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## DEMOCRATIC ANCHORING OF THE EUROPEAN UNION TOWARDS POST COMMUNIST COUNTRIES

Fabio Fossati\*

### Abstract

*First, a classification of the international processes of democratic anchoring has been presented: inertial emulation (contagion if spontaneous or convergence if intentional), control (direct by military intervention, or in indirect through arms trade and military assistance), political conditionality (by applying negative sanctions to authoritarian regimes: trade sanctions, cut to economic aid, exclusion from enlargement process) and rewards to democratizing states (democratic assistance, diplomatic pressure, increase of economic assistance). Second, relations between the EU and eastern European candidates to enlargement, through political and economic conditionality, have been analyzed. The outcome of all negotiations was the neutral application of conditionality when the countries entered the EU; some exceptions to neutrality were applied (to Estonia, Latvia, Romania, Bulgaria) at the beginning of negotiations, because of both strategic and inertial reasons. After 2007, EU enlargement has been linked to the judicial conditionality (in Serbia, Bosnia and Croatia); some relevant war criminals had to be arrested to comply with political criteria. Croatia satisfied the EU requests in judicial conditionality and entered the EU in July 2013; negotiations with Serbia started in January 2014. Political conditionality through the reduction of economic aid was applied to some “neighbors”, like the authoritarian Belarus; a more limited decrease of EU aid concerned Russia since the end of the 1990s. EU aid to Georgia and Ukraine increased after the two revolutions of 2004, and to Croatia and Serbia after the electoral defeat of nationalist parties in 2000 (and after the arrest of Mladic). All the other countries with gradual transitions (Bosnia, Macedonia, Montenegro, Albania, Moldova, Armenia) neither enjoyed rewards, nor suffered sanctions.*

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*Democratic assistance was too limited in order to have a relevant political impact. There were external diplomatic pressures in Georgia and Ukraine, but the main cause of the electoral revolutions was the weakness of those states. EU's external anchorage especially mattered for potential candidates to the enlargement (Serbia and Croatia), while it was weaker for neighbors (like Georgia, Ukraine and Russia), because those ones have never been considered potential candidates.*

**Keywords:** EU enlargement; democratization process; political conditionality; EU foreign policy, negotiation theory.

### **A classification of processes of external anchorage to democracy**

In the political science literature there has been an intense debate on the modalities of external diffusion and/or influence of democracy. Pridham (1991)<sup>1</sup> has been the first author to focus on international factors in the democratization processes of Mediterranean countries (Spain, Portugal and Greece) to the external linkage (anchorage), represented by the entrance of those countries in the European Union (EU). Whitehead (1996) has proposed a first classification among: control (by imposition), contagion (non intentional) and consensus (intentional)<sup>2</sup>. Control exemplified cases of military interventions in order to promote democracy; contagion the so-called democratization waves<sup>3</sup>; consensus the international processes of intentional promotion of democracy, like in the European integration – Pridham's "linkage politics" was quoted. Schmitter (1996) has added a fourth category, conditionality, being applied by economic sanctions, while control was based upon military sanctions; EU enlargement was an example of conditionality<sup>4</sup>. Schmitter and Brouwer (2000) have deepened the international modalities of "promotion and protection of democracy",

<sup>1</sup> Geoffrey Pridham, "International influences and democratic transition: problems of theory and practice in linkage politics", in Geoffrey Pridham, (ed.), *Encouraging democracy. The international context of regime transition in southern Europe*, Leicester, LUP, 1991, pp. 1-28.

<sup>2</sup> Lawrence Whitehead (ed.), *International dimensions of democratization*, Oxford: OUP, 1996.

<sup>3</sup> Samuel P. Huntington, *The third wave. Democratization in late 20th century*, Norman: University of Oklahoma Press, 1993.

<sup>4</sup> Philippe C. Schmitter, "The influence of international contest upon the choice of national institution and policies in new democracies", in Lawrence Whitehead (ed.), *International dimensions of democratization*, Oxford: OUP, 1996, pp. 26-54.

by labeling categories of consensus as assistance, that was going to be applied by positive rewards to democratizing countries: like electoral monitoring, funds aimed at promoting institution building, or supporting pro human rights non governmental organizations (NGOs)<sup>5</sup>. Pridham (2001) has distinguished convergence, implying a direct causal link between external actors promoting democracy and “intentional” domestic reactions (the so-called “anticipated reactions mechanism”), from contagion, where the external influence materializes only by non intentional factors<sup>6</sup>. For example, Eastern Europe countries applied convergence after 1989, according to the expectations clearly defined by the EU; Latin American states just developed contagion in the ‘80s transition wave. This seems a good clarification, but these appear as two sub-categories of the same analytic category: the inertial diffusion of democratization process. In sum, four modalities of democracy promotion and diffusion were identified: control (by military intervention), inertial emulation (either convergence if intentional, or contagion if spontaneous), political conditionality (by applying negative sanctions to authoritarian regimes), democratic assistance (by materializing positive rewards to democratizing states).

Some more recent contributions tried to further elaborate this classification, but the outcome was the identification of too sophisticated analytic categories, which were not mutually exclusive or non exhaustive. Kubicek (2003) has maintained a tetra-partition (control, contagion, convergence and conditionality), but the latter included both negative and positive sanctions – which were previously labeled as democratic assistance<sup>7</sup>. The increase of economic aid to democratizing countries has also been ambiguously labeled as rewarding or positive conditionality<sup>8</sup>, but

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<sup>5</sup> Philippe C. Schmitter, Imco Brouwer, “Promozione e protezione della democrazia. Il concetto, le ricerche, la valutazione”, in *Rivista Italiana di Scienza Politica*, 2000, vol.30, n. 2, pp. 187-226.

<sup>6</sup> Geoffrey Pridham, “Rethinking regime-change theory and the international dimension of democratization: ten years after in East-Central Europe”, in Geoffrey Pridham, Attila Ágh (eds.) *Prospects for democratic consolidation in East-Central Europe*, Manchester: MUP, 2001, pp. 54-95.

<sup>7</sup> Paul Kubicek, *The European Union and democratization*, London: Routledge, 2003.

<sup>8</sup> Elena Baracani, “EU democratic rule of law promotion”, in Leonardo Morlino, Amichai Magen (eds.) *International actors, democratization and the rule of law. Anchoring democracy?*, New York: Routledge, 2009, pp. 53-86.

“reinforcements by reward” do not appear whatsoever conditioned. Other contributions modified the above mentioned classification, by reducing the categories from four to three: inspiration, coalition, and substitution<sup>9</sup>; emulation, promotion and imposition<sup>10</sup>. Emulation and inspiration would be similar to convergence or contagion; imposition and substitution to control. Promotion and coalition would coincide with what Whitehead called consensus, but that was later distinguished between conditionality and assistance. Thus, promotion indicates both positive and negative sanctions. Moreover, coalition has also been used in order to exemplify those processes of external (economic and diplomatic) support to domestic popular protests, aimed at pushing illiberal presidents to quit (like in Georgia and Ukraine). Levitsky and Way (2005)<sup>11</sup> and Burnell (2005)<sup>12</sup> elaborated the category of diplomatic pressures, in order to differentiate them from economic sanctions and rewards. Here is the typology of Schimmelfennig and Sedelmeier (2005)<sup>13</sup> (and Schimmelfennig 2006)<sup>14</sup>, that was even more sophisticated:

KEY ACTORS	of consequences	LOGIC	of appropriateness
European Union	External (positive and negative) incentives		Social learning
Candidates	Lesson-drawing (intentional)		Lesson-drawing (spontaneous)

<sup>9</sup> Wade Jacoby, “Inspiration, coalition and substitution. External influences on post-communist transformations”, in *World Politics*, n.4, 2006, pp. 623-651.

<sup>10</sup> Pietro Grilli da Cortona, “Esportare la democrazia? I fattori internazionali delle democratizzazioni”, in *La Comunità Internazionale*, vol.63, n. 3, 2008, pp. 433-57; Pietro Grilli da Cortona, *Come gli stati diventano democratici*, Bari: Laterza, 2009.

<sup>11</sup> Steven Levitski, Lucan A. Way, “International linkage and democratization”, in *Journal of Democracy*, n. 3, 2005, pp. 20-34.

<sup>12</sup> Peter J. Burnell, “Political strategies of external support for democratization”, in *Foreign Policy Analysis*, vol.1, n. 3, 2005, pp. 361-384.

<sup>13</sup> Franz Schimmelfennig, Ulrich Sedelmeier, *The Europeanization of Central and Eastern Europe*, Ithaca: Cornell University Press, 2005.

<sup>14</sup> Franz Schimmelfennig, *International socialization in Europe. European organizations, political conditionality and democratic change*, Basingstoke/New York: Palgrave/MacMillan, 2006.

