Democratising Power Europe?
EU Democracy Promotion Policies in Post-Socialist Europe

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Abstract
Most studies on the international dimension of democracy promotion focus on the analysis of instruments and conditions in target countries. This project takes an alternative approach by targeting the democracy donor level and, more specifically, the determinants of EU strategies in external democratisation. The EU routinely asserts that the promotion of democracy is a defining feature of its international identity. At the same time, academia and policy evaluation communities agree not only on a lack of consistency and coherence of EU strategies, but also on an overall low impact on democracy in third countries. This paper aims at identifying factors behind the apparently different ways in which the EU designs its strategies of democracy promotion. The EU developed four main paths to deal with post-socialist Europe: By integrating (CEE), stabilising (SEE), associating (EE), and building a partnership (Ru). The author argues that variation in the substance of democracy promotion is based on different objectives of the relationships respectively. Moreover, in critical and decisive decision-making processes the EU seems to pursue a context-sensitive approach in the line of least resistance, when balancing long- and short-term preferences, benefits and risks of democracy promotion, recruiting arguments from, e.g., the Liberal Peace Paradigm and Modernisation Theory.

1. Introduction
This paper seeks to analyse the democracy promotion approach in the EU’s external relations with its Eastern European neighbourhood. In order to systematically map the concepts and instruments used, this introduction leads into the topic by unfolding the general puzzle and questions in the context of the state of the art. Following an exploratory research design, the second part sketches the development of the policy, extracting the EU’s understanding of democracy and its promotion. In a third step, the paper outlines the objectives pursued and the channels used by the EU in its Eastern neighbourhood. Finally, the author proposes hypotheses on determinants of the EU’s democracy promotion strategies in post-socialist Europe guiding further proceedings of this project.

With the end of the East-West block confrontation in the aftermath of the collapse of the communist Soviet Union, democracy promotion has been mainstreamed into the development and foreign policy strategies of international organisations such as the UN, the World Bank, individual Western states and, thus, also of the European Union. The principles of democracy

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1 This paper presents parts and preliminary results of an on-going dissertation project and, hence, should be considered work in progress. Comments are most welcome. Please do not quote from this text without consulting the author (hahn@europa-uni.de)
as a “universal value” have been enshrined in numerous international texts, conventions, and in historic declarations. Even binding treaty commitments embody the idea and the official discourse on the promotion of democracy. Democracy promotion was largely declared to be the guiding goal and instrument of foreign and development policies following mainly two paradigms: First, the liberal idea of “Democratic Peace” that argues that democracy is the system of governance that best supports international and domestic peace; and second, the “Theory of Modernisation” that declares the democratic system to be the best precondition for economic and social development. Even if empirical evidence suggests that causalities lead in both directions, at least democracy and prosperity reinforce each other (Merkel 2009: 444). Therefore, promoting and protecting democracy is justified not only because of its intrinsic values and norms, but also because of its instrumental role in advancing a broad range of interests and goals (Spranger/Wolff 2007).

The end of the dividing ideological competition of the Cold War made the European Union, which had just emerged out of the European Communities, face an extraordinary and thus unexpected situation in Europe: In just three years from 1989 to 1991/92 the Western European states had to redefine their relations with the Central, Southern and Eastern European countries, each with new independence, if not even newly gained statehood. The EU was suddenly confronted with the pragmatic question on how to approach the rest of Europe, and how this could respond to this historical situation guided by the idea of an “uniting Europe”. The extensive political and economic transformations of post-socialist systems made the EU face the challenge of assisting transition by promoting parliamentary democracy, which appeared to be superior to the ideas of “Volksdemokratien”. Yet, phases of transition are known to be interlinked with periods of instability. Hence, the success of these processes is not least connected to the support of external actors, who through incentives try to avoid externalizations of conflicts (Merkel 2009). Therefore, the EU was forced to develop concepts which promised stability, not at least out of its own security and economical interests². Thus, by building international relations, the EU developed foreign policy instruments, in which the promotion of democracy, the transfer of norms and values through political cooperation and technical assistance were meant to play a significant role. With regard to its relations to post-socialist Europe, the EU has created four different approaches: 1. Integration (Enlargement to Central and Eastern Europe), 2. Stabilisation (Stability Pact for

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² The most obvious examples for instability through transition, that contradict security interests in Europe were the acts of war in Southern Europe in the 1990s, also the wars of secession in Moldova (Transnistria), Georgia (South-Ossetia and Abkhazia) or between Armenia and Azerbaijan (Nagorno-Karabakh). Economic interests relate to the gradual developments that came along with the collapse of the Soviet planned economy, that at first led to massive unemployment that triggered migration from East to West. Furthermore, western companies saw their chances for breaking into new markets and new manufacturing facilities, which asked for transparent and reliable legal framings.
South Eastern Europe), 3. Association (European Neighbourhood Policy towards Eastern Europe) and 4. Building a partnership (Russia).

In correspondence with those axiomatic assumptions and pragmatic challenges the EU itself routinely asserts that the promotion of democracy and human rights is central to its international identity (Youngs 2008a: 9). Parallel to political rhetoric, various theoretical concepts appear in the scientific discourse to distinguish EU’s foreign policy: „Venus“ (Kagan 2002), „normative power Europe“ (Manners 2002), „post-modern state“ (Cooper 2000), „civilian power“ (Duchêne 1972), „transformative power Europe“ (Grabbe 2006) or „soft power“ (Nye 1990; 2004). These concepts – despite their differences in their descriptive-analytical or normative approach - share one important aspect: they all consider the promotion of democracy, human rights, and rule of law to be the guiding characteristic of the EU’s foreign policy in general (Jünemann/Knodt 2007: 9; Risse/Börzel 2009b).

