convicted arbitrarily; some have “disappeared”. Non-governmental organizations suffer from persistent administrative and financial harassment.

Conditionality. European organizations tried both material bargaining and social influence mechanisms to induce the Belarusian regime to enter into a dialogue with the opposition and to comply with fundamental liberal norms. As expected, the EU focused on material bargaining whereas the OSCE and the CE relied on social influence. Based on the assumption that the extremely bad economic situation of Belarus and its need for economic aid would “give us an instrument we will use to force certain changes in the structure and working of the country in the direction of greater democracy,” the EU sought to use its economic leverage. Already ahead of the 1996 referendum, EU ambassadors to Belarus criticized the planned constitutional changes and warned Lukashenka of negative consequences for EU-Belarusian

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15 Aad Kosto, head of EU fact-finding mission to Belarus, cited in Europe 6956, 17 April 1997, 3.
cooperation (see Timmermann 1997: 32). The European Union had signed a Partnership and Cooperation Agreement with Belarus in March 1995 but made the Interim Agreement --- that would have put into effect its trade-related provisions ahead of ratification --- dependent on democratic and economic reform.\footnote{Europe 6496, 8 June 1995, 5.} The Commission proposed to implement the agreement after the parliamentary elections of 1995 but the process was halted because of the deteriorating democratic and human rights situation in Belarus in the course of 1996.\footnote{Europe 6677, 29 February 1996, 6; 6746, 12 June 1996, 2 bis; 6819, 26 September 1996, 3 bis.} After the referendum, it came to a full stop. Following its strategy of reactive reinforcement, the EU declared time and again that EU-Belarusian cooperation “cannot proceed in the absence of convincing efforts to reestablish” a political system “which respects the internationally accepted norms for human rights and political freedoms.”\footnote{Europe 6966, 1 May 1997, 4. Cf. Europe 7059, 17 September 1997, 6.} Moreover, negotiations on a TACIS program for the 1996-99 period were completely suspended.\footnote{Europe 7128, 24 December 1997, 5.}

In addition, a series of shaming and shunning activities followed the 1996 referendum. In an effort to construct a potential collective identity for social influence to be effective, all European organizations expressed their wish “to see Belarus take its place among democratic European countries,”\footnote{EU General Affairs Council, Conclusions, in: Europe 7059, 17 September 1997, 6.} hoped “that Belarus will soon become a member of the democratic family”\footnote{Declaration on Belarus by the Secretary General of the Council of Europe, 16 January 1997, <http://press.coe.int/cp/97/18a(97).htm> (9 April 2001)}, and “underlined their political interest in assisting Belarus to rejoin European democracies.” (Wieck 2000: 1) The decision of the Parliamentary Assembly of the Council of Europe (PACE) to suspend Belarus’ special guest status in January 1997 and the OSCE’s exclusion of the official Belarusian delegation in favor of a delegation of the dissolved parliament are best understood as shunning activities aimed at demonstrating the social disapproval of the ”family”. When Lukashenka’s original period of office expired in July 1999, the EU stopped recognizing him as the “legitimate” president of Belarus.\footnote{Europe 7128, 24 December 1997, 5.} Moreover, in what is best subsumed under “shaming”, the European organizations reminded the Lukashenka regime of its previous commitments, exposed the inconsistencies between words and deeds, and tried to put its international credibility at stake. For instance, the EU General Affairs Council publicly observed “a clear gap between the commitment made by the Belarus authorities in the light of the report by the EU
observer mission and the situation in the country.” And Hans-Georg Wieck, head of the OSCE Advisory and Monitoring Group (AMG) in Belarus, said in September 2000, “On election day, the national and international credibility of President Lukashenko is at stake.” (Wieck 2000: 6)

**Conditions.** Conditions in Belarus make this country a least-likely case for effective conditionality: First, Belarus has the most autocratic regime in all of Europe; hence, compliance with EU democratic conditionality would involve radical institutional change and would seriously undermine the political structures that constitute Lukashenka’s power base and the political practices by which his regime is kept in place. Second, the highly centralized and personalized character of the regime leaves virtually no room for transgovernmental politics. Third, identification with liberal Europe is extremely low. The eclectic and populist ideology of the Lukashenka regime comprises elements of pan-Slavism and Soviet communism. The regime aspires to closer unity among the East Slav republics of the former Soviet Union not integration with the West.

Except for “quality of the norms”, the alternative factors also lead to negative expectations about the effectiveness of conditionality. Belarus is not only an unlikely candidate for EU accession with an economy that has remained oriented towards the CIS area but the regime’s anti-democratic attitude and the positive orientation toward the Soviet past match well with the attitudes of large parts of the Belarusian population — in particular in the rural areas that are Lukashenka’s power base. According to the New Democracy Barometer polls, in Belarus (and Ukraine), the “old regime” receives better ratings, the antiparliamentary attitudes are stronger, and the desire to return to communism is considerably higher than in the other CEECs (see Rose/Mishler/Haerpfer 1998: 106-111). “As nowhere else in the postcommunist region, Western concepts of modern democracy confronted a void.” (Mihalisko 1997: 224) Thus, even if Belarusian society was “strong” (it is not, of course), it would lack the material or ideational access points for EU influence.