Logic of consequences is based on actors' rational behavior, while that of appropriateness relies upon identity, values and norms. The single category of external incentives seems too broad, because it includes both rewards and punishments (both "positive" and negative conditionality). The social learning category (anchored on identity) identifies the expectations that materialize by socialization processes (Whitehead's consensus); the EU fixes norms and candidates conform to them. The two categories of lesson-drawing identify intentional convergence and spontaneous contagion, mostly anchored to domestic processes: in the former lobbies are more relevant, in the latter epistemic communities are. Magen, Risse, Mc Faul (2009) have labeled democratic assistance as "capacity building", and socialization as "normative suasion"; they also put ex post inducements and ex ante conditionality in the same analytic category<sup>15</sup>. Morlino and Magen (2009) have proposed the classification among: (military) control, conditionality (negative sanctions and positive rewards), socialization (by social, educative, technological, cultural processes), example-emulation (intentional lesson-drawing)<sup>16</sup>. However, these categories do not satisfy the mutual exclusivity criterion; EU socialization and candidates' intentional emulation identify two faces of the process. Finally, summarizing sanctions and rewards in only one category seems even more imprecise.

The classification of the external processes of influence on democracy is the following one: inertial emulation (contagion if spontaneous or convergence if intentional), control (direct by military intervention, or in indirect through arms trade or military assistance), political conditionality (by applying negative sanctions to authoritarian regimes: trade sanctions, cut to economic aid, exclusion from enlargement process) and rewards to democratizing states. Incentives may be divided into three classes: democratic assistance (specific funds aimed at improving political performances of the recipient country), diplomatic pressure (by declarations or missions, supporting domestic pro-democracy groups), economic assistance (by increasing aid to

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<sup>15</sup> Amichai Magen, Thomas Risse, Michael A. McFaul, (eds.), *Promoting democracy and the rule of law. American and European strategies*, New York & London: Palgrave/MacMillan, 2009.

<sup>16</sup> Leonardo Morlino, Amichai Magen, "Methods of influence, layers of impact, cycles of change: a framework for analysis", in Leonardo Morlino, Amichai Magen (eds.) *International actors, democratization and the rule of law. Anchoring democracy?*, New York: Routledge, 2009, pp. 26-52.

democratizing governments). Democratic assistance consists in economic aid aimed at organizing electoral monitoring or reinforcing political participation (by financing pro human rights NGOs and independent press). It has not to be confused with aid aimed at improving “good governance” (reform of the public administration, of the judicial system, of security forces, fight to corruption), that can be compatible with an illiberal democracy or a hybrid regime<sup>17</sup>. Levitsky and Way (2006) emphasized the influence of both leverage (vulnerability of the transition country) and (the intensity of) linkages in the processes of external promotion of democracy<sup>18</sup>. Tolstrup (2013) replied that target governments may obstruct those pressures, by playing the role of “gatekeepers”<sup>19</sup>.

These four modalities of external anchorage to democracy may also be linked to the main Western democratic political cultures: the conservative, the liberal, the constructivist and the manichean leftist ones. Before 1989, democratic transitions were the outcome mostly of contagion (thus, of non intentional) processes<sup>20</sup>, through three democratization waves<sup>21</sup>, that have involved Europe and the West (the 1<sup>st</sup>), then countries like Japan and India (the 2<sup>nd</sup> after 1945), and finally Latin America (the 3<sup>rd</sup> since the late 70s); the 4<sup>th</sup> wave followed 1989. After the cold war, promoters of the conservative political culture still assume that anarchy is the only (inertial) process by which democracy can be exported. External manipulation would have damaging effects and produce anti/West attitudes, crystallization of cultural conflicts and more intense terrorism<sup>22</sup>. Since 1989, promoters of liberalism have supported political conditionality, and foreign policy has been implemented by establishing a linkage between some (usually economic: foreign aid or trade preferences) decisions and political performances of the recipient

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<sup>17</sup> Liborio Mattina, “La riforma delle istituzioni”, in Liborio Mattina (ed.), *La Sfida dell’Allargamento. L’Unione Europea e la democratizzazione dell’Europa centro-orientale*, Bologna: Il Mulino, 2004, pp. 85-129.

<sup>18</sup> Steven Levitsky, Lucan A. Way, *op.cit.*, pp. 20-34.

<sup>19</sup> Jakob Tolstrup, “When can external actors influence democratization? Leverage, linkages and gatekeeper elites”, in *Democratization*, vol.20, n.4, 2013, pp. 716-42.

<sup>20</sup> Lawrence Whitehead, *op.cit.*, 1996.

<sup>21</sup> Samuel P. Huntington, *The third wave. Democratization in late 20<sup>th</sup> century*, Norman: University of Oklahoma Press, 1993.

<sup>22</sup> *Ibidem*, *The clash of civilizations and the remaking of world order*, New York, Simon and Schuster, 1996.

country (the guarantee of human rights and of the democratization process). In the areas where terrorism is strong, such as in the Arab/Islamic countries, military control<sup>23</sup> has been considered an option: see 2003 Iraq's intervention of the USA and the UK; this preference was promoted by so-called neo-conservatives. Finally, leftist constructivists prefer political rewards: diplomatic pressures, democratic assistance and channeling increasing economic aid to democratizing states. Political conditionality is a "politically incorrect" diplomatic instrument, because it is based on sanctions to poor countries, which have been aided by social-democratic governments (of Scandinavian states and Canada) without rigid political coercion<sup>24</sup>. The leftist manicheans have never considered democratization a priority, and have never supported any international pressure to favor it<sup>25</sup>.

### **Political conditionality to the European enlargement: the first phase (1990-2007)**

The European Union has lived different phases of enlargement since the Treaty of Rome that were signed by the six pioneer member states. Before 1989, EU political and economic conditionality towards new candidates (like Spain, Portugal, and Greece) has been weak, as those countries had to be stabilized because of the political threats, coming (for example) from domestic Communist parties. Whitehead (2000) has emphasized that during the Cold War, the military dimension of world politics was very relevant and the priority was the stabilization of some key Mediterranean allies, without too many political constraints<sup>26</sup>. Then, Southern Europe members have had a longer democratic experience in the past than post-Communist states. Finally, the economic performances of the Mediterranean states were also superior to those of the Eastern European

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<sup>23</sup> Lawrence Whitehead, *op. cit.*, 1996.

<sup>24</sup> Philippe C. Schmitter, Imco Brouwer, "Promozione e protezione della democrazia. Il concetto, le ricerche, la valutazione", in *Rivista Italiana di Scienza Politica*, vol.30, n.2, 2000, pp. 187-226.

<sup>25</sup> Fabio Fossati, "Il crescente ruolo delle ideologie nella politica mondiale dopo la guerra fredda", in *Quaderni di Scienza Politica*, vol.13, n. 2/3, 2006, pp. 365-395.

<sup>26</sup> Lawrence Whitehead, "The enlargement of the European Union: a risky form of democracy promotion", in *Central European Political Science Review*, Vol.1, n.1, 2000, pp.16-41.



partners, whose *per capita* income is only 40% of that of the average of the EU members. Naturally, northern new members (like Austria, Sweden, Finland...) had not political and economic problems.

After 1989, governments of Eastern European started to press their western "colleagues" in order to start a new enlargement process. In the 90s, they were living two transitions: political democratization and economic liberalization. The capability of the EU to influence the Eastern Europe candidates emerged in two phases. In the first half of the 1990s, candidates intentionally satisfied EU expectations, that had been fixed in 1993 Copenhagen's political and economic criteria; thus, there was a convergence process. Since 1997, when the EU Commission started to publish its regular reports, political and economic conditionality was launched towards the candidates of Eastern Europe, Cyprus and Malta. Vachudova (2005) has labeled pre-1997 convergence as "passive leverage", while post-1997 conditionality was a form of "active leverage"<sup>27</sup>.

The EU started to apply to its eastern partners a patterned timetable, which had been applied also in the previous phases of enlargement: economic assistance (through the Phare program), trade agreements, association agreements<sup>28</sup>. In general, Phare and trade preferences were conceded in a starting phase, but it has to admitted that the EU maintained some protectionist measures towards the candidates (especially through quotas, many of them in agriculture), which mostly remained in a deficit unbalance all along the 1990s<sup>29</sup>; most of them had a bad productive structure which was inherited by the socialist period. Trade exchanges with the EU strongly increased for many of the candidates, reaching levels of 60-65% of the total amount<sup>30</sup>. Enlargement reinforced the consolidation of a continental economic region, and European members could more easily beat their American and

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<sup>27</sup> Milada Anna Vachudova, *Europe undivided. Democracy, leverage and integration after communism*, Oxford: OUP, 2005.