However, the reality of democracy promotion of Western democracies – such as that of the EU – reveals a different picture: Strategies of democracy promotion are being implemented neither universally (as the official concept of “one size fits all” claims), nor consistently. It is variance, not uniformity, that characterises the field of democracy promotion of external actors over time and across countries (e.g. ENP: Ukraine - Belarus – Azerbaijan). At the same time academia and policy evaluation communities agree not only on the overall inconsistency and lack of coherence of EU strategies, but also on the overall low impact on democracy in third countries (Schimmelfennig 2009: 16).

Consequently, it seems puzzling that, if the promotion of democracy is firstly supposed to represent core foreign-policy goals justified with moral concepts, and secondly also manifested to be a defining characteristic of EU’s foreign policy, why does it seem to be implemented so inconsistently, incoherently, and hence, inefficiently? Obviously, the EU’s self-perception and how it is perceived from the outside diverge (Auto-Hetero-Stereotype). It is not surprising that these policies have provoked ambivalent, even hostile reactions in the post-Soviet region. An emerging negative image (e.g. of double standards) conflicts or even contradicts the EU’s intended policies. From a political and scientific point of view it therefore becomes relevant to identify the concepts of the EU’s understanding of democracy and its promotion in the context of mechanisms of its foreign policy behaviour.

The first generation of scholars researching democracy and transformation concentrated primarily on questions concerning possibilities, terms of condition, challenges, and effectiveness of democratisation from within. External factors of democratisation came into the focus of researchers in the 1990s. The field of external democracy promotion combines
the scientific sub-disciplines of Transformation studies, International Relations, Area studies, European Integration, and Peace and Conflict studies, to name the most important ones. As they all have different approaches, so far no general theory on external democracy promotion has been formulated (Merkel 2009). Research questions evolved around general empirico-analytical assessment of the phenomena (Burnell 2000; Carothers 1999; Diamond 1991; Merkel 2009; O'Donnell, et al. 1986; Schmitter/Brouwer 1999; Schraeder 2002; Whitehead 1986); instruments of donors (Burnell 2000; Carothers 1999; Diamond 2003; Jüenemann/Knodt 2007; Magen, et al. 2009; Risse/Börzel 2009a; Schimmelfennig 2006; Schimmelfennig/Scholtz 2008; Schraeder 2003); normative justification and legitimacy of democracy promotion (Hanisch 1996; Ikenberry 2000); or effectiveness, efficiency, and impact mechanisms (Richter 2009; Schimmelfennig 2009; Schimmelfennig/Scholtz 2008).

As democracy promotion activities by the EU are assumed to have substantiated through a ‘learning by doing’ process (Risse/Börzel 2009a), even less research has been conducted on the strategies to promote democracy, on the conceptualisations on the donors’ side and its significance within the context of foreign and developmental-policy processes in general and in explaining the donors’ behaviour (Knodt/Jünemann 2007). The research focus is rather kept on the conditions in the target countries and on the impact of the donors in terms of questioning their instruments and effectiveness. Some of the literature that attempts to explain mechanisms of the external actors’ behaviour either focus on the declaratory side of politics or use a relatively normative approach, especially when it comes to the EU3. But if and how external democracy promoters as donors balance long- and short-term interests, benefits and risks of democracy promotion within foreign policy strategies; how „democratic identities“ are articulated and intertwined in decision-making processes; and the respective institutional terms, remains rather unexplained.

2. EU democracy promotion

2.1. The evolution of a foreign policy that is not a policy

The EU was the first of all Western countries or International Organisations that institutionalised clauses on human rights, democracy and rule of law, not only in all contracts of its own constitution, but also in all its agreements with external partners. This is also directly related to the evolution of an essentially Economic Community into a political European Union (Europäische Kommission 1995: 5). The external promotion of democracy as such emerged out of the political field of developmental policy. Yet, the promotion of

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3 Interestingly enough these assessments generate differently concerning the US.
democracy is a cross-cutting issue that affects all areas of foreign policy: from foreign trade, enlargement, developmental and foreign cultural policy, to foreign, security and defence policy. Moreover, the external promotion of democracy contains a second dimension by involving a "domestic" aspect. The formal conditions of democratic constitution for membership in the Community developed hand in hand with the political integration of Europe. Therewith, the democratisation of future members results in an amalgamation of foreign and domestic policy levels. The EU's democracy promotion is hence not a classic or an independent policy field. First, the range between agenda-setting by general declarations, the determination of the legal basis of policy objectives through contracts, specific resolutions and the transfer into operationalised and implemented policy - in this particular case into various regional and country programmes - is relatively wide. Second, the EU’s multi-level system of governance encompasses a mosaic of decision-making procedures (Tömmel 2008a). Thus, democracy promotion, that is, the policy formulation, is institutionally fragmented into both communitarised and intergovernmental rules. The Council sets the overall strategies towards a country, e.g. what kind of bilateral or multilateral cooperation agreements are being negotiated. In the context of the formulation and implementation of regional and country programs, democracy promotion does however span in the Commission over at least four different directorates: Enlargement (ELARG), Development and Cooperation - EuropeAid (DEVCO), Humanitarian Aid and Civil Protection (ECHO) and Trade (TRADE). The newest addition since the Treaty of Lisbon is the European External Action Service (EEAS), whose specific role and competences in relation to the directorates in the Commission are yet to be defined in practical life

Accordingly, the promotion of human rights and democracy has become an extremely well integrated element of EU external relations policy, with multiple references at various institutional levels. And yet, until the end of the 1980’s, EU development policy used to be about granting preferential trade agreements and financial aid to the former colonies of member states and gave little concern to democracy. It centred on the Lomé agreements, the first which was signed in 1975 between the EU and the Asia, Caribbean and Pacific (ACP) countries and was succeeded by the Cotonou Agreement in 2000, which finally included ‘good governance’ as a ‘fundamental and positive element’, in addition to respect for human rights, democratic principles and the rule of law as essential elements of the agreement (Art. 9).