**Effectiveness.** As hypothesized, neither material bargaining nor social influence has produced any tangible improvement in the political situation of Belarus. The Lukashenka regime has at best engaged in tactical concessions but carefully

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avoided any constraints on its use of domestic power. For instance, at the same time that the regime agreed to negotiations with the OSCE on a mission in Belarus and to an EU-mediated dialogue with the opposition, it imposed a huge fine against the Minsk office of George Soros’s Open Society Institute and arrested opposition leader Borschchevsky.\(^{25}\) Within a few weeks, the regime representatives broke off both talks.\(^{26}\) When the AMG was finally set up in February 1998, Lukashenka attacked it from the first moment: Lukashenka called it “absurd” and asserted that “we do not need such groups.”\(^{27}\) In the summer of 1999, Lukashenka agreed to a new OSCE initiative for talks between the regime and the opposition to prepare “free parliamentary elections” in 2000 and, in order to avoid a negative resolution of the UN subcommission on human rights, the Belarusian regime pledged to invite a UN special rapporteur, to take the necessary measures to join the CE, and to hold free and fair parliamentary elections.\(^{28}\) Again, however, when the talks began in September 1999, the human rights situation in the country deteriorated rather than improved: Oppositionists and independent newspapers continued to be harassed; Viktar Hanchar, the deputy chairman of the dissolved Supreme Soviet, “disappeared”; participants of a “Freedom March” were beaten and detained.\(^{29}\) In January 2000, the electoral code was passed without consultation of the OSCE or the opposition and, in March, the Belarusian authorities initiated their own “dialogue” with loyal associations and parties. After the parliamentary elections of October 2000, Lukashenka and other regime representatives suggested to remove the AMG altogether, accusing it of acting as “a center of categorical support for the opposition parties” and “an instrument of subversive anti-constitutional activity against the Belarusian state.”\(^{30}\)

**Results.** It is not surprising that the case of Belarus confirmed the test hypotheses about the effectiveness of conditionality: If power costs are high and governmental commitment to “Europe” is low, both intergovernmental material bargaining and social influence will fail. Since almost all conditions included in the analysis point toward “low effectiveness”, the Belarusian case does not help to

\(^{24}\) Actually, the share of non-CIS countries in Belarusian foreign trade has declined between 1994 (41%) and 1998 (33%). See UN ECE, Economic Survey of Europe, 1/2000.


\(^{26}\) RFE/RL Newsline, 18 July 1997; SZ 4 August 1997.

\(^{27}\) RFE/RL Newsline, 6 March 1998.


discriminate between explanatory factors; rather, it rather serves to establish a “negative benchmark”.

6.2 Slovakia (under Meciar)

Conflict. The Movement for a Democratic Slovakia (HZDS), the party of Vladimir Meciar, won the elections in September 1994 and formed a coalition with the Slovak National Party (SNS) and the Association of the Workers of Slovakia (ZRS). Immediately after the elections, the coalition embarked upon an authoritarian path. Above all, it sought to concentrate political power in the hands of the prime minister. It curbed the rights of the opposition in parliament and harassed its members; it defamed, ignored, and tried to force out of office President Michal Kovac; it ignored decisions by independent courts; and it brought public administration at all levels under the control of its followers. Moreover, it expanded governmental control of the audiovisual media, applied financial pressure on the private media and restricted the freedom of the press. Finally, it was hostile toward any autonomous rights of the Hungarian minority that makes up around 12% of the population. In sum, the political style of the Meciar government between 1994-1998 is well characterized as a “tyranny of the majority” (see, e.g., Bútora/Bútorová 1999: 84; Schneider 1997).

Conditionality. The EU did not threaten Slovakia to cut its current institutional links with Slovakia (such as the suspension of the Europe agreement) but used reactive reinforcement with regard to their future intensification: Its most prominent strategy was the promise of membership – and the threat to delete Slovakia from the list of hopeful candidates in case it pursued its authoritarian course. This conditional promise was accompanied by an intensive shaming and shunning campaign of social influence on the Meciar government.

Almost immediately after the 1994 elections, the European Commission began to express its “doubts and fears” with regard to the domestic behavior of the new majority.31 A year later, in October 1995, a démarche by the EU troika initiated a continuous stream of criticism on all aspects of “Meciarism” and appeals to Slovakia to comply with its obligations as an EU associate. The EU démarche already reminded the Meciar government that “Slovakia is an associated country in a pre-

31 Europe 6372, 7 December 1994, 5.
accession period and [...] the criteria of approval at the Copenhagen Summit are applicable to it.”

In 1996, then, the Slovak government received increasingly concrete signals that its chances of joining the EU had diminished sharply. The EU ambassador to Slovakia told a meeting near Bratislava that Slovakia still had “much work to be done and in this task there can be no delay.” In a move typical of reactive reinforcement, he added, “it is only through its own efforts in the field of democracy, as in the economy, that Slovakia can hope to join the EU.” Even after it had been decided that Slovakia would not be among the candidates invited to accession negotiations in 1997, the EU continued to assure Slovakia that it was eligible and welcome to become a member in principle. For instance, during his visit to Slovakia in May 1997, Commissioner van den Broek affirmed, “We remain convinced that the natural place for Slovakia and its people is within the European Union.”

At the same time, however, the EU was increasingly explicit about the need for a change in government as a precondition.

**Conditions**. Slovakia under Meciar is a useful case for comparing the impact of the test variables with those of the alternative variables: Whereas the former were generally not conducive to democratic conditionality, the latter should have had a positive influence. First, the political costs of compliance can be considered high. The main motivation for Meciar’s authoritarian policies was the preservation of power in a potentially volatile political environment. In particular, by establishing a firm control over the parliament and by isolating the president, he sought to prevent a repetition of the events that had brought down his government in early 1994 (Schneider 1997: 11). With regard to “commitment”, the situation was less clear. Whereas both Meciar’s coalition partners, the right-wing nationalist SNS and the left-wing ZRS, were staunchly anti-Western and favored neutralism and close collaboration with Russia (Goldman 1999: 153, 157-158; Leff 1997: 243; Samson 1997: 9), the HZDS and Meciar had advocated and pursued a course of Western integration ever since Slovak independence. Thus, in principle, there was an opening for transgovernmental influence.