<sup>28</sup> Alan Mayhew, *Recreating Europe. The EU's policy towards Central and Eastern Europe*, Cambridge: CUP, 1998.

<sup>29</sup> Ulrich Sedelmeier, Helen Wallace, "Eastern enlargement. Strategy or second thoughts?", in Helen Wallace, William Wallace (eds.), *Policy-making in the European Union*, Oxford: OUP, 2000, pp. 427-456.

<sup>30</sup> Fabio Fossati, "L'intervento esterno: attori, modalità e strumenti", in Liborio Mattina (ed.), *La Sfida dell'Allargamento. L'Unione Europea e la democratizzazione dell'Europa centro-orientale*, Bologna: Il Mulino, 2004, pp. 37-83.

Asian competitors; for example, only members and candidate could participate in Phare tenders<sup>31</sup>.

Since the beginning of the '90s, ten candidate states were finally selected: the "core" central European (Poland, Hungary, Czech Republic and Slovakia), the three Baltic (Lithuania, Latvia and Estonia), two Balkan (Romania and Bulgaria) and only one of the former Yugoslavia (Slovenia). The other partners of Yugoslavia were excluded for two reasons. On one hand, war had continued for several years in Croatia, Bosnia and Serbia. On the other hand, all these countries were suffering different, but often deep, limitations of democracy. The members of former Soviet Union remained under the influence of Russia, except the Baltic States; also Moldova, whose population is mostly Rumanian, and Ukraine, that has a crystallized conflict among its western (pro-European) and eastern (pro-Russian) parts, that fortunately never degenerated into war.

The critical juncture of the enlargement process was the Copenhagen council in June '93. The members of the EU decided to establish the political and economic criteria that should have permitted to individuate the eastern candidates to the enlargement. In fact, these criteria were very general principles on free market and liberal democracy. At the beginning, some governments of the Eastern Europe candidates protested, because they were afraid that such general and flexible criteria could have led to a discriminatory process of enlargement. For example, there were rigid targets, like those of the Maastricht treaty on economic conditionality. However, in the following years, the legal-administrative pre-requisites (the so-called *acquis communautaire*) were also fixed. In June '95 a long White Paper was written at this respect. Since '97, the Commission started to elaborate yearly (very detailed) regular reports that covered all the areas of the enlargement process.

In December '97, at the Luxembourg council, the first five countries were selected in order to start the negotiation process on enlargement. They were Slovenia, Hungary, Czech Republic, Poland and Estonia. This decision was contested for several reasons. Slovakia, Latvia and Lithuania protested for their exclusions. The analysis of the Commission's report suggests the following combination of degree of satisfaction the two criteria of conditionality<sup>32</sup>:

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<sup>31</sup> *Ibidem*.

<sup>32</sup> Michael Emerson, *Redrawing the map of Europe*, Basingstoke: Mac Millian Press, 1998.

ECONOMIC CRITERIA	not ok	POLITICAL CRITERIA	ok
	not ok	Romania, Bulgaria	Latvia, Lithuania
ok	Slovakia	Poland, Hungary, Czech Rep., Slovenia, Estonia	

Three countries were not complying with either economic (Latvia, Lithuania) or political (Slovakia) preconditions. In those years, Meciar's nationalist government in Slovakia had not respected the basic principles of democracy in both political and civil rights –obligations towards the Hungarian minority were lowly guaranteed<sup>33</sup>. The economic indicators of Latvia and Lithuania were clearly inferior to those of Estonia, which was recognized as the best performer in the market transition by the main international organizations like the IMF. Finally, in that year, Bulgaria and Romania were not complying with both economic and political criteria. In fact, *per capita* income was very low and the privatization process was at a starting point. Then, the performance of security forces was not compatible with the practices of liberal democracies, especially towards Rom population, and many other civil rights were being violated, especially those of the children in Romania –the conditions of the orphans' public institutions were very bad.

In December '99, negotiations also started with all the other five candidates. Moreover, the member states decided to apply the "regatta" model" to negotiations, that is to say every candidate had to satisfy the criteria; thus, second *tranche* candidates could also end their task before the others that had started in '97<sup>34</sup>. Slovakia had resolved its political problems, thanks to Meciar's defeat at the elections. Then, Latvia and Lithuania had improved their economic record. The decision to include the two Balkan states was more doubtful, because their political (in the field of guarantee of many civil rights) and especially economic performances were still low. The final decision of the European institutions, made between October and

<sup>33</sup> Karen Henderson, "Slovakia and the democratic criteria for EU accession", in Karen Henderson (Ed.) *Back to Europe. Central and Eastern Europe and the European Union*, London: UCL Press, 1999, pp. 221-40.

<sup>34</sup> Erik Berglöf, Gérard Roland, "From regatta to big bang? The impact of the European Union accession strategy on reforms in central and eastern Europe", in *Transition Newsletter*, Vol.12, n.1, 2001, pp. 26-27.

December 2002, was based on the acceptance of eight candidates. In fact, there was the exclusion of Romania and Bulgaria, whose economic record was still unsatisfying, while there have been several improvements in the political criteria. These eight countries entered the EU in May 2004, together with Malta and (the Greek part of) Cyprus. Romania and Bulgaria entered the EU in 2007, when they had implemented more structural reform; however, their *per capita* income was still very low<sup>35</sup>.

Here is the table that summarizes EU's decision of 2002:

ECONOMIC CRITERIA	not ok	POLITICAL CRITERIA	ok
not ok		Romania, Bulgaria	
ok		Poland, Hungary, Czech Rep., Slovenia, Estonia, Latvia, Lithuania, Slovakia	

The negotiations had followed the "formula-details" model, elaborated by Zartman (1978) and that was previously applied to Latin American debt agreements<sup>36</sup>. The political and economic principles were those elaborated at Copenhagen in 1993; then, negotiations covered the details, that is to say the legal/administrative changes that the Candidates' institutions had to approve before their entrance in the Union. It has to be admitted that in previous phases of enlargement the *acquis communautaire* was completed after the effective adhesion had taken place.

Political conditionality followed *ex post* mechanisms of evaluation; instead, economic conditionality followed mostly *ex ante* criteria. Economic conditionality of the EU was anchored to the advancement of the liberalization reforms and not to rigid quantitative indicators, like *per capita* income. For example, in 1997 Slovakia's violations of political rights were unusual and after those events, the EU Commission emphasized that negative sanctions (the postponement of the starting date of negotiations with Slovakia) had to be applied. The same occurred with Bulgaria and Romania in the issue of civil rights. Economic conditionality of the EU has not been

<sup>35</sup> Cristina Chiva, David Phinnemore (eds.), *The European Union's 2007 enlargement*, London: Routledge, 2012.

<sup>36</sup> I. William Zartman, "Negotiation as a joint decision-making process", in I. William Zartman (ed.), *The negotiation process. Theories and applications*, Beverly Hills/London: Sage Publications, 1978, pp. 67-86.

applied to rigid short-term quantitative indicators, like those of the International Monetary Fund towards debtor countries. Economic conditionality of the EU was similar to that of the World Bank, with a higher focus on the structural benchmarks (and the progresses of medium-term reforms). Moreover, the EU did not coerce single candidates towards fast (the so called “shock therapies”) or gradual methods of economic adjustment; governments were free to choose their own strategy of adjustment.

In those years, there has been a clear division of labor between the Commission and the governments. The former has been deciding on who is going to enter the EU, while the latter maintained more control on the times of accession. For example, the Council of Nice of December 2000 was an important step in order to redistribute all the institutions’ (The Commission, the Council of ministers and the Parliament) quota among old and new members<sup>37</sup>. At the Brussels summit of October 2002 there was also a reordering of contributions and assistance, that had to be decided in order not to permit to the candidates to be creditors of the Union; in fact Agriculture, Structural and Cohesion funds had already been distributed to the members until 2007. After long debates, as usual, a compromise was reached<sup>38</sup>.

Political and economic conditionality has not been rigidly applied to the starting phase of negotiations, but only to its final outcome. In fact, in 1997 and 1999 negotiations started with some candidates (Estonia and Latvia), partially complying with political criteria. In 2004 the Balkan countries were not complying with the economic criteria<sup>39</sup>, but in 2007 Romania<sup>40</sup> and Bulgaria had complied with the EU targets of economic conditionality. When candidates entered the EU in 2004 (8 of them) and in 2007 (Romania and Bulgaria), they were satisfying Copenhagen’s political and economic criteria. The indexes on economic liberalization permit to measure the progress of the liberalization process in the implementation of structural economic reforms. In 2003 Romania had a liberalization index of

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<sup>37</sup> Bruno De Witte, “Anticipating the institutional consequences of expanded membership of the European Union”, in *International Political Science Review*, Vol.23, n.3, 2002, pp.235-248.