4 Interestingly, when European colonial history is taken to explain path dependency in the EU’s external relations and its member states, only France, Great Britain, Spain or Belgium, are likely to be mentioned in their relations to Africa, South America or Asia. This particular historical context of EU relations with regard to Germany's role in Eastern Europe, such as in the 3rd Reich of Nazi-Germany, in times of Prussia or the Habsburg Empire, are surprisingly little discussed.
The treaties of Maastricht, Amsterdam, Nice, and Lisbon have successively built on each other. The Nice Treaty (2000) put a landmark by extending the objective of promoting human rights and fundamental freedoms from development co-operation to all forms of co-operation with third countries (Article 181bis TEC), thus covering trade and association agreements. Additionally, the EU Charter of Fundamental Rights, also officially proclaimed at the Nice European Council summit in December 2000 and legally binding with the Lisbon Treaty of 2009, aims at promoting coherence between internal and external policy (Europäische Kommission 2001b: 3). The Council of Ministers and European Commission have been similarly active in this area. The Council of Ministers’ resolutions of 1990/1991, at which the promotion of human rights and democracy was made both an objective and a condition of development co-operation, have been progressively followed-up over the past two decades by the introduction of human rights and democracy elements into the Council Regulations that govern the array of regional co-operation agreements that the EU retains. Numerous European Commission communications on development co-operation, both of general nature and region or country-specific, have incorporated discussions of the political dimension. For example, Commission proposals for reviews of regional development co-operation agreements invariably involve an upgrading of the human rights and democracy dimension. A significant element of policy implementation has been the inclusion of human rights and democracy clauses since 1992 as essential elements in agreements with ‘third countries’, standardised from May 1995 (Crawford 2000). Such clauses are an essentially conditional mechanism, enabling the suspension of the agreement in the event of perceived violations of human rights and democratic principles. At a general level, a new policy document was released in May 2001 on ‘The European Union’s Role in Promoting Human Rights and Democratisation in Third Countries’ (Europäische Kommission 2001b). Focusing on the role of Commission-managed external assistance programmes in this field, the document emphasises the prioritisation of human rights and democracy strategies and aims “to ensure that these issues permeate all Community policies, programmes and projects” (ibid.: 3).

By putting high-level policy statements into practice through incorporating them into regional aid, the EU has created geographically based co-operation programmes, each with a distinct legal, financial and administrative framework. An innovation in terms of logic of action and instruments was the "European Initiative for Democracy and Human Rights” launched in 1994 by the European Parliament. The new framework that merged into the “European Instrument for Democracy and Humans Rights” (EIDHR) in 2006 grouped together the

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3 Declarations were made at the Dublin Summit in June 1990 on human rights and good governance in Africa, at the Rome Summit in December 1990 on the promotion of democracy and human rights in external relations, and at the Luxembourg Summit in June 1991 on human rights.
budget headings for the promotion of human rights, democratisation, and conflict prevention across countries, also allowing cooperation with non-state actors in third countries. This means, above all, a promotion policy that goes beyond intergovernmentality. Having said that, it seems reasonable to have a closer look on how the EU exactly aims at promoting democracy.

2.2. What is EU democracy promotion, actually?

In theory, there is a distinction between bottom-up and top-down mechanisms of democratisation. Thus, external support for this process is either targeted at societal groups, civil society, non-governmental structures, or at state level (Carothers 2009). Instruments mainly follow the paradigm of "encouraging and demanding" (fördern und fordern) and can be summarised as ranging between the two fundamental mechanisms of conditionality and socialisation. The EU itself reflects upon different instruments and types of assistance. With regard to instruments the focus lies on financial and technical support and grant aid. However, several other tools stand out with a particular relevance, including political dialogues and other diplomatic instruments; financial incentives, conditionalities and sanctions; trade and investment instruments; mobilisation of civilian and military capabilities; humanitarian assistance; multilateral initiatives; public information, advocacy and monitoring (European Council of Ministers 2006: 4). Democracy promotion may also involve many different types of assistance:

“it may be long term and highly structured as in an accession partnership agreement (e.g. combining a road map, financial and technical assistance, benchmarks, monitoring) or very short term and highly specific (e.g. election observation). It may involve very indirect action to assist in creating a conducive environment for democracy to flourish (e.g. through peace building initiatives, educational reform, action to combat drug trafficking) or direct technical support for a specific political process (e.g. security sector reform). Any action to facilitate, advocate, inform, educate, or bring pressure to secure particular policy changes (e.g. quotas for women in Parliament, abolition of torture) may be considered a form of democracy promotion” (ibid).

The scope of instruments and assistance possibilities seems rather wide and therefore becomes blurred. In order to deconstruct the EU’s democracy promotion agenda, a more

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6 “Political conditionality entails the linking, by a state or International Organisation, of perceived benefits to another state (such as aid), to the fulfilment of conditions relating to the protection of human rights and the advancement of democratic principles. Positive conditionality involves promising the benefit(s) to a state if it fulfils conditions; negative conditionality involves reducing, suspending, or terminating those benefits if the state in question violates the conditions” (Smith 1998: 256).

7 Further concepts that distinguish between “political conditionality”, “political dialogue”, and “financial incentives and capacity building” (Börzel/Risse 2004) or “democracy assistance” and “political conditionality” (Youngs 2001a) or further differentiate between “externalisation”, imitation”, “learning” et al (Schimmelfennig 2009) can be assigned to this classification.

8 It can be argued that EU support for WTO membership of a partner country can make an important contribution to economic and political liberalization.
detailed analysis on the EU’s meaning of democracy and its promotion is needed. Searching for a definition of EU democracy promotion by analysing the numerous kinds of documents produced by the EC/EU confirms the impression that one precise formula is lacking. The Political and Security Committee of the European Council stated that “as a general concept, ‘democracy promotion’ encompasses all measures designed to facilitate democratic development” (European Council of Ministers 2006: 3) This rather tautological conspectus confirms the necessity to deconstruct these notions. Youngs, an academic scholar who studied the EU’s agenda on democracy promotion in a very comprehensive manner arrives at the general conclusion that

“Initiatives are often defined in a variety of ways and combine democracy assistance with governance, human rights, and civil society support. [...] European donors generally resist the notion that democracy aid can be separated from the related issues” (Youngs 2008b: 160). “In short, political aid amounts have increased but are rarely organized around „democracy“ as a separate defining category. All European donors have insisted that democracy-related projects be merged into broader development projects“ (ibid 162).