As for the alternative explanatory factors, Slovakia under Meciar is a good case for observing whether normative consensus and coherence matter because the EU took issue both with the authoritarian tendencies in the government’s general

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33 Europe 6985, 31 May 1997, 7.
domestic politics and its policy toward the Hungarian minority. The other factors were comparatively favorable to effective conditionality. First, after the break-up of Czechoslovakia, Slovakia had been named together with the other central European countries as a likely candidate for a first round of EU enlargement. Hence, the ultimate reward for compliance was tangible. Second, the EU share in Slovak exports increased during the Meciar years from 37.4% in 1995 to 55.6% in 1998. Third, the Slovak society’s identification with the West was high by Eastern European standards. Support for democracy in Slovakia was as strong as in the more consolidated democracies of the Czech Republic, Hungary, and Poland. Moreover, Slovak society was highly concerned about the deterioration of the human rights situation in their country. Of all the EU candidate countries, Slovaks saw the political development of their country (between 1993 and 1997) most negatively (Stankovsky/Plasser/Ulram 1998: 78). Finally, the ratings for the image of the EU and support for membership in Slovak public opinion were comparatively high by Central and Eastern European standards.

Effectiveness. In spite of the unambiguous Western warnings and the high stakes of EU membership involved, Western socialization policy had no major or lasting impact on the behavior of the Meciar government. Even the single most important success of Western conditionality policy, the signing of the Basic Treaty between Slovakia and Hungary, committing Slovakia to the Council of Europe guidelines for the treatment of national minorities and to the granting of autonomy rights to its Hungarian population, was compromised and rendered ineffective by domestic measures. Signed at the Stability Pact conference in March 1995, the treaty met with fierce resistance of Meciar’s coalition partners at home. Slovakia finally ratified the treaty in March 1996 but only after the government had planned several laws to dilute the treaty provisions (see, e.g., Leff 1997: 250; Schneider 1997: 20-24).

The case study shows that the ideational cleavage within the Meciar coalition failed to enhance the effectiveness of EU conditionality. Apparently, domestic power considerations outweighed EU rewards. Although Meciar did not share the anti-Western orientations of his coalition partners, he was prepared to give in to them to

34 Own calculation based on EIU (Economist Intelligence Unit), Slovakia. Country Profile 2000, 59. Since Slovakia passed the 50% threshold only in 1998, the sign in Table 4 is ambiguous.
35 See Stankovsky/Plasser/Ulram (1998: 80). Some figures were even better than in the Central European neighboring countries (ibid.: 81, 83).
remain in power. A dualistic policy resulted from this constellation. Externally, Meciar and his foreign ministers upheld Slovakia’s bid to join the Western organizations and vowed to fulfill the prerequisites of membership eventually. In its governmental program, the Meciar government accorded EU and NATO membership the first priority among its foreign policy goals (see Samson 1997: 7), and when the new prime minister Meciar met EP President Haensch in January 1995, he assured him “that Slovakia would respect all the obligations incumbent upon countries which are applicants for admission to the EU”, in particular with regard to the Hungarian minority and the privatization of the economy. This promise was constantly reiterated and culminated in a series of last-minute rhetorical moves to secure participation in EU accession negotiations in 1997. Internally, however, these promises were never implemented because Meciar wanted to keep both his coalition partners and his authoritarian control of Slovak politics. Publicly exposing the contradictions in Slovak policy, Foreign Minister Hamzík resigned in May 1997, stating that “Slovakia’s vital international interests” were being subordinated to the domestic power struggle.

Geoffrey Pridham’s assessment that Slovakia is a “clear-cut instance of failed response to democratic conditionality” (1999: 1223) must, however, be qualified in light of the 1998 parliamentary elections which, in contrast to those in Belarus in 2000 and 2001, did bring a reform-oriented coalition to power. Public opinion polls conducted in 1997 by the independent Institute of Public Affairs (Bratislava) show that a majority of Slovak citizens was aware of and preoccupied with the deterioration of their country’s standing in Europe and its exclusion from EU enlargement. This concern was only second to the concern about the growth of domestic violence (Bútorová 1998: 35; Bútorová/Gyárfásová 1998: 54, 59, 62). The exclusion of Slovakia was a major theme in the election campaign of the democratic opposition and served as a proof that the Meciar government had failed and was isolated.

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38 Interview with member of the Slovak mission to NATO, NATO HQ, Brussels, 18 May 1999. See also Goldman (1999: 169) and Michael Frank, “Die Slowakei droht abzudriften”, SZ 15 November 1994, 4.
39 Europe 6406, 26 January 1995, 3
40 RFE/RL Newsline 27 May 1997. Both the clarity of Western messages and the dualistic manoeuvres of the Meciar government indicate that Western policy did not fail simply because Meciar misperceived the determination of the Western conditionality as Samson suggests (2001).
Moreover, the reasons given for the exclusion of Slovakia by the opposition and external actors gained greater acceptance than the government’s accusations of a Western bias against Slovakia (Bútorová/Bútora 1998: 177). Thus, although foreign policy was hardly the most pressing problem for the electorate (see Bútorová/Gyárfásová 1998: 53) and there are no grounds for arguing that the election outcome would have been different in the absence of conditionality, it appears likely that it helped to mobilize the supporters of the democratic opposition and strengthened the mood for change.

Results. The Slovak case differs from the case of Belarus by the more pro-European orientation of the major government party and the more favorable control factors. The EU’s democratic conditionality, however, was similarly ineffective during Meciar’s four-year term in power. Both Lukashenka and Meciar made a number of tactical concessions but avoided any substantial change in their authoritarian policies. Although the case does not permit us to clearly distinguish between the (failed) effects of material bargaining and social influence, it seems that for Meciar, the preservation of domestic power was a more important consideration than the lack of identification with the West.