<sup>38</sup> Fabio Fossati, *op. cit.*, 2004.

<sup>39</sup> *Ibidem*.

<sup>40</sup> Vasile Pușcaș, *European negotiation: a case study. Romanian accession in the European Union*, Gorizia: ISIG, 2006.

24,2 and Bulgaria of 26,2. In 2007, Romania had 27,8 and Bulgaria 28,8. In 2003, the candidate with the lowest index was Slovenia with 27,1, but that country also had the highest *per capita* income. In 2009, Slovenia had 27,1, and thus even Bulgaria and Romania were more liberalized<sup>41</sup>.

The influence of the conservatism and the logic of interests in the behavior of the EU was supported by Zielonka (1998)<sup>42</sup>, by assuming that the EU neutrality would have been modified by member governments' lobbying: either to guarantee their own partisan interests (especially because of *patron-client* links), or to assure political stability in security issues. Slovakia did not have the same strong lateral support that both Slovenia and Estonia received (especially) by Austria and Finland. Instead, Avery and Cameron (1998)<sup>43</sup> denied this evolution of the European foreign policy, by emphasizing that Latvia and Lithuania also had that support, by Sweden and Denmark respectively, but negotiations did not start with them either in 1997. Thus, Slovakia was not discriminated because of the absence of patrons' support. Then, in 1999 negotiations would have started with Romania and Bulgaria in order to compensate them for the possible negative effects of NATO military intervention against Serbia in Kosovo. In fact, in that year, Romania and Bulgaria were lowly respecting both political and economic criteria. A rigid application of the Copenhagen principles would have led to not admit the two countries to negotiations. Moreover, those two states are different from the other eight countries because they do not belong (like Greece) to the Western-Christian, but to the Eastern/Orthodox civilization (Huntington 1996). In fact, the three countries had strong cultural and economic links; thus, the two Balkan countries were rewarded for their support of NATO military intervention in Kosovo against Serbia: an orthodox state<sup>44</sup>.

Then, the other two exceptions of Estonia (in 1997) and Latvia (in 1999) can be better explained by the reflectivist-liberal hypothesis, because

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<sup>41</sup> EBRD *Transition Report*, London, 2010, Fabio Fossati, *op. cit.*, 2004.

<sup>42</sup> Jan Zielonka, Alex Pravda, "Democratic consolidation in Eastern Europe", Volume 2, *International and transnational factors*, Oxford: OUP, 2001.

<sup>43</sup> Graham Avery, Fraser Cameron, *The enlargement of the EU*, Sheffield: Sheffield Academic Press, 1998.

<sup>44</sup> Pierre Hassner, "Fixed borders or moving borderlands?: a new type of border for a new type of entity", in Jan Zielonka (ed.), *Europe unbound. Enlarging and reshaping the boundaries of the European Union*, London: Routledge, 2002, pp. 38-50.

laws on the Russian minorities had not been approved by both parliaments when negotiations started, but were going to be approved: the inertia had already started. In '97 and '99, Estonia and Latvia were lowly respecting minority rights: especially towards Russian immigrants, that are nearly one third of the population. In both countries there were restrictive laws for nationalizations. New measures were taken to favor the allowance of citizenship to Russian minorities; most of them preferred to get temporary permissions and avoid the duties of nationalizations. Commission's reports show that the minority issue in Estonia was resolved only in '98, while in '97 the law was presented in parliament, but had still to be approved. Then, in the last years, the two countries adopted language legislation that limited the rights of the (Russian or also Western European) workers that were not speaking local languages<sup>45</sup>. These anomalies were corrected, but only the 2000 report (thus, not the '99 edition) has established that the two Baltic states (and thus, also Latvia) were respecting civil rights<sup>46</sup>. In sum, political criteria have been applied in a flexible way, assuming that the two countries were going to resolve those problems. This exception to the neutrality thesis can be explained by a reflectivist-liberal hypothesis, based on the inertia of the process<sup>47</sup>. In fact, the decision of 1999 has been interpreted as a transitory step of the enlargement process; many EU countries (and especially Sweden, Denmark and Italy, through Dini) had supported a political approach towards the candidates, in order to avoid deep divisions among them<sup>48</sup>. Thus, the two Baltic exceptions may be interpreted with a reflectivist/liberal hypothesis, based on the inertial decision making process. In fact, the assumption is that if a too rigid political conditionality had been applied, unintentional convergence would have been penalized in all the

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<sup>45</sup> Vello Pettai, "Estonia and Latvia: international influences on citizenship and minority integration", in Jan Zielonka, Alex Pravda (eds.), *Democratic consolidation in Eastern Europe. International and transnational factors*, Volume 2, Oxford: OUP, 2001, pp. 257-280.

<sup>46</sup> Nida Gelazis, "The effects of European Union conditionality on citizenship policies and protection of national minorities in the Baltic States", in *EUI Working Paper RSC*, n. 68, 2000.

<sup>47</sup> Lykke Friis, 'The end of the beginning' of Eastern enlargement – Luxembourg summit and agenda-setting, in *European Integration online Papers (EIOP)*, 1998, vol.2, n. 7.

<sup>48</sup> Lykke Friis, Anna Murphy, "The EU and Central Eastern Europe: governance and boundaries", in *Journal of Common Market Studies*, Vol.37, n.2, 1999, pp.211-232; Lykke Friis, Anna Murphy "Negotiating in a Time of Crisis: the European Union's Response to the Military Conflict in Kosovo", in *EUI Working Paper RSC*, n. 20, 2000.

“doubtful cases”; thus, if negotiations would have been postponed, the final outcome for Estonia and Latvia would have been negative, reinforcing anti-European parties, and endangering the possibility of complying with conditionality criteria at the end of the process.

Finally, the influence of a post-Marxist orientation of European diplomacy -only economic (and not political) conditionality would have mattered<sup>49</sup>- is to be refused, because of the coherent application of political conditionality to Slovakia. Then, in 2007 there were no deep violations of civil and political rights also by Romania and Bulgaria anymore. Pravda (2001)<sup>50</sup> assumed that political conditionality was softer than the economic one. But the empirical evidence does not support that hypothesis. Also economic conditionality expectations were low<sup>51</sup>, otherwise the criterion of *per capita* income would have been chosen by the Commission. In that case, both Bulgaria and Romania would not have entered the EU.

In sum, the empirical evidence showed that governments were not able to manipulate the selection process of the Commission that has remained neutral in applying the economic and political criteria of admission. Thus, all the process was quite coherent with a liberal diplomatic orientation in foreign policy, and with the functional tradition of integration theory<sup>52</sup>. Instead, the realist and reflectivist hypotheses have been useful to explain only some exceptions to the prevailing liberal trend, precisely when the decision to start negotiation was taken by the EU. Thus, the first phase of the enlargement process has positively conditioned the democratization process of the Eastern European countries, even if many countries (especially those with previous experience of political freedoms) could have reached the same outcome, also through unintentional contagion processes. All the eight candidates to the EU have consolidated in those years good political performances, and Romania and Bulgaria also followed that path, even if with some delays. However, the positive evolution of the Russian minorities

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<sup>49</sup> Alex Pravda, “Introduction”, in Jan Zielonka, Alex Pravda (eds.), *Democratic consolidation in Eastern Europe. International and transnational factors*. Volume 2, Oxford: OUP, 2001, pp. 1-27.

<sup>50</sup> *Ibidem*.

<sup>51</sup> Anders Aslund, *Building capitalism: the transformation of the former Soviet bloc*, Cambridge: CUP, 2002; Leszek Balcerowicz, *Post-communist transition: some lessons*, London: Institute of Economic Affairs, 2002.

<sup>52</sup> Fabio Fossati, *op. cit.*, 2004.



issue in Estonia and Latvia was due to EU pressures, because all the other international organizations (the Council of Europe, and the Osce) had been lowly effective at that respect<sup>53</sup>.

Naturally, this evaluation concerns a supposed theory on the “enlargement” process, which has been elaborated after the analysis of negotiations with each candidate. Instead, both the realist and liberal hypotheses of the process at the “regional” level have been both confirmed. On one hand, 2004 enlargement has been coherent with the interests of members (finding investment opportunities for their firms, beating American and Asian competitors, preventing illegal migrations...) and candidates: receiving EU structural and agriculture funds, using the EU as an anchor for both democratization and economic liberalization processes<sup>54</sup>. On the other hand, the collective decision to improve the enlargement process was also based on common European and Western values<sup>55</sup>, and it has also appeared to all members as the most legitimate<sup>56</sup>. Instead, for example, cooperation in NAFTA has only been coherent with the interdependence thesis, but not with the common values one –Mexico is a Latin country, like all of South-American states.