More specifically, he concludes that „constancy is found in the fact that what is labelled democracy policy has in practice generally been aimed at governance rather than democratisation“ (Youngs 2010: 12).

Closely connected to the concept of democracy promotion is the question of the democracy-model that is supposed to be spread. In fact, in the many references to democracy in general, there is no embodiment of the substance of democracy as such (Meyer-Resende/Wisniewska 2009; Wetzel/Orbie 2011). Not even the Copenhagen Criteria, in which a democratic constitution is one of the three basic requirements for EU accession, is backed with an explicit definition (Grabbe 2006: 32; Kochenov 2004). In a Union of now 27 member states with different political histories, systems and cultures this might not seem to be surprising9. A unanimous agreement on a consensual formulation of democracy would inevitably lead to a unification of the respective democratic systems in all EU Member States, which can be neither realistic nor a sensible attempt in a Europe of diversity. As Gerrits puts it: „If diversity is the quintessence of democracy in Europe, it makes „the European democratic model’ almost a contradiction in terms“ (Gerrits 2007: 51).

For some time now the EU has been discussing whether to adopt an official definition of democracy as a basis for its democracy promotion efforts abroad (Meyer-Resende/Wisniewska 2009). However, „a broad consensus continues to exist on the belief that democracy promotion entails liberal democracy promotion, that is, the promotion of certain

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9 Different forms like: constitutional, monarchies, republics, executive and non-executive heads of state, unicameral and bicameral parliaments, centralised and decentralised government, federal and non-federal states, written and unwritten constitutions, the Executive drawn from the Parliament, the Executive excluded from the Parliament, etc.
key liberal democratic procedures“ (Kurki 2010: 363). Anyhow, an openness towards different models of democracy is intentional by the EU, even if it leaves out place for interpretations in concrete situations. Therefore, the operational “Programming Guide for Strategy Papers: Democracy and Human Rights” states that

“[d]emocracy is a contested concept. Different definitions and theories emphasise different aspects of democracy. For the purpose of mainstreaming ‘democracy’ into the Community’s development cooperation and external assistance, the understanding of democracy should be that of a system of political governance whose decision-making power is subject to the controlling influence of citizens who are considered political equals. A democratic political system is inclusive, participatory, representative, accountable, transparent and responsive to citizens’ aspirations and expectations. Democracy cannot be considered as an all-or-nothing affair. It is a question of the degree to which citizens exercise control over political decision-making and are treated as equals. These values of democracy are realized through political institutions and practices. There is no universal model of democracy. A country’s political institutions and practices are often shaped by its history, culture, social and economic factors. Democratisation is not a linear process that moves from an authoritarian to a democratic regime. It is a multi-faceted, multi-disciplinary process that moves back and forth, where some institutions are more developed than others. A functioning democracy therefore requires many interdependent elements and processes that are based on a culture of citizen participation in public affairs.” (European Commission 2008: 7).

Leaving out a normative judgement, it might be assumed, that the openness towards various democratic models as well as the measurements to promote democratic principles trigger the assessments that criticise the EU democracy promotion policies as incoherent and inconsistent with a lack of clear strategy, actually emerge out of inappropriate comparisons of different mechanisms. The EU could also be regarded as particular context-sensitive. However, the absence of a definite formulation and demarcation of concepts leads to deficiencies in both, the perception of policy implementation and in the ability to differentiate analytically. Yet, comparisons are relevant within the frame of analysing modes of actions and impact as second steps (see above all Crawford 2000; Wetzel/Orbie 2011; Youngs 2003; 2001b; 2008b).

As empirical observations reveal, neither democracy as such nor its promotion by the European Union can be abstracted into a substantive formula. The essence of a democracy promotion policy seems to start with the clarity of its targets: what is the aim of a democracy promotion policy in a particular country? Is the ultimate aim a broad systemic political change, a selective reform in specific areas, or the stabilisation of the regime? Hence, it is expected, that the conceptualisation of democracy promotion and usage of instruments is embedded in the specific relational structure of the EU to third countries and its objectives in the broader foreign policy context. Different rationales could play a role here, as for instance power structures and levels of interdependence, diverse interests of respective actors,
conditions in third countries and their perception (Wetzel/Orbie 2011). The reaction to goal conflicts, which emerge out of democratisation might also be crucial to this effect. Goal conflicts, i.e. democracy versus stability, governability, or majority, create dilemmas or force trade-offs for the EU when formulating strategies between value-based and interest-driven objectives (Spranger/Wolff 2007). Besides the fact that the EU is a Union composed of different member states among whose compromises have to be obtained, especially relating to sensitive political issues such as polity, the aspect of democracy promotion being a cross-cutting policy concerning different institutional arrangements in the EU multi-level decision-making and executive system might be decisive. This project therefore further follows the general hypothesis that the macro-institutional and strategic arrangements of the EU each bear their own logic. This impacts on objectives and means of democracy promotion. Hence, the following question remains: what determines democracy promotion in the Eastern neighbourhood of the EU?

3. EU democracy promotion in post-socialist Europe

Concentrating on the EU’s overall objectives in its foreign policies towards post-socialist European space in the past 20 years, four main paths appear: Integration, Stabilisation (before Integration), Association, and building up a Partnership. More specifically asked then, what determines democracy promotion within those four modes?

3.1. Integration

Ever since the last great enlargement round of the EU in 2004, Integration has been considered to be the most comprehensive foreign policy framework for encouraging domestic reform processes in non-member states. At the heart of the recent Eastern enlargement process has been the task of successfully transforming former communist countries with centrally planned economies into fully fledged Western style democracies and consolidated market economies (Grabbe 2006; Kutter/Trappmann 2006b; Lippert 2004; Schimmelfennig/Sedelmeier 2005).