On the one hand, the Slovak case weakens the alternative hypotheses. Neither the relatively high socioeconomic development, societal salience of European norms, and economic interdependence with the EU nor Slovakia’s promising position as a candidate for EU membership mattered sufficiently to counterbalance the expected power costs and the lack of European commitment in the Meciar coalition. Moreover, the different quality of general liberal norms and minority norms did not have the expected effects. If anything, the Meciar government made stronger (tactical) concessions to the EU on minority policy than on domestic liberalization in general.

On the other hand, however, the Slovak case also shows that conditionality can help to bring about domestic change through elections if societal conditions are as comparatively favorable as they were in Slovakia (see also Pridham 2001: 21). Yet it remains to be seen whether (in contrast with our assumption) the Slovak electorate really is a reliable agent of Europeanization or whether the 1998 vote was primarily an expression of dissatisfaction with the incumbents that could as well topple the pro-reform Dzurinda government in the upcoming parliamentary elections of 2002.

41 In addition, the human rights situation in Slovakia was far from being as bad as in Belarus, of course.
Current polls and the regional elections of December 2001 indicate a possible majority for a nationalist-populist coalition in the upcoming 2002 parliamentary elections, and – in line with their earlier policy of reactive reinforcement – EU representatives have repeatedly warned the electorate that Meciar’s return to power would endanger their country’s accession prospects.42

6.3 Turkey

Conflict. Turkey’s state-doctrine of “Kemalism” and its practical implementation is partially based on values alien to Western liberal democracy and, on a wide range of issues, leads to domestic political practices that are in conflict with core European democratic and human rights norms.43 First, through the National Security Council (NSC), the military has an enormous influence on day-to-day politics and assumes the self-defined task of ensuring that politics are in line with Kemalist principles.44 It intervened four times in domestic politics to restore „democratic rule“: 1960, 1971, 1980 and indirectly in 1997. Second, there are basic deficits with regard to general human rights and the rule of law. The death penalty has not been abolished and the practice of torture is widespread. The freedoms of expression and association are restricted, and the judicial system with its strong role of military courts does not meet European standards of independent and fair justice. Finally, the Kurdish minority has suffered from violent repression and lacked minority rights and protection.

Conditionality. Basically, Turkey is subject to the same conditionality regime as the CEECs. Whereas a general membership perspective was already included in the association agreement of 1964 (Article 28), it only became more concrete when the

43 The Kemalist raison d’etat consists of six principles representing the foundational basis of legitimacy of the Turkish state: republicanism (organising a modern state from top-down), permanent revolution (or reformism, meaning continuous progress towards new developments), nationalism (one nation: no religious or ethnic differences), secularism (removing any religious influence on politics), etatism (state organised economy –abolished since Turgut Ozal) and populism (the well-being of all Turks).
44 The NSC is a consultative and supervisory body consisting of militaries (the chief of staff, the commanders of the Army, Navy, Air Force and the Gendarmerie) and civilians (the prime minister, the minister of interior, defence, and foreign affairs, the director of National Intelligence and the secretary-general to the council). “No issue of importance either foreign or domestic, is outside its jurisdiction” (Candar 1999: 131). Its recommendations are not legally binding, but its (informal) influence on central political decisions is immense. It is doubtful, whether the NSC is under sufficient civilian control or even in the position to “guide civilian authority” (Duner/Deverell 2001: 3). On the role of the military and the NSC in Turkey, see Rouleau 2000: 100-110; Lombardi 1997: 203-213; Candar 1999: 130-132; Narli 2000 107-109, 120; and Tank 2001.
EU granted Turkey “candidate status” at the Helsinki summit of 1999. Just as the CEECs, Turkey was promised that the screening process would be opened and that membership negotiations would begin as soon as the country fulfilled the Copenhagen criteria. The list of political conditions, however, is long and encompasses the full range of normative conflicts identified above. It includes the abolition of the death penalty and torture, improvements in the general human rights situation, minority rights for the Kurds, a reform of the judicial system, and, as the most far-reaching change in the political system, the EU demands civilian control of the military and a weaker role for the NSC. Initially with its recognition as a candidate at Helsinki 1999, the EU introduced a strict conditionality-regime and linked compliance with the Copenhagen criteria to the improvement of Turkey’s institutional ties. The possible execution of PKK leader Abdullah Öcalan was used as an opportunity to demand the abolition of the death penalty. As a result, Turkey postponed the execution to await the ruling of the European Court of Human Rights. This again triggered praise by the European Commission and Javier Solana. Günther Verheugen, the EU’s Commissioner for enlargement, reacted similarly to Turkey’s threat to annex Northern Cyprus in November 2001: In such a case, “the EU will admit Cyprus whether there is an agreement or not” and Turkey would lose its chance to join the EU forever. Moreover, achieved progress is often praised by the reference that “the date of negotiations totally depend on the progress achieved in Turkey” and used to list the next steps of reform to be taken.

Conditions. Turkey is an interesting case for three reasons. First, the conditions of success for the material bargaining mechanism and the social influence mechanism vary clearly (high cost, high commitment). They thus lead to different theoretical expectations, which allow us to discriminate between the explanatory power of both mechanisms. Second, the control factors rewards, interdependence and societal salience should mostly work in favor of effective conditionality so that a failure of conditionality would weaken the claim of the alternative hypotheses.

45 RFE/RL Newsline 13 December 1997; 22 December 1997; 13 January 2000
46 SZ 14 January 2000
47 Günther Verheugen cited in turkishpress.com 8 January 2002. See also Turkish Daily News 4 December 2001; Die Welt 5 December 2001; Cyprus Mail 6 November 2001. Lately, Günther Verheugen declared that even a Cyprus settlement would not suffice to open membership talks with Turkey (Turkish Daily News 17 January 2002).
Moreover, EU conditionality targets both basic norms of liberal democracy and the more contested minority rights.