### **Political conditionality to the European enlargement: the second phase (since 2007)**

In this section, the relations of the EU with five “potential candidates” of former Yugoslavia (Croatia, Bosnia, Serbia, Montenegro, Macedonia), and Albania are going to be analyzed. In July 1999, the EU had launched in Kohl the Stability Pact for South-Eastern Europe, that included Slovenia, Croatia, Yugoslavia, Bosnia, Macedonia, Albania, Bulgaria and Romania. The aim of the pact was stabilizing the democratization and economic liberalization of the Balkan countries, in order to facilitate their future

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<sup>53</sup> Nida Gelazis, *op. cit.*, 2000.

<sup>54</sup> Andrew Moravcsik, Milada Anna Vachudova, “National interests, state power and European enlargement”, in *East European Politics and Societies*, , vol.17, n.1, 2003, pp.42-57.

<sup>55</sup> Franz Schimmelfennig, “Liberal community and enlargement: an event history analysis”, in *Journal of European Public Policy*, vol. 9, n.4, 2002, pp. 598-626.

<sup>56</sup> Franz Schimmelfennig, *The EU, NATO and the integration of Europe. Rules and rhetoric*, Cambridge: CUP, 2003.

adhesion to the EU. Slovenia, Bulgaria and Romania were among the first *tranche* of enlargement candidates and would have become new members in 2004 and 2007. Then, Serbia was temporarily excluded by the pact, as far as Milosevic was in power. A diplomat of Montenegro was admitted to negotiations, even if it was not an independent state yet. Those principles were repeated in June 2000 at the European Council in Feira, where those countries were legitimated as “potential candidates”-even if the government of Yugoslavia was still absent-, and in November 2000 at the Zagreb summit. EU economic assistance was channeled to those countries through the Cards fund, established in 2000 – in fact there was a decrease after September 2001.

Thus, a quite rigid division into two groups of eastern European countries had emerged. The recipients of the Stability Pact became the potential candidates and the convergence process would have been the premise of the conditionality process. Instead, the former Soviet Union countries (Belarus, Ukraine, Moldova, the three Caucasus states...) were excluded by those objectives, because they still pertained to the geopolitical sphere of influence of Russia<sup>57</sup>. As a natural consequence of these events, also EU aid to that region was more limited.

In January 2000, elections in Croatia were won by the centre-left coalition and the right nationalist party was defeated. Croatia has always had good performances in both democratization and economic liberalization processes. EU conditionality materialized only on “judicial” criteria, by the request to deliver war criminals to the International Criminal Tribunal for former Yugoslavia (ICTY): Ademi, Bobetko, but especially Gotovina, believed to be responsible of episodes of ethnic cleansing towards Serb minorities in Krajina and Slavonia in 1995. Ademi (of Albanian origin) himself asked to be judged by the ICTY. In October 2001 EU, except Netherlands and Great Britain -willing to ratify only after the capture of Gotovina-, signed the Association agreement with Croatia. In 2002 the EU asked to extradite another general, Bobetko. Croatia did not deliver him because of his bad health conditions. The EU was satisfied with the formal acceptance of the ICTY competence for his trial. Bobetko died in April 2003.

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<sup>57</sup> Gwendolyn Sasse, “Linkages and the promotion of democracy: the EU’s eastern neighbourhood”, in *Democratization*, vol. 20, n. 4, 2013, pp. 553-591.

In March 2008 Ademi would have been absolved by the ICTY. In February 2003 Croatia formally asked the admission to the EU. In June there was the Thessalonica summit. In October, the public prosecutor of the ICTY (Carla del Ponte) for the first time declared that Croatia was a reliable partner. The right nationalist party won the November elections. Within the EU, Schroeder's Germany did not appear too rigid on Gotovina, on the contrary of Netherlands and Great Britain. In March 2004, the beginning of negotiations with the EU was postponed because for the scarce collaboration of Croatia with the ICTY. In April, the EU positively evaluated Croatia's progresses; Zagreb government declared that he was willing to capture Gotovina. In June 2004, Croatia received the candidate status. In February 2005, Netherlands and Great Britain signed the Association agreement. In March, Carla Del Ponte blamed Croatia for its scarce collaboration on Gotovina's arrest, and the beginning of negotiations with the EU was postponed. In October, Carla Del Ponte declared that Croatia had started to collaborate since two weeks, and negotiations with the EU started. At the beginning of December, Gotovina was arrested in Tenerife<sup>58</sup>. Croatia made much *lobbying* to get the support of France, Italy and Austria, threatening to block negotiations with Turkey<sup>59</sup>. Negotiations started, because Carla Del Ponte had received the information from the Croatian secret services that Gotovina was going to be arrested<sup>60</sup>. In April 2011, Gotovina had been sentenced guilty by the ICTY, but then was found not guilty in the appeals panel in November 2012. After having resolved its border dispute with Slovenia, and having improved the national standard of minorities protection of the Serb community, Croatia ended negotiations in June 2011, and finally entered the EU in July 2013.

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<sup>58</sup> Petra Roter, Ana Bojinovi, "Croatia and the European Union: a troubled relationship", in *Mediterranean Politics*, vol.10, n. 3, 2005, pp. 447-454; Nina Wichmann, *Democratization without societal participation? The EU as an external actor in the democratization process of Serbia and Croatia* Berlin: Lit Verlag, 2007.

<sup>59</sup> Dejan Jovic, "Croatia and the European Union. A long delayed journey", in *Journal of Balkan and Near Eastern Studies*, vol. 8, n. 1, 2006, pp. 85-103.

<sup>60</sup> Franz Schimmelfennig, "EU political accession conditionality after the 2004 enlargement: consistency and effectiveness", in *Journal of European Public Policy*, vol. 15, n. 6, 2008, pp. 918-37; Dejan Jovic, "Croatia after Tujiman: the ICTY and issues of transitional justice", in Judy Batt, Jelena Obradovic Wochnik (eds.), *War crimes, conditionality, and European integration in the Western Balkans*, Chaillot Papers, 2009, n. 116, pp. 13-28.

In October 2000, Milosevic lost the elections, won by the opposition leader Kustunica, and immediately after, the EU declared that Serbia was a potential candidate; the opposition also won the parliamentary elections in December. In January 2001, Carla Del Ponte requested Kustunica to extradite Milosevic. In March, Milosevic was arrested in Beograd and was extradited in June; he would have died in prison in June 2006. In March 2002 the Union of Serbia and Montenegro was established in Beograd. In March 2003 the pro-European prime minister Dindic was killed. In the Thessalonica summit of June, the EU mentioned Serbia as a future partner of the EU, to favor the domestic political situation. In December's parliamentary elections, Seselj's right nationalist party became the first one, but was excluded by the government. In March 2004, a minority government was formed; Kustunica was its president. In July, Carla Del Ponte accused the Serbian government of not collaborating on the delivering to the ICTY of three war criminals: Karadzic (*leader of Serbs in Bosnia*), Mladic (responsible of the Srebrenica massacre in Bosnia) and Hadzic (author of many cases of ethnic cleansing in Croatia). In November 2005 negotiations on the association agreement started, but they were suspended in May 2006 for the limited collaboration on the arrest of Karadzic and Mladic. In mid June, negotiations on the association agreement started again, because a new (and more independent from the nationalists) executive had been formed. In May 2007 Tolimir, an assistant of Mladic, was arrested; in June another war criminal (Djordjevic) was captured. In mid June, negotiations on the association agreement started again, also because in mid May a new (and more independent from the nationalists) executive had been formed, after three months of intense negotiations among parties. In February of 2008, there were many street protests in Serbia against the declaration of independence of Kosovo. In April 2008, the EU signed the association agreement with Serbia<sup>61</sup>, especially in order to try to influence the elections of following May and favor pro-EU parties, but Netherlands refused to ratify it. In fact, parliamentary elections of May have been won the pro-Europe coalition. The Bosnian-Serb Karadzic was arrested in the July 2008 and extradited to the

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<sup>61</sup> Srdjan Cvijic, "Blocked political system. Serbia 2000-2008", in *Balkanologie*, vol. 12, n. 1-2, 2008, [<http://balkanologie.revues.org/index1293.html>], 29 October 2013

ICTY<sup>62</sup>. In December 2009, a trade (but not the association) agreement was unblocked by the Commission, without any vetoes from Netherlands<sup>63</sup>. In May 2011 Mladic was arrested in Vojvodina and sent to the ICTY. The president of Commission Barroso declared that it was an important step for Serbian candidature, and its official recognition of Kosovo will not be a precondition to enter the EU. In July, Hadzic was arrested and sent to the ICTY. In March 2012, Serbia received the official candidate status. In April 2013 a first agreement of principles on the normalization of relations (but not the official recognition) was reached with Kosovo. In September, the association agreement with EU finally entered into force. In June 2013, the EU Council approved the opening of negotiations with Serbia, that started in January 2014.