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10 Those goal-conflicts conceptualize as follows: Democracy versus Stability: Destabilization of solid regimes - democracies can be confronted with conflicts that cannot be resolved in a democratic way e.g. Georgia, Moldova, Balkans – Serbia, BiH; Democracy versus governability: democracy can be confronted with an overload of conflicting demands, which make efficient and democratic governance impossible – e.g. UKR, BiH; Democracy versus majority: democratic procedures can produce majority decisions that peril democratic principles e.g. Palestine, Serbia.

11 Completed 2007, concerning the accession of Bulgaria and Romania respectively. Whereas the full integration is not finalized as long the free movement for workers might be limit until 2014.
As mentioned above the Copenhagen Criteria\textsuperscript{12} did not provide a specific concretisation of democracy standards and their promotion (Kutter/Trappmann 2006a: 28). Since accession negotiations were only opened when democratic consolidation was well under way in Central East European (CEE) countries\textsuperscript{13}, the EU naturally concentrated in their Integration mode on their capacity to effectively implement and apply the acquis communautaire. Still, pre-accession support was already meant to help candidate countries comply with the Copenhagen criteria. Financial and technical assistance was provided through the PHARE\textsuperscript{14} programme, mainly for the purposes of economic reform and capacity building in the public sector. PHARE, as well as ISPA\textsuperscript{15} and SAPARD\textsuperscript{16} did not only encompass direct financial support in the form of grants and loans, but also twinning\textsuperscript{17} of officials and short-term deployment of experts. Conditionality and assistance have been flanked by political dialogue to deal with problems of non-compliance. While compliance with the Copenhagen Criteria was rewarded by membership and the provision of financial and technical support, the EU could also punish the lack of progress by withdrawing benefits, such as preferential access to the Single Market (Börzel, et al. 2008). Democratic institutions in fact never became a serious issue during the accession negotiations. The EU was rather concerned by the slow progress regarding judicial reforms, the fight against corruption and administrative capacity building (European Commission 2001b). Further “it is possible to observe that the Copenhagen related documents give priority to the assessment of the rule of law, without concentrating on the analysis of the democratic process in the candidate countries in necessary detail.” (Kochenov 2004: 24). To summarise: the integration process being focused on administrative reforms is rather driven by improving an output legitimacy dimension of good governance than democracy as such (Börzel, et al. 2008).

The Integration of non-member states is basically a negotiation process between executives. This means firmly following an intergovernmental track that the EU allows for a classical top-down approach. Political dialogue has been crucial to clarify the conditions for membership, as the operationalisation of the accession criteria, monitoring, and reporting was undertaken by the Commission. A high-level Association Council was in charge of

\textsuperscript{12} In 1993, the Copenhagen European Council formally accepted the possibility of membership of all associated CEE countries – provided that they achieved (1) a functioning market economy; (2) stable institutions guaranteeing democracy, the rule of law, human rights, and respect for and protection of minorities, and market economy, and (3) the ability of implementing the acquis communautaire.

\textsuperscript{13} Bulgaria, Czechia, Cyprus, Estonia, Latvia, Lithuania, Hungary, Poland, Rumania, Slovakia

\textsuperscript{14} „Poland and Hungary: Aid for Restructuring of the Economies”. Initiated in 1989, it was later on in 1994 extended to all CEE countries entering the EU.

\textsuperscript{15} “Instrument for Structural Policies for Pre-Accession” from 1999 funding infrastructure projects in the areas of environment and transport

\textsuperscript{16} “Special Accession Programme for Agriculture and Rural Development” initiated in 1999.

\textsuperscript{17} Twinning projects are designed to promote the secondment of civil servants from one or more EU member states to work as advisers to beneficiary institutions of the recipient country in order to exchange good practices and to transfer technical expertise
supervising the implementation of the agreements. It has further included regular meetings on
the parliamentary level and between senior officials to promote processes of socialisation
(Schimmelfennig/Sedelmeier 2005). Theoretically, the European Commission aimed at
encouraging accession countries to involve non-state actors in the adoption of and adaptation
to the more than 10,000 EU laws to ensure both, greater effectiveness and legitimacy of the
accession process. However, neither the European Commission nor the governments of the
accession countries have managed substantive efforts to systematically involve non-state
actors in the adoption of the acquis (Börzel 2010; Börzel, et al. 2008: 24)

Thus, the one-sided nature of the accession process, the enormous implementation load, the
time pressure, and the strong emphasis on conditionality rendered accession into a
predominantly technical and administrative process of rule-transfer (Börzel, et al. 2008;
Lippert 2004; Schimmelfennig/Sedelmeier 2004). Further on, those mechanisms entailed
countervailing forces that seemed to weaken intermediate institutions, such as parliaments and
fragile party structures besides societal structures. Since executives were merely responsible
for the accession process and its negotiation, which again was embedded in a discourse of
inevitable efficiency, oppositional and alternative debates fostering parliamentarian politics
had to be marginalised. Deficits of representation and participation in Central and Eastern
European democracies were therefore deepened (Beichelt 2003; Raik 2006). Moreover, the
executive-driven negotiation process was compatible with socialist legacy, such as centralised
and statically organised bureaucracies (Grabbe 2006: 208).

Apart from the overall assessment of the EU-Enlargement as a story of success on the basis of
efficient adoption of the acquis communautaire by the new member states, research has
pointed to negative consequences of those mechanisms for the targeted democracies. Some
authors even query the EU’s role in the democratic transition and consolidation in CEE
(Kochenov 2006; Pridham 2005).