Power considerations (material bargaining) would clearly let us expect a failure of EU conditionality. In general, the EU demands are widely perceived in the Kemalist state elite to erode the foundations of its power and to endanger the internal security of the Turkish state. The Kemalist elite not only fears the disintegration of the state if minorities like the Kurds were granted autonomy-rights; it also feels threatened by Islamist parties. In order to master these challenges, it relies on the military and measures to limit political freedoms and rights. Moreover, further democratisation would undermine the established etatist power-positions of the Kemalist elite, which guarantee influence and personal wealth (Dembinski 2001: 19). Although there is a cleavage within the Turkish elite between reform-oriented and pro-European forces, on the one hand, and hard-line Kemalists, the constellation of power works to the advantage of the hardliners which are dominated by the military. No politician can risk to openly challenge the role and position of the military without facing the danger of personal prosecution.

By contrast, the preconditions of effective social influence are present in principle. The Kemalist elites have always emphasized their European vocation and commitment and have consistently striven to be part of all European organizations. In fact, the EU is the only major European organization in which Turkey is not a full member. The Turkish state elites conceive of themselves as “Western” and regard the “West” as their primary “in-group” in international relations (Kubicek 1999: 159). As indicated by their strong reaction to the rejection of their candidacy for EU membership in Luxembourg 1997 (Yesilada 1999a: 147-150), the elite policy-makers find it painful not to be recognized as worthy of membership.

The alternative factors are also generally favorable to an effective impact of EU conditionality. First, most of the political conditions set by the EU refer to basic norms of liberal democracy that enjoy a general consensus among the member states.

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49 Yavuz (1999); Müftüler-Bac (2000: 170-175). The pro-Islamic Erbakan government was brought down by the military in 1997; the pro-Islamic Welfare Party – and it’s successor, the Virtue Party – have been constitutionally banned from the political process ever since.

50 E. g. the National Programme for Adoption of the Acquis (NPAA) of March 2001 states in the introduction that Turkey shares the same values with Europe and EU membership is regarded as the key stage, which confirms the foundation mentality of the Republic (see also Financial Times 19 March 2001).

Second, the membership perspective has become tangible with the official recognition as a candidate in 1999 and the signing of the accession-partnership in December 2000 and the pre-accession strategy in March 2001. Third, economic interdependence has increased since the Customs Union with the EU was implemented in 1996. In 1998, the EU share in Turkish exports crossed the 50% threshold for the first time. Third, the societal salience of „Europe“ among the Turkish population can be characterized at least mixed. On the one hand, there is strong support for EU membership and a generally positive image of the EU in Turkish society. On the other hand, “democracy” lacks resonance in Turkey: First, the military traditionally receives high rates of approval within society as the “guardian of Kemalism” (Rouleau 2000: 113; Narli 2000: 116-117). Second, politicians and the multi-party system are viewed with deep mistrust and lack confidence. Even Suleyman Demirel, former Turkish president, criticizes Turkish citizens for their “apathetic” attitude towards politics. The 1996 poll of the United States Information Agency (USIA) in Turkey showed that a majority of Turks prefer a Muslim Type of country (47 percent) and 75 percent believe that Islamic values should play a larger role in society (Yesilada 1999b: 133).

**Effectiveness.** Since 2000, EU conditionality has triggered a number of reform activities in Turkey. However, they mainly consist in limited, formal changes, and it is not clear at this point to what extent even these small changes will be implemented. The short-term reforms that were carried out in 2001 do not touch fundamental issues or the Kemalist power base. Formal concessions such as further limitations of the death-penalty, an increase in the number of civilians of the NSC from five to nine (to continue with five members of the military) and the allowance of the use of Kurdish in the field of radio and television broadcasts are far from fulfilling EU demands. Although the application of the death-penalty has been further limited, it is still not abolished. The EU, however, demands full abolition and wants Turkey to ratify Protocol 6 to the European Convention on Human Rights (ECHR). In addition,

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53 See Applicant Countries Eurobarometer 2001. The figures are comparable to those of Slovakia. Support for membership is at 59% (Slovakia 58%) and 51% of the respondents have a positive image of the EU (Slovakia 48%).
54 Official polls on democratic attitudes in Turkey are hard to get. However, we decided to use the following data to determine the degree of societal salience.
55 Turkish Daily News 7 December 2001
56 The EU Commission highlights the recent constitutional reforms in its latest report, but still questions the ‘amount’ of de facto civilian control over the military.
57 Turkish Daily News 19 November 2001
Turkey has not yet signed the Council of Europe Framework Convention for the Protection of National Minorities. The EU urges Turkey to allow the use of Kurdish for education in schools and universities. However, Prime Minister Bülent Ecevit (Democratic Left Party, DSP) and Deputy Prime Minister Mesut Yilmaz (Motherland Party, ANAP) have declared that education in Kurdish is out of the question and seen as a step backwards. This statement shows, that Devlet Bahceli’s Nationalist Movement Party (MHP) is not the only party in the coalition government to be blamed for blocking reform. Finally, the formal increase of civilian members of the NSC does not necessarily diminish its informal influence: The Chief of the General Staff, General Husyin Kivrikoglu, has rather ironically stated that the military had no objections in raising the civilian members of the NSC. Thus, at the time of writing, we cannot speak of effective conditionality. In its most recent Regular Report (November 2001), the European Commission states, “The basic features of a democratic system exist in Turkey, but a number of fundamental issues, such as civilian control over the military, remain to be effectively addressed. Despite a number of constitutional, legislative and administrative changes, the actual human rights situation as it affects individuals in Turkey needs improvement. Though it is beginning to make progress in some areas, Turkey does not yet meet the Copenhagen political criteria …”

"Results." The Turkish case seems to confirm the main results of the Slovak case. First, domestic power considerations still appear to trump any social influence that the EU might have on elites that identify themselves with the “West” and seek recognition as “one of us” by their chosen international in-group. Second, the different degree of coherence and consensus of the normative conditions does not matter for the effectiveness of conditionality. Third, generally favorable domestic conditions like a positive image of “Europe” in Turkish society and facilitating international circumstances like high economic interdependence and tangible, attractive socialization-rewards so far do not offset prohibitive net domestic power costs, too.