Macedonia signed a stability and association agreement in April 2001. The collaboration with the international tribunals on war criminals is good. Conflict with Greece on the choice of the name has not been resolved yet. The granting of candidate status to Macedonia (without excellent political performances) in December 2005 can be explained by the choice of stabilizing peace after the Ohrid agreement promoted by the EU in 2001, after the war promoted by Albanians armed groups<sup>64</sup>. In fact, negotiations with Macedonia have not started yet. Montenegro became independent in May 2006<sup>65</sup> and signed the association agreement in October 2007. In December 2010, Montenegro obtained by the EU the candidate status and in June 2012 negotiations started. The collaboration with international tribunals on war criminals is good.

Bosnia signed the association agreement with the EU on June 2008. It is a not consolidated (con-)federation, still dependent on international instruments of governance; the functioning of common institutions is low and conflicts among the three entities are frequent. Trials against war criminals

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<sup>62</sup> Richard G. Whitman, Stefan Wolff (eds.), *The European neighbourhood policy in perspective*, Houndmills: Palgrave, 2010.

<sup>63</sup> Milica Uvalic, *Serbia's transition: towards a better future*, Houndmills/New York: Palgrave/Mac Millan, 2010.

<sup>64</sup> Jessica Giandomenico, "Path dependency in EU enlargement. Macedonia's candidate status from a historical institutionalist perspective", in *European Foreign Affairs Review*, vol. 14, n. 1, 2009, pp. 89-112.

<sup>65</sup> Karsten Friis, "The referendum in Montenegro. The EU's post-modern diplomacy", in *European Foreign Affairs Review*, vol. 12, n. 1, 2007, pp. 67-88.

continue, with many legal and practical difficulties. The collaboration with international tribunals is satisfactory, after the arrest of Karadzic in 2008, then of Zupljanin and Stankovic. Albania has signed an association agreement with the EU in June 2006, but (like Bosnia) is not an official candidate. Kosovo is a potential candidate of the EU, and negotiations on the association agreement have started in 2013, but independence is recognized only by 22 members: not by Spain, Greece, Cyprus, Slovakia, Romania. Serbs boycott elections and have built their own institutions.

At the end of 2004, the EU decided to start negotiations (in 2005) with Turkey, even if that country was not totally complying with political criteria. Enlargement commissary Rehn promised that the EU will rigidly apply political conditionality at the end of negotiations<sup>66</sup>.

The EU has applied a "judicial conditionality" to former Yugoslavia countries. The insistence of the EU on the extradition of war criminal was not a symbolic diplomatic instrument, but it was the outcome of the perception that only that policy could assure the definitive resolution of the conflicts of the '90s, as the only premise of the compatibility of their nation building process with their entrance in the EU<sup>67</sup>. If those criminal remained in their countries, radical nationalism of the '90s would still find legitimacy in those societies. As Croatia was not investing enough resources in the arrest of war criminal Gotovina, enlargement negotiations were postponed from March to October 2005. Then, Croatia has arrested (in December 2005) and extradited Gotovina, has implemented democratic institutions; thus, Croatia entered the EU in 2013. At the beginning, Serbia's collaboration with the ICTY was limited, and the EU applied political conditionality to the association agreement negotiations, which were suspended in May 2006, because of the unsatisfying collaboration with the ICTY. In 2011, when both Mladic and Hadzic were arrested, Serbia has become an official candidate; now, as its political performances mostly comply with the EU criteria, negotiations should start in 2014. Instead, Bosnia, even if the main war criminal (Karadzic) has been arrested in 2008, is not an official candidate,

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<sup>66</sup> Geoffrey Pridham, "Change and continuity in European Union's conditionality: aims, approach and priorities", in *Democratization*, vol. 14, n. 3, 2007, pp. 446-471.

<sup>67</sup> Franz Schimmelfennig, *op. cit.*, 2008.

because of the bad political performances of post-Dayton federalism<sup>68</sup>. Macedonia and Albania have lower political performances, and if the rule of law is not enough guaranteed by those democracies. Montenegro has higher political performance; thus, negotiation with the EU started in 2012.

Thus, convergence produced positive outcomes in Croatia (1.5), Montenegro (2.5), and Serbia (2), but not in Macedonia (3), Bosnia (3) and Albania (3), where official negotiations on enlargement have not started yet. According to the Freedom House (2013), the standards between 1 and 2 are those of free countries, while those around 3 are the performances of partially free states, which remain illiberal democracies, as far as the rule of law is still lowly guaranteed.

In sum, judicial conditionality has been more anchored to values (the compatibility between the enlargement process and the post-war nation building processes) than to short-term (economic) interests of the EU: through the “logic of appropriateness”<sup>69</sup>. The two (realist and liberal) hypotheses may be also applied to the recent enlargement phase<sup>70</sup>. Sanctions to Serbia in the past -when Mladic and Hadzic had not been arrested yet- confirm the liberal hypothesis anchored to the neutral role of the Commission and no realist corrections -linked to EU members’ interests or security assumptions<sup>71</sup> - have emerged so far. There are two interpretations on Croatia, which are referred to the enlargement critical juncture between October (when negotiations started) and December (when Gotovina was arrested) 2005. According to the realist hypothesis, patron’s lobbying (Austria) has been crucial to unblock negotiations. Instead, Schimmelfennig

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<sup>68</sup> Geoffrey Pridham, “European Union enlargement to the Western Balkans: political conditionality and problems of democratic consolidation”, in Teresa Cierco (ed.), *The European Union neighbourhood. Challenges and opportunities*, Farham: Ashgate, 2013, pp. 9-31.

<sup>69</sup> Joan De Bardeleben, *The boundaries of EU enlargement: finding a place for neighbours*, New York: Basingstoke, 2008; Maire Braniff, “Transforming the Balkans? Lessons learning and institutional reflexivity on the EU enlargement approach”, in *European Foreign Affairs Review*, vol. 14, n. 4, 2009, p. 547-63.

<sup>70</sup> Fabio Fossati, *op.cit.*, 2004; Fabio Fossati, “L’Unione Europea come ancora nei processi di democratizzazione dei paesi dell’est Europa dopo il 2007”, in *Quaderni di Scienza Politica*, vol. 18, n. 2, 2011, pp. 255-91.

<sup>71</sup> Christophe Hillion, *The creeping nationalization of the EU enlargement policy*, Stockholm: Swedish Institute for European Policy Studies, 2010.

(2008) confirmed the liberal hypothesis because Del Ponte lifted her veto, as she received assurances that Gotovina was going to be arrested<sup>72</sup>.

The beginning of negotiations with Turkey can be explained by both realist and reflectivist-liberal hypotheses<sup>73</sup>. There were security reasons to justify the negotiations of Turkey with the EU -stabilizing the region with the enlargement to a NATO country, and hoping to have more mediation capabilities in Middle East conflicts-, and there was the fear that postponing them could have the even worse effect of definitively stopping political and economic reforms in Turkey –thus some “inertia” had to be encouraged<sup>74</sup>.

### A summarizing typology on conditionality

The analysis of political conditionality applied to European enlargement has permitted the elaboration of the following typology, which also includes other cases of political and economic conditionality. The first dimension is the (flexible or rigid) way of application of the criteria; the second variable concerns the (high or low) density of scrutinized activities: that is to say, if conditionality is applied to many or few negotiations’ issues<sup>75</sup>.

CRITERIA	Many SCRUTINIZED ACTIVITIES	Few
Flexible	I Eastern Europe enlargement	II Foreign aid
Rigid	III IMF	IV EU Maastricht Treaty

The analysis of the above-mentioned reports of the Commission shows that EU (political and economic) conditionality had two features. On one hand, it was anchored to the flexible criteria of Copenhagen, because there were no quantitative targets for economic and political performances.

<sup>72</sup> Schimmelfennig, *op. cit.*, 2008.

<sup>73</sup> Franz Schimmelfennig, “The Community Trap: Liberal Norms, Rhetorical Action and the Eastern Enlargement of the European Union”, in *International Organization*, vol. 60, n. 1, 2001, pp. 47-80.

<sup>74</sup> Fabio Fossati, “Italy and European Union enlargement. A comparative analysis of left and right governments”, in *Modern Italy*, vol. 13, n. 2, 2008, pp. 187-98.

<sup>75</sup> Fossati, *op. cit.*, 2006.