3.2. Stabilisation

West Balkan countries\(^{18}\) are generally moving towards accession. This means, that they are
part of the Integration modus, since they have been given an explicit membership prospect for
the European Union at the Thessaloniki summit in 2003. However, first they are moving
through the process of Stabilisation and Association Agreements (SAA) in the broader frame
of the Stability Pact for South-Eastern Europe of 1999 in the aftermath of the Yugoslavian
wars. The Pact introduced a political dialogue organised in three “working tables” on

\(^{18}\) Albania, Bosnia-Herzegovina, Croatia, Serbia together with Kosovo, Macedonia, Montenegro
democratisation and human rights, economic reconstruction and development, and security and justice and home affairs. The EU has been engaged in the stabilisation and reconstruction ever since the early 1990s. Initially it had focused on emergency supplies, technical assistance and related support through its Humanitarian Aid Office (ECHO). Funded projects aimed at reconstruction and rehabilitation as well as reconciliation between conflicting parties preventing the resurgence of ethic hostilities (Börzel/Risse 2004). After the Kosovo conflict broke out in 1998, the approach has taken distance from the concept of developmental aid that would not be sufficient to stabilise the region so close to the EU’s borders.

The Stabilisation and Association Process (SAP) launched in 1999 draws heavily upon the accession model. This mode includes the instruments and programmes of the Integration mode, in addition to a few conflict management policy tools, such as refugee return, to reinforce the efforts of the EU to secure political and economic stability. If political conditionalities were satisfied, negotiations for the Stability and Association Agreements (SAA) were opened, that provided financial assistance under CARDS\textsuperscript{19}, as well as technical assistance by TAIEX\textsuperscript{20}. Here, the official priorities set by the European Commission include democratic Stabilisation, strengthening civil society (them being explicitly eligible for Community assistance) and the media, protecting minority rights, and promoting good governance. In 2006, IPA\textsuperscript{21} succeeded the various pre-accession instruments as PHARE, ESPA, SAPARD and CARDS and the pre-accession instrument for Turkey. The programme consists of five components, including transition assistance, institution building, cross-border cooperation, and regional, human resources and rural development. Since some of the Western Balkan countries have faced more severe political ethnicisation and state-building as well as nation-building processes, Democratisation beyond precarious ethnic power-sharing arrangements remains challenging (Sebastian 2010). Hence, in order to stabilise a region ridden by lingering violence, the objective of promoting effective government rather than rigid democratic principles has become an even higher priority than in CEE countries, where transition has been relatively smooth and has resulted in overall stable institutions (Stewart 2007). Programs therefore prioritised institution- and capacity-building, mainly enforcing central government reforms and reforms of public administration, civil service as well as management of public finances. Also the fight against organised crime and corruption features prominently (Börzel, et al. 2008: 26).

\textit{“However, there is a gap between the EU’s declared goals and its actual efforts on the ground [...]}. This gap is relevant in two ways: in the ill-defined formulation of

\textsuperscript{19} “Community Assistance for Reconstruction, Democratization and Stabilization”

\textsuperscript{20} “Technical Assistance Information Exchange Office”

\textsuperscript{21} “Instrument for Pre-Accession”
‘(democratic) Stabilisation’, the component of the SAP designed to address post-conflict issues but that has been practically subsumed under assistance to refugee return (and reconstruction); and in the shift of resources from projects devoted to democratic Stabilisation to institution building and economic development. [...] rather than CARDS and IPA assistance being redirected toward other areas and activities that promote democratic Stabilisation and interethnic coexistence, it has been readdressed to support formal institutional structures in an effort to help Balkan countries adjust to EU standards and laws” (Sebastian 2010: 51-52).

Furthermore, the conflict-driven context forced the EU to vary democratisation efforts between stabilising or de-stabilising ruling elites, paying factually sparsely attention to civil society. All in all, this also produced a contradictory image of the EU, resulting in a severe loss of credibility as a democratising power in the respective societies.

3.3. Association

The European Neighbourhood Policy (ENP) was developed in 2004, following a first outline by the Commission Communication on “Wider Europe” that had the objective to avoid the emergence of new dividing lines between the enlarged EU and the new neighbours. The ENP, instead, aims at „strengthening the prosperity, stability and security of all“ (European Commission 2004). The relation to security as a core objective is enhanced not only by an explicit reference to the European Security Strategy, but also by the latter being composed almost simultaneously (European Council 2003). While the ENP framework is proposed to 16 of the EU’s closest neighbours in the East as well as in the South, in this thematic context only the Eastern dimension will be discussed. The ENP is predominantly a bilateral policy between the EU and each partner country. It is further enriched with regional und multilateral co-operation initiatives, such as the Eastern Partnership launched in 2009, and the Black Sea Synergy launched in 2008. With the ENP the EU offers association as a privileged relationship that is supposed to build upon a mutual commitment to common values such as democracy and human rights, rule of law, good governance, market economy principles and sustainable development (European Commission 2004). As the level of ambition within the relationship depends to what extend these values are shared, the EU proclaims political association in relation with deeper economic integration, increased mobility and people-to-people contacts. Moreover, the ENP builds upon existing “Partnership and Cooperation Agreements” (PCA), whereby the negotiation of new bilateral Action Plans (AP) between the EU and each partner is a central issue.

22 The ENP framework is proposed to the 16 of EU’s closest neighbours: Algeria, Armenia, Azerbaijan, Belarus, Egypt, Georgia, Israel, Jordan, Lebanon, Libya, Moldova, Morocco, „Occupied Palestinian Territory, Syria, Tunisia and Ukraine.
The PCAs at that time were being flanked with TACIS\(^{23}\) that was launched already ad hoc in 1991 after the break down of the Soviet Union. It firstly provided bilateral grants for financing technical assistance as well as regional and cross-border measures in the areas of environment protection, fight against organised crime and infrastructure\(^{24}\). It then further developed into an instrument of ‘cooperation partnership’ by targeting economic transition processes of the new Commonwealth of Independent States (CIS) to support their endeavours to roll back the legacy of the Soviet state model through enhanced privatisation and liberalisation (Börzel, et al. 2008: 37). Even though the regulation states that the assistance programme is designed to “promote the transition to a market economy and to reinforce democracy and the rule of law in the partner states” (TACIS 1999: Art 1), neither the PCA nor the TACIS programme spelled out their reference to democracy. TACIS set out six crosscutting areas of cooperation: institutional, legal and administrative reforms; support for the private sector and economic development; support in addressing the social consequences of the transition; the development of infrastructure networks; the promotion of environmental protection and management of natural resources; the development of the rural economy; and the support for nuclear safety where applicable. Still, the focus on building public institutions and strengthening their capacity remains dominant.