59 Now, the death-penalty can only be applied to terrorist crimes and war crimes. However, Turkey has a moratorium on the death-penalty since 1984.
61 Further, they conceive the Kurdish language campaign as “separatist activities” (Turkish Daily News 31 January 2002).
62 “If they want 100 civilians as members of the National Security Council, so be it” (Quote in: Duner/Deverell 2001: 3).
However, if we take into account the latest developments, we may witness the first signs of success (or at least an upward trend) of the EU’s conditionality approach. So far, it remains to be seen and subject to further analysis whether the actual activities of “window dressing” or “Potemkin harmonization” will be followed by real change and whether this can be explained by the dominance of social influence or changed perceptions in domestic power considerations.

Latvia

Conflict. In contrast with the other case study countries, Latvia has not been criticized for violating democratic principles in general. Yet its policy toward the non-Latvian population did not meet the standards of European organizations. Latvia is the Baltic state with the highest proportion of so-called “Russian-speakers”. When it became independent from the Soviet Union in 1991, automatic citizenship of the new state was granted only to the citizens of the interwar Latvian Republic and their descendants. Moreover, the government set high conditions for any additional naturalization (Öst 1993:52). This policy made 30% percent of the population stateless and deprived them of their political rights (Hanne 1996:72). In the two following years, the government enacted additional laws on (the use of the Latvian) language, education and economic rights that indirectly discriminated against the non-Latvian population (Pabriks 1999: 151). Here we concentrate on the two primary issues of the conflict, the citizenship law and the language law.

Conditionality. The EU did not develop its own minority policy toward Latvia but followed the OSCE’s lead and aligned itself with the recommendations of this organization’s High Commissioner on National Minorities (HCNM). Whereas European organizations did not take issue with the requirement of a naturalization process for “Soviet immigrants” including a test of Latvian language, they demanded that the naturalization process and the non-official use of language be regulated as liberally as possible.

Initially, the HCNM, Max van der Stoel, was the main actor in the West’s efforts to liberalize Latvia’s minority policies. In his frequent visits and subsequent recommendations to the Latvian government, van der Stoel used a mixture of expert advice and social influence to make Latvia comply with Western expectations. He

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referred to Latvia’s prior commitments, its international legal obligations, its obligations as a democratic country seeking membership in the Western organizations, and to the example of other member countries of the Western community in order to shame Latvia into amending its laws and practices and made concrete suggestions as to the content of these amendments. For instance, in his April 1993 letter to Foreign Minister Andrejevs, in which he urged Latvia to pass a citizenship law with a naturalization requirement of five years of residence, van der Stoel justified his suggestions as being “inspired […] by the various CSCE documents to which Latvia […] has subscribed” and recommended that Latvia should “restrict itself to requirements for citizenship which […] would not go beyond those used by most CSCE states.” When he responded to the draft citizenship law in December of the same year, he conveyed his “impression that, within the community of CSCE states, the solution of citizenship issues is seen as being closely connected with democratic principles” so that, as a consequence of the denial of political rights to a large part of the population, “the character of the democratic system in Latvia might even be put into question. In this connection I refer to the 1990 CSCE Copenhagen Document which states that the basis of the authority and legitimacy of all governments is the will of the people.”

The CE and the EU went beyond shaming and linked compliance with membership. In December 1993, the CE stated clearly that Latvia would not be admitted as a member if it did not change the citizenship law according to the HCNM recommendations. In its Copenhagen criteria of the same year, the EU established respect for minority rights as a political accession criterion. In July 1997, in its opinions on the applicant countries, the European Commission judged Latvia to fulfill the political criteria for admission in general but mirrored the concerns of the HCNM by demanding that “Latvia needs to take measures to accelerate naturalisation procedures to enable the Russian speaking non-citizens to become better integrated into Latvian society.”

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63 See Zaagman (1999) and the documents cited there.
66 European Commission, “Agenda 2000 - Summary and conclusions of the opinions of Commission concerning the Applications for Membership to the European Union presented by the candidate Countries”, DOC/97/8, 15 July 1997. Indeed, in March 1997, the Commission asked the HCNM to contribute in drawing up the Opinions (see Europe 6937, 19 March 1997, 2).
Conditions. The Latvian case combines largely favorable values for the test variables with rather unfavorable values for the control variables. As for the test variables, the domestic power costs of adaptation to EU conditions were low. First, EU conditions affected only a single policy issue not fundamental political practices of the acquisition and exercise of power. Second, after some initial fear that a change in the composition of the citizenship would cause an upheaval in Latvian politics, the Latvian political elite realized that even a liberalized minority policy did not lead to mass naturalization and did not negatively affect its political position. Third, the Latvian elite felt threatened by Russia and regarded European integration as a guarantee of Latvian independence. Thus, low domestic power costs were accompanied by potentially high gains in political security and autonomy resulting in clearly positive net political benefits of compliance.