On the other hand, it concerned a very wide range of activities that moreover increased in time; they have recently been extended to other areas like environment. Grabbe (2002, 2006)<sup>76</sup> labeled these two dimensions as uncertainty and density. Instead, political conditionality to foreign aid concerned a very limited range of activities: both flagrant violations of human rights (torture, murders...) and relevant obstacles to the democratization process - some electoral irregularities and civil rights limitations were admitted. At the same time, it has been applied in a flexible way, without previously defined rigid pre-conditions. Moreover, political conditionality to foreign aid<sup>77</sup> has usually been applied through *ex post* mechanisms, after having realized that some opposition leaders were arrested or that the reliability of the elections was seriously hampered.

Instead, economic conditionality applied by the IMF is rigid and concerns a quite wide range of activities; there are targets for the inflation rate, balance of payments, economic growth, debt rescheduling conditions... Recently, medium-range reforms, such as privatizations, are also subject to IMF supervision, through the "structural benchmarks", similar to those of the World Bank. At the beginning, the economic performances of the European Monetary Union "reciprocal" conditionality, established by the Maastricht Treaty, were also similar to those of the IMF, but in the following years targets were reduced to permit to some countries like Italy to enter the Union. In fact, their public deficit was in line with that of other countries, but not their consolidated debts.

### **Rewards to democratizing states: diplomatic pressures**

Political rewards may take three forms: diplomatic pressure to favor free and fair elections; the increase of economic aid to democratizing states; democratic assistance, through funds channeled at favoring democratic groups and free press. These incentives have been especially favored by

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<sup>76</sup> Heather Grabbe, "European Union conditionality and the *acquis communautaire*", in *International Political Science Review*, Vol. 23, n. 3, 2002, pp. 249-268; Heather Grabbe, *The EU's transformative power. Europeanization through conditionality in central and Eastern Europe*, Houndmills: Palgrave, 2006.

<sup>77</sup> Fabio Fossati, "Cooperazione allo sviluppo: la condizionalità politica", in *Politica Internazionale*, vol. 27, n. 3, 1999, pp. 11-21.

the promoters of leftist constructivism, because this political culture does not support political conditionality, that is deeply “politically incorrect”. Negative sanctions against third world authoritarian regimes goes against the principle of cultural relativism, while positive rewards to democratizing states are a “politically correct” instrument of diplomacy. There have been three cases of relevant diplomatic pressures: in the mobilizations -supported by the Usa- against Chavez in Venezuela in 2002 -but they failed-, in the “colored revolutions” in Eastern Europe in 2003/4, and in the Arab spring in 2011/12 in North Africa and Middle East<sup>78</sup>.

After the above-mentioned division of eastern Europe into two parts, former USSR countries (except Estonia, Latvia and Lithuania) have never been considered by the EU as potential candidates, and were not targets of political conditionality linked to enlargement. Thus, the external leverage of the EU towards the democratization of those “neighbor” countries has always been very weak. However, the political performances of those countries were mixed, according to the Freedom House (2013)<sup>79</sup>. Belarus (6.5) became authoritarian, after Lukashenko’s seize of power in the 90s, while most of the countries were hybrid regimes (Russia 5.5, Armenia 4.5) or illiberal democracies (Ukraine 3.5, with Eastern presidents, Moldova 3, Georgia 3). In fact, Ukraine had also reached the performance of 2.5 (from 2005 to 2009), with Western presidents. Islamic regimes of Caucasus and central Asia remained all authoritarian, and they will not be analyzed in this article.

In sum, some of those countries materialized a democratization process, and the reactions of the EU will be presented in this section on political rewards. There were some critical junctures in that region, linked to the “colored revolutions”: especially the rose of Georgia (at the end of 2003) and the orange of Ukraine (at the end of 2004). Western governments reacted with the instrument of diplomatic pressures. In fact, there were some diplomatic missions and declarations, and then some mediation efforts were conducted by the EU in Ukraine and by the USA in Georgia<sup>80</sup>.

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<sup>78</sup> Lucan A. Way, “The lessons of 1989”, in *Journal of Democracy*, vol. 22, n. 4, 2011, pp. 13-23; T. Carothers, “Barack Obama”, in Nicolas Cox, Michael Lynch, Timothy J. Bouchet (eds.), *US foreign policy and democracy promotion*, New York: Routledge, 2013, pp. 196-213.

<sup>79</sup> Freedom House Freedom in the world,

[<http://www.freedomhouse.org/sites/default/files/FIW%202013%20Booklet.pdf>], 29 October 2013.

<sup>80</sup> Fabio Fossati, “L’Unione Europea come ancora nei processi di democratizzazione dei paesi dell’est Europa dopo il 2007”, in *Quaderni di Scienza Politica*, vol. 18, n. 2, 2011, pp. 255-291.

In Georgia, in the diplomatic mission of July 2003, president Bush urged Shevardnadze not to rely upon electoral manipulation; after the first round, Powell declared that there had been several irregularities (Fairbanks 2004). During the popular protests of the “rose revolution”, Shavarnadze negotiated with the foreign ministers of the USA (Powell) and Russia: not with EU diplomats. Only the American government made pressures to push Georgia to revoke the elections<sup>81</sup>. External diplomatic support to the revolution have been limited<sup>82</sup>, as well as the pressures of the American ambassador in Tbilisi (Miles), of the European Council and the OSCE<sup>83</sup>. Finally, Shavarnadze left power after the first (irregular) round, and Saakashvili became the new president in January 2004<sup>84</sup>. In the following years, there were some steps back in both political and civil rights. In Armenia, the governments of the EU and the USA declared that the 2008 (highly contested) presidential elections were fair, and only invited the Armenian president to revoke the emergency state after the popular protests. In Armenia, political performances have worsened after the end of the 1994 war in Nagorno-Karabakh. Thus, in that case Western diplomatic pressure has been low.

Ukraine has always had superior democratic performances with pro-West presidents, like Kravchuk - elected in 1991. After the election in 1994 of the pro-Russia Kuchma, Ukraine turned to a hybrid regime<sup>85</sup>. Before the late 2004 presidential elections, in their diplomatic missions, Bush and Powell discouraged electoral manipulations; these declarations were repeated especially after the first round of elections. Governments of the EU were much shy in their declarations, except Lithuania and Poland<sup>86</sup>. However, after the first round and the beginning of the “orange revolution”, there

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<sup>81</sup> Tanja A. Borzel; Yasemin Pamuk; Andreas Stahn, “Democracy or stability? European Union and United States engagement in southern Caucasus”, in Amichai Magen, Thomas Risse, Michael A. McFaul (eds.), *Promoting democracy and the rule of law. American and European strategies*, New York & London: Palgrave, MacMillian, 2009, pp. 150-84.

<sup>82</sup> Joerg Forbrig; Pavol Demes, *Reclaiming democracy. Civil society and electoral change in central and Eastern Europe*, Washington: German Marshall Fund of the US, 2007.

<sup>83</sup> Pamela Jawad, “Conflict resolution though democracy promotion? The role of OSCE in Georgia”, in *Democratization*, vol. 15, n. 3, 2008, pp. 619-29.

<sup>84</sup> Charles H. Fairbanks Jr., “Georgia’s rose revolution”, in *Journal of Democracy*, vol. 15, n. 2, 2004, pp. 110-24.

<sup>85</sup> Lucan A. Way, “Kuchma’s failed authoritarianism”, in *Journal of Democracy*, vol. 16, n. 2, 2005, pp. 131-45.

<sup>86</sup> Anders Aslund, *Building capitalism: the transformation of the former Soviet bloc*, Cambridge: CUP, 2002.

was a mediation of a team of four diplomats (the secretary of OSCE Kubys, the presidents of Poland and Lithuania, and “mister Pesc” Solana). Bush was informally contacted, without any direct participation in the negotiations<sup>87</sup>. EU governments threatened the canceling of the cooperation agreement and the application of economic sanctions, if Ukraine was going to use violence<sup>88</sup>. Kuzio (2005) emphasized that most of the financing to Ukrainian protesters came from little and medium local firms. Finally, the democratic candidate of the Western part of Ukraine, Yushenko, was elected at the end of 2004, defeating the “eastern” Yanukovych<sup>89</sup>. However, after the elections of 2010, won by the pro-Russian president Yanukovych, Ukrainian political performances have worsened again<sup>90</sup>. According to Tocci (2008)<sup>91</sup>, the EU has never envisaged membership possibilities for Ukraine. However, it is the only former USSR country, that has signed (in 2008) a sort of association agreement with the EU, leading to the constitution of a free trade area. In Moldova, elections have always been almost fair, and there have never been relevant protests<sup>92</sup>.

In sum, there have been some diplomatic pressures of the EU in Ukraine (and of the USA in Georgia), but these have not been the most relevant factor of the “colored revolutions”; previous governments failed because of the weakness of their institutions<sup>93</sup>. The impact of other factors (contagion effect, the geo-politics of Eastern Europe, charismatic leaders, mobilization capabilities of the opposition, independence of the media, the intensity of state intervention in the economy) played a more limited role<sup>94</sup>.