The second, the APs, also set out an agenda of political and economic reforms with individual short and medium term priorities. The implementation of those is jointly promoted and monitored through the committees and sub-committees established in this frame, whereby the European Commission publishes progress reports. In 2007 ENPI succeeded TACIS. Like all the previous assistance programmes it is mainly aligned intergovernmentaly by granting technical assistance and budget support. However, in principle, ENPI makes economic and social partners and civil society eligible for Community assistance, indicating a stronger tendency towards transnational cooperation.

Nevertheless, as with Stabilisation, the mode of Association also draws heavily upon the accession model, with the little exemption that a membership perspective is not officially or formally included. Though, it is not prejudged how the relationship with the EU may develop, since in accordance with Treaty provisions every European state may apply to become a member of the Union, as Art. 49 TEU reads. Some see the main purpose of the EU in presenting an alternative. However, this is the crucial point where critic of the ENP starts. Scholars have widely assessed that conditionality as the main mechanism of the EU to

\(^{23}\) “Technical Assistance for the Commonwealth of Independent States”

\(^{24}\) Some cross-border projects are partly financed by the INTERREG (Community programs designed for the promotion of the cooperation of the regions inside the EU and PHARE programme lines. A third line of funding within the broader TACIS assistance framework was introduced by small-scale projects available on request, such as Bistro, IBPP and TEMPUS (Börzel, et al. 2008: 36).
provide for reforms especially democratic ones in this respect does not work in this case. The “carrot and stick” model is ineffective without the carrot in form of a membership perspective, conditionality through association seems underpaid (Magen 2006; Schimmelfennig/Scholtz 2008). Analyses of the evolution of the Eastern ENP participants’ democracy and human rights records question the linkage of the EU’s cooperation agreements with the political situation in theses countries as its influence (Maier/Schimmelfennig 2007), while a comparison of ENP APs confirmed an absence of a coherent democracy promotion policy (Bosse 2007). Although democracy has been institutionally and financially strengthened with the ENPI, it remains modest in scale. Also the civil society organisations involved engage in rather non-political services that are approved by, and often connected to, partner governments (Schimmelfennig 2009: 18). However, recent studies point out that the ENP following the mode of Association, refrains from the classical top-down political conditionality and bottom-up socialisation approach. Since the ENP introduces an intensified web of association between the EU and associated countries through a sectoral manner (Europäische Kommission 2006), democracy promotion in the course of sectoral cooperation promises the promotion of democratic governance at the level of policy-making, instead of targeting general institutions and processes of polity (Freyburg, et al. 2009). “The EU seeks not only to externalize its material acquis rules for regulating public policy in each sector of political cooperation between the EU and its neighbouring countries, but also procedural rules on how sectoral policies and actors are made transparent, accountable and participatory” (Schimmelfennig 2009: 19).

3.4. Partnership

In the reformulation of relations with the post-Soviet bloc after 1989/91, Russia as the largest former Soviet republic took a special position in the region from the beginning. Democracy promotion and the transfer of values and norms through political cooperation and technical assistance have constituted also here an approximately significant share of newly established foreign policy. Initially the mode to address Russia was supposed to be the same as spelled out above in the Association mode with the other CIS countries. Russia was the first newly independent state to conclude a PCA in 199325 (Fischer 2007). Also TACIS was on the main instrument for development cooperation from 1991, setting up an institutionalised political dialogue that followed the principles of conditionality. Russia for its part published a ‘Middle Term Strategy Towards the European Union (2000-2010)’, in which it listed goals for the

25 However, in reaction to the breakout of the first war in Chechnya, the EU suspended the ratification of the agreement until 1997
partnership with the EU and measures for its implementation and in which it is emphasised that Russia “as a world power situated on two continents, should retain its freedom to determine and implement its domestic and foreign policies, its statues and advantages of a Euro-Asian state and the largest country of the CIS” (acc. to Fischer 2007: 249). When the ENP was created as the descendant of the PCAs and TACIS, Russia rejected to be incorporated into a comprehensive approach and claimed a special position in its relation to the EU. Therefore, in 2004 negotiations started for the Roadmaps to the Four Common Spaces that were characterised by controversies on values referred to in the agreement. “Instead, the Road Map for the Common Space of Freedom, Security and Justice is preceded by a preamble which lists a number of ‘overarching principles’. But here a shift can also be observed, as ‘equality between partners and mutual respect of interests’ rank first before democracy, the rule of law and respect for human rights” (Fischer 2007: 249). As it became obvious from the outset that conditionality would not work in this Partnership, the EU from 2001 on already explicitly focused its technical assistance on the reform programme by the Putin administration (ibid 252). Therewith, the focus rather lied on “good governance” than democracy: “the EU should lend its full support to the government’s socio-economic reform program and should concentrate on building the legal, institutional and administrative framework to allow economic development through private initiative and market forces. Legislative, regulatory and institutional convergence on the basis of the European model and standards should be supported” (European Commission 2001a: 2). Fischer concludes in her analysis that “it becomes obvious that there is no clear dividing line between technical assistance and cooperation on the one hand and democracy promotion on the other” (Fischer 2007: 252), with the latter being subordinated to the former. Besides the fact that Russia would not play along political conditionality, also divergent positions between the member states of the EU on policy formulation towards Russia are important in this matter. It leads to the almost purely intergovernmental approach, in which also the Council plays a crucial role when consensus between member states cannot be obtained that could be operationalised and implemented by the Commission.