At the same time, the conditions for social influence were favorable. Since the first post-Soviet elections, Latvian politics has been shaped by center-right governments in which the center was stronger than the right. This applies to the period between 1993 and 1995 in which Latvia’s Way was strongest, to the period between 1995 and 1997 during which the non-partisan Skele led a broad-based coalition, and to the period after the 1998 elections, when the broad-based government was lead by Kristopans, Skele, and finally Indulis Berzin of Latvia’s Way. Generally, Latvian nationalism has been strong among all the parties of the centre-right spectrum. They shared the belief that the Latvian state had to ensure the survival and revival of the Latvian nation and language after decades of Russification. At the same time, however, the centrist parties were strongly pro-European. They regarded Latvia as a part of Western civilization, and they were committed to the Westernization of their political and economic systems as well as to Latvia’s integration in Western organizations (see Jubulis 1996: 69; Plakans 1997: 285; Smith et al. 1998: 108).

By contrast, most of the alternative factors were unfavorable to successful conditionality. First, EU political conditions focused exclusively on the less consensual minority rights. Second, opinion polls show that support for EU membership and a positive image of the EU have consistently been weak in Latvian

society as compared to other candidate countries.\textsuperscript{68} Moreover, nationalist and anti-Russian orientations were strong in the Latvian population – at any rate, there was no societal pressure on the government to improve the human rights situation of the non-Latvian population. Transnational mobilisation did not take place (see Knobel 2000: 44). At the same time the minority issue did not mobilise the Latvians much to vote for radical nationalist parties either.\textsuperscript{69} Finally, the Latvian economy was less interconnected with the EU than that of the other EU associates throughout the 1990s – the EU share of Latvian foreign trade remained below 40%.\textsuperscript{70}

\textit{Effectiveness.} In general, the major demands of the HCNM and his efforts to generate social influence by combining teaching and shaming were not effective alone. Only when they were linked to Latvia’s accession to Western organizations, first the CE and later the EU, did the Latvian government and parliament reluctantly give in to international conditions. This process repeated itself several times on different issues.

The Latvian parliament initially ignored the HCNM’s suggestions in practice. Instead of granting citizenship to all persons with five years of residence in Latvia, the draft law of November 1993 made naturalization dependent on an annual quota to be determined by government and parliament according to economic and demographic considerations. And although van der Stoel, in response to the quota system, had suggested that it be replaced by a gradual but legally determined naturalization system, the citizenship law the Saeima passed in June 1994 modified the draft law only slightly. However, President Guntis Ulmanis who had been consulting intensively with representatives of the CE (which had made accession conditional on a change of the law) vetoed the law and sent it back for revision to the Saeima. He justified his veto with the international repercussions of the law that could cause the isolation of Latvia’s in Europe and damage its international reputation. One month later, the Saeima passed a revised law, although it had the power to override the veto. This new law envisaged widening windows of naturalization for different age cohorts until 2003 and agreed that the language tests for aspirants to citizenship would be

\textsuperscript{68} RFE/RL Newsline 31 July 1998; 18 March 1999; Central and Eastern Eurobarometer 8/1998, \url{http://www.europa.eu.int/comm/dg10/epo/ceeb8/tefig.pdf}. This applies to this day: The figures for both items are 33\% according to the Applicant Countries Eurobarometer 2001.

\textsuperscript{69} The rise of radical parties in the 1995 election resulted primarily from a protest vote that favoured left and right wing extremists at the same time. This protest vote resulted largely from the bad economic situation in Latvia.

\textsuperscript{70} ADD REF.
supervised and reviewed by the OSCE. Although the time frame was longer than suggested by the HCNM, the law now basically followed the principle of gradual naturalization and met with international approval. Having cleared this crucial hurdle, Latvia was admitted to the Council of Europe in early 1995 (see Jubulis 1996; Knobel 2000: 86-90).

Although the 1994 citizenship law followed the basic demands of Western organizations, its implementation did not meet the expectations because only a minor proportion of those eligible used and successfully completed the naturalization procedures. In its letters of October 1996 and May 1997 to Foreign Minister Birkavs, van der Stoel therefore made several recommendations to overcome the “stagnation of the naturalization process”: the reduction of naturalization fees, the simplification of the tests required of new citizens, and, above all, the granting of citizenship to stateless children and the abolishment of the naturalization windows. In his answers, Birkavs was evasive and defensive on the main recommendations. He pointed to “political difficulties” and an “ongoing discussion”, defended Latvian practice as compatible with international law, and declared that a change in the law had to be decided by the Saeima, not the government.71 Around the same time, the European Commission published it Avis on Latvia mirroring the HCNM’s demands.

In response, the Latvian government introduced a package of laws to the parliament that partly picked up the HCNM recommendations. At the same time, however, the Saeima’s working group drafted amendments that, according to van der Stoel, did not “comply in any way with my original Recommendations.”72 As a result, the lawmakers approved in May 1998 an amendment that would allow stateless children to become citizens only at the age of 16 and only if they could prove sufficient knowledge of the Latvian language.73 On 1 June, Foreign Minister Birkavs urged the parliament to comply with the OSCE’s recommendations because Latvia would otherwise risk losing allies in Europe and the U.S. and the chance to improve relations with Russia.74 Later in June, the amendments as proposed by the government were approved by a center-left majority in the Saeima and hailed by both the U.S.

74 RFE/RL Newsline, 2 June 1998.
administration and the EU as furthering Latvia’s integration into European and Transatlantic structures.\textsuperscript{75}

The final case is the Latvian state language bill. In 1998, the Saeima drafted a law that was criticized by the OSCE and the CE because it not only required the use of the state language in the public sector but also obligated private bodies and enterprises to conduct their activities in Latvian.\textsuperscript{76} In April 1999, van der Stoel warned that passages of the bill in its current form might impair Riga’s chances of integration into the EU. One day later, he was joined by Prime Minister Kristopans who stressed that the legislation must be compatible with Latvia’s international obligations.\textsuperscript{77} The Finnish EU presidency warned that the language law could damage Latvia’s chances of joining the EU but a large majority of the Saeima voted in favor of the law nevertheless. However, the new president Vaira Vike-Freiberga refused to sign the law and asked the parliament to revise it to conform with EU legislation – a decision “warmly welcome” by van der Stoel.\textsuperscript{78} On 9 December 1999, the Saeima passed a revised law which was “essentially in conformity” with international norms according to the HCNM. A few days later, Latvia was invited to begin accession negotiations with the EU. After the accession negotiations started, only minor issues like the use of Russian language in parliament, the required knowledge of Latvian for candidates in elections, and the law on broadcasting in Russian caused internal political conflict and external reaction for some time.\textsuperscript{79} However, these issues resulted mainly from the general change in the language law and were resolved during the year 2001. In December, the OSCE decided to close its mission in Latvia – a formal indication that compliance was internationally regarded as satisfactory.\textsuperscript{80}

\textit{Results.} The analysis has shown that the conditions of successful intergovernmental bargaining and international social influence were both present.

\textsuperscript{75} RFE/RL Newsline, 23 and 24 June 1998. After some further domestic controversy, the new regulations were approved in a referendum.
\textsuperscript{76} For the CE, see PACE, “Honouring of obligations and commitments by Latvia”, Doc. 8426, 24 May 1999.
\textsuperscript{77} RFE/RL Newsline, 19 April 1999; 20 April 1999.
However, only international bargaining, the linkage of EU membership benefits to compliance with OSCE recommendations, proved ultimately effective. Appeals to the international obligations and commitments to Western democracy were generally not sufficient to make Latvian lawmakers comply with European norms. Even the High Commissioner on National Minorities Max van der Stoel used EU accession negotiations as the ultimate carrot to sell his recommendations. Party and coalition politics did not impact negative on the process since the issue did not impose power costs on the dominating parties. On the other hand, the possible internal legitimacy and power gains for all parties of the centre-right spectrum, mainly from a start of EU accession negotiations, did help to make conditionality effective. Moreover, the unfavorable control conditions do not seem to have played a role in the process.

7 Conclusion

When is EU democratic conditionality effective? In this paper, we gave three negative and positive answers to this question. First, societal conditions and the transnational channel of conditionality are largely irrelevant to the success of EU conditionality. The societal control variables (“interdependence” and “societal salience”) proved irrelevant or were disconfirmed by the case studies. Rather, it is domestic conditions at the level of governments or state elites that matter for effectiveness. This finding can be explained by the weakness of society in the target countries and the volatility of electorates as agents of EU-conform domestic change. This finding is somewhat at odds with the emphasis put on transnational networking in other studies of externally induced domestic change in the areas of human rights and democracy (see, above all, Risse/Ropp/Sikkink 1999). However, pending future outcomes and further analysis, the Slovak case might show that “societal salience” does matter after all (not in day-to-day policymaking but on election dates).

Second, whereas social influence is an important element in the efforts of the EU and other European organizations to make the transformation countries adopt their norms, it is not a causally relevant one. On the one hand, even governments that are committed to “Europe”, identify themselves with, and aspire to be recognized as “one of us” by, the Western community, fail to respond to social influence when compliance implies significant net domestic power costs (see Slovakia and Turkey).
On the other hand, even where both “costs” and “commitment” were favorable to effective conditionality, persuasion and shaming were not sufficient as long as they were not accompanied by an explicit linkage to EU membership and its material benefits (see Latvia). Thus, it is the material bargaining mechanism and the condition of negative net domestic power costs that ultimately determine the success of EU conditionality. Again, this result contradicts the “constructivist” emphasis on processes of argumentation, learning, and persuasion in the analysis of “international socialization”.  

Fourth, the degree of “legitimacy” of European norms had no discernible influence on their impact in the target countries. Conditionality in Belarus was not more effective because EU conditions only referred to the “more legitimate” fundamental norms of democracy; conditionality in Latvia was not less effective because it focused on the “less legitimate” minority rights; and neither the Meciar not the Turkish governments responded less favorably to EU demands for the granting of minority rights than to the rest of EU conditions.

As a summary evaluation, the analysis suggests that the outcome of democratic conditionality in the European non-member countries has been both marginal and divergent. First, the impact has been marginal because domestic conditions, that is, governmental cost-benefit calculations have been the most important factors for compliance. Reactive reinforcement works best where it is least needed, that is, where the impediments for compliance are smallest, and it is ineffective where the violation of democratic and human rights norms is most severe. However, the cases show that reactive reinforcement is not completely redundant. It is marginally effective where domestic adaptation costs are small and international rewards are just sufficient to tip the balance in favor of compliance (as in Latvia), where it helps to galvanize societal mobilization ahead of elections (as in Slovakia), and where it triggers first steps of legislative reform (as in Turkey).

Second, democratic conditionality has probably helped to sustain divergence in the political development of non-member countries. Countries with favorable initial conditions (such as, e.g., an ethnically homogeneous society, traditions of capitalism and democracy, and a peaceful international environment) not only had a comparatively smooth start into the transition process but also qualified for EU

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81 See, e.g., Checkel (1999) and, again, Risse/Ropp/Sikkink (1999). For a similar finding, see Kelley (2002).
rewards early on. In a virtuous circle, EU support and the strengthening of institutional ties further stabilized compliance resulting in yet higher levels of integration and support. By contrast, countries with unfavorable initial conditions (such as strong ethnic clevages, a lack of democratic and capitalist traditions, and an insecure environment) not only had a rough start but often also failed to meet the prerequisites of EU rewards. In a vicious circle, the structural conditions in these countries rendered a policy of reactive reinforcement largely ineffective and, in the absence of proactive reinforcement, the authoritarian deformation continued, thereby further weakening the prospects of EU integration.

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