4. Preliminary conclusion and outlook for further research
The deeper look into the EU’s democracy promotion policy in post-socialist Europe confirms that there is a close link between democracy and market economy in international cooperation, technical assistance, and security. Furthermore, support for the build-up of legal systems and economic transformation has become an integral part of it. This becomes obvious for all regional foreign relations, but specific differentiations in the mode of action appear.
Recall the general overarching hypothesis that the macro-institutional and strategic arrangements of the EU each bear their own logic, and that this has an impact on objectives and means of democracy promotion. This can be spelled out for the four strategic arrangements by the following specific work hypotheses:

- **Integration:** This mode of relation is dominated by the shadow of eventual EU membership, so that democracy promotion needs to be coordinated with general rule transfer. In cases of conflict, the efficiency of governance trumps democratic principles.

The macro-institutional and strategic arrangements of the EU in the Integration modus are underpinned by an overall consensus of this foreign policy. The European Commission operationalises and implements the policy decided upon in the Council, and as the ‘guardian of the treaties’ transfers the acquis. It therefore has a very strong position in the course of the accession process. As coordinator and mediator of member states’ interests it was able to generate relatively unitary policies towards the candidates.

- **Stabilisation:** This mode of relation is dominated by security policies and new security risks. Short-term stabilisation can collide with long-term democratisation. In cases of conflict, government support overrides general pluralistic democratisation efforts.

Sebastian encapsulates the macro-institutional and strategic arrangements of the EU in the Stabilisation modus:

> “The post-conflict nature of the transition process in the South European States and the challenges associated with it – including the launch of European security and defense policy (ESDP) missions that fall under the council’s jurisdiction – have obliged EU policy in the region to traverse the pillar structure and cut across the competences of both the Council and the Commission. The institutions’ differing actors, interests, and working cultures led to the formation of differing priorities and procedures, undermining the EU’s ability to speak with one voice and stripping inducement of their potential for influence” (Sebastian 2010: 44).

So while the Commission, by steering foreign aid, should have the leading role in related relations, conflicting interests and positions of EU member states towards policies tend to make the Council’s position outrank the Commission’s.

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26 Of course there were quarrels about questions of timing and shaping, such as between France and Germany, as also exemption clauses in the Accession Treaties show. However, the overall objective was soon unanimous.

27 Some general examples among others can illustrate the picture: In Bosnia-Herzegovina the Commission has always advocated an end to the Bonn powers and a return to local sovereignty, as these powers contradict the spirit of the European project, that is Integration. But the Council has been more cautious and keen on maintaining the international presence. A similar constraint was forced upon the Commission with the creation of the Union of Serbia and Montenegro in 2003. Although the Council’s interest in promoting security and stability fostered the creation of this Union, it soon proved to be ill-suited to compliance with the Commission’s requirements for the implementation of the SAP (Sebastian 2010: 45). Moreover, not all EU members recognise Kosovo as a sovereign state.
- *Association*: This mode of relation is informed by diverging interests in the region, though it webs third states into sectoral compliance with EU rules mainly out of security reasons. In case of conflict, the promotion of stable governance trumps democratic principles.

On the one hand, the framing of the relations with the former Soviet republics by the mixed Partnership and Cooperation Agreements puts the Council in charge of political relations with respected countries. On the other hand, the macro-institutional and strategic arrangements of the EU in the Association modus within the ENP is focused on functional cooperation in different sectors, and this allows the Commission once more to have a strong position.

- *Partnership*: This mode of relation is characterised by negotiations on equal terms. If the promotion of democracy conflicts with the partners interests, it is withdrawn.

Interests and positions towards an appropriate EU-Russia policy diverge between member states on a big scale. Therefore, the Council regularly overrides Commission’s approaches.

In conclusion, democracy promotion in the Eastern neighbourhood of the EU is largely determined by the objective of the relationship the EU intends to have with the respective country.

Further research will be obtained to investigate the macro- as well as micro-institutional structures within the EU-decision making process and the political-bureaucratic culture to allow for thorough comparisons of the modi.

The first observation suggests that if the Commission takes the lead, generally more governance-efficiency driven priorities are being forwarded. However, the functionality and the demand from third countries are dealt with differently in the distinct DG’s, This also calls for further investigation. For the European Parliament, norms and values count for giving impulse for action as its serves as the ‘good conscience of the EU’. Therefore, supranational processes are supposed to be more inspired by democracy than intergovernmental means, since the Council naturally follows dominating interests and the compromise found among those in strategic negotiation processes. Although the European Parliament seems rather subordinated in respective issues, it might fall into the picture when the country and region overarching strategy EIDHR is included into the analysis. Initiated by the European Parliament, EIDHR differs from the regional assistance programmes in as much as projects can be contracted directly with civil society actors, while former have to be approved by and implemented in cooperation with governmental institutions. It could also be concluded from the above modi that the stronger the role of the Council, the less democracy is promoted,
since countries pursue their own interests and preferences. Paradoxically, this would also mean that the leverage of the Council is strong in that matter, as long as EU member states disagree on appropriate policies towards third countries; since when no unanimous positions or compromises are formulated, the Commission is not really called for action in terms of implementation. At the same time, a lack of consensus on an appropriate policy among relevant actors within the EU multi-level system makes the decision-making processes vulnerable to stimuli from outside.

Further research will be conducted by searching for an explanatory model. As this project aims at identifying determinants of decision-making in democracy promotion in the institutional setting of the EU in the context of foreign-policy behaviour, it seems appropriate to ground following analysis on a complementary combination of liberal and institutionalist assumptions. Liberalism focuses the externalization of inner structures and procedures, stressing identity, interests, and institutions (Moravcsik 2008) and defines democratisation as the core meaning of any kind of improvement. Decision-making in goal-conflicts can be explained with the interplay of the two levels of internal power structures and negotiations with third countries within the international context. More specifically, institutionalist approaches will help to conclude on governance structure of democracy promotion in the multi-level system of the EU (Knodt/Urdze 2008; Tömmel 2008b), focusing on actor constellations and modes of interaction (Scharpf 2000).
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