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<sup>87</sup> Michael A. McFaul, “Ukraine imports democracy. External influences of the Orange revolution”, in *International Security*, vol. 32, n. 2, 2007, pp. 45-83.

<sup>88</sup> Tanja A. Borzel; Yasemin Pamuk; Andreas Stahn, *op. cit.*, 2009.

<sup>89</sup> Taras Kuzio, “The opposition’s road to success”, in *Journal of Democracy*, vol. 15, n. 2, 2005, pp. 117-30.

<sup>90</sup> Tomas Valasek, “Ukraine turns away from democracy and the EU”, in *Centre for European Reform Policy Brief*, October 2010.

<sup>91</sup> Nathalie Tocci, *The European Union as a normative foreign policy actor*, Brussels: Center for European Policy Studies, Working Document n. 281, January 2008.

<sup>92</sup> Fossati, *op. cit.*, 2011.

<sup>93</sup> Lucan A. Way, “The real causes of the color revolutions”, in *Journal of Democracy*, vol. 19, n. 3, 2008, pp. 55-69; Lucan A. Way, “A reply to my critics”, in *Journal of Democracy*, vol. 20, n. 1, 2009, pp. 90-97.

<sup>94</sup> Michael A. Mc Faul, *op. cit.*, 2005; Valeria J. Bunce, Sharon L. Wolchik, “Favourable conditions and electoral revolutions”, in *Journal of Democracy*, vol. 17, n. 4, 2006, pp. 5-18; Fossati, *op.cit.*, 2011.

## Rewards to democratizing states: the increase of economic aid

The increase of economic aid towards democratizing states is another political reward. The EU has increased development cooperation when political progresses of eastern countries were discontinuous: towards either candidates - when the nationalist governments of Croatia and Serbia were defeated at the elections at the beginning of the 2000 - or “neighbors” (after the electoral revolutions of Georgia and Ukraine). When changes have been gradual, EU aid neither rewarded nor sanctioned them. For example, when the political situation has worsened in Georgia some years after the rose revolution, the EU did not decide any economic sanctions<sup>95</sup>. No sanction was applied to Armenia, whose political performances worsened after 1994.

The following table reports “regional” aid commitments of the EU - thus, decided in Brussels, and not by the single European governments - after 1995:

**Table 1 – EU aid commitments to some post-communist countries (1995-2011)**

	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011
Cro		0,2	20,6	7,9	3,0	21,6	51,3	131,2	70,4	103,3	127,9	160,3	144,5	240,7	199,2		
Mac	0,6	13,7	35,8	28,1	98,7	21,1	55,7	40,5	50,2	77,4	50,6	66,4	66,6	100,6	112,1	192,4	135,6
Ser			20,2	11,3	123,1	693,9	298,8	430,1	402,2	477,3	390,3	426,6	339,6	735,5	256,0	119,3	1327
Yug		204,3		0,7	223,2	47,3	46,2	140,9							245,5		
Mon												25,7	37,1	43,3	44,4	41,0	59,1
Bos	138,5	0,1	256,4	83,9	162,2	93,3	101,4	108,7	105,6	106,6	73,0	71,4	90,4	125,3	150,0	143,6	236,6
Alb	11,8	38,6	62,2	64,1	89,1	30,4	37,4	49,1	53,9	104,1	58,8	55,2	69,6	98,3	103,4	115,5	189,1
Kos															319,5	213,6	320,2
Mol			13,4		17,7	0,9	19,0	15,5	28,8	13,7	66,7	12,6	120,5	126,1	88,0	291,7	140,0
Ukr											161,2	201,0	241,7	248,9	186,7	200,5	209,3
Geo	17,5	41,6	13,6	25,0	11,6	15,8	38,9	17,2	8,6	52,0	18,7	86,3	40,9	223,5	209,8	106,9	187,4
Arm	15,3	32,1	6,9	16,7	13,6	16,5	7,3	35,2	4,4	23,3	18,1	42,4	43,2	42,6	101,2	41,0	73,7
Bel											21,3	6,4	13,7	15,5	21,4	17,5	30,7

(Source: OECD 2012, in million dollars)

<sup>95</sup> Fossati, *op. cit.*, 2011.

Statistics show that potential candidates of former Yugoslavia received more aid than those of former USSR. The EU (and also the USA) increased aid towards Croatia after 2001, when the right nationalist party was defeated (Oecd 2010). EU rewarded Serbia even more after Milosevic's defeat in 2000; USA economic assistance had already increased in 1999<sup>96</sup>. EU funds increased even more, after the 2008 elections, where the pro-Europe coalition won. Then, after the arrest of Mladic in 2011, EU aid increased five times more. In the other cases characterized by a slow and gradual democratization process, there were no relevant reductions or increases of the EU economic aid, linked to the democratic performances. In 2005 and 2006 funds to Bosnia diminished, together with political improvements (after 2004); most aid was channeled in 1997 and 1999, in order to stabilize Dayton's agreement, but institutions were still illiberal. In Montenegro, being a democracy since its institution, only 2006 data are available. In Macedonia, there was a step back in the democratization process in 2000, and another deeper in 2001, the year of war. In 1999 aid was increased especially to help the government to face the refugees flow from Kosovo; in 2000, funds had decreased, and in 2001 (with the war) they increased; in 2002, when democratic performances improved, aid decreased. Funds increased again in 2004, when the country was close to receive the candidate status (but without relevant political progresses). In Albania, democratic performances worsened in 1996 and in 1998; that negative standards lasted until the year 2000. EU aid did not follow political performances, because in 1996 and 1998 there was an increase, because the economic "pyramids" crisis had to be stabilized; in 2005 and 2006 funds again decreased. In 2008, EU aid increased for all the countries.

OECD data are incomplete on Ukraine and Belarus, and those on Russia are missing. Thus, here is another table on Tacis commitments of the EU. Tacis funds -abolished in 2006- represented most of the EU aid, except others of technical nature.

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<sup>96</sup> Aaron Presnall, "Which way the wind blows. Democracy promotion and international actors in Serbia", in *Democratization*, vol. 16, n. 4, 2009, pp. 661-81; OECD Statistical Compendium (Cd-Rom), Paris, 2012.

**Table 2 – EU Tacis funds to some post-communist countries (1991-2006)**

	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
MOL	1,1	9,0	0,0	10,0	9,0	0,0	18,0	0,0	19,5	0,0	19,5	0,0	25,0	0,0	42,0	0,0
UKR	28,7	48,3	43,3	50,5	72,5	76,0	59,0	44,0	38,6	63,5	63,0	67,0	50,0	70,0	88,0	100,0
GEO	5,0	9,0	6,0	8,0	6,0	16,0	0,0	16,0	0,0	0,0	4,0	14,0	0,0	27,0	0,0	20,0
ARM	2,3	9,6	17,0	0,0	6,0	14,0	0,0	10,0	0,0	7,8	0,0	10,0	0,0	10,0	0,0	17,0
BEL	8,9	14,6	9,0	7,0	12,0	0,0	0,0	5,0	0,0	0,0	0,0	0,0	5,0	0,0	8,0	4,5
RUS	212,0	111,0	151,0	150,0	161,0	133,0	133,0	140,0	98,0	53,0	80,0	90,0	105,0	94,0	80,0	57,0

(Source: EU Commission 2008, in million euros)

These data also show that the EU also applied some political conditionality to development cooperation to former Soviet Union countries, but that policy was not effective at all, as no enlargement possibility had been envisaged for those countries. For example, EU foreign aid has been reduced after intense violations of the democratic principles, like in Belarus and Russia. Aid was strongly cut (after 1997) in the only authoritarian post-communist state: Lukashenko's Belarus. In fact, after a decision of the European Council in 1997, the EU only sent humanitarian or regional aid to Belarus, and some democratic assistance. Since 2007, Belarus was excluded by the generalized system of trade preferences<sup>97</sup>. Sanctions did not produce any political effect on Belarus, because of its privileged relation with Russia<sup>98</sup>.

When Putin limited the democratization process and attacked Chechnya at the end of the 1990s, Tacis funds decreased of nearly 1/3. Political conditionality had a lower application in Russia, because that regime was not as authoritarian as Belarus. Moreover, there had been the parallel increase of EU aid to democratizing countries (Ukraine and Georgia). Then, also Russia was willing to decrease European aid as a consequence of Putin's conflict stance in the energy sector. Tocci (2008) emphasized that the EU effectiveness of political conditionality towards Russia has been

<sup>97</sup> Richard Youngs, *Is European democracy promotion on the wane? Brussels: Center for European Policy Studies, Working Document, n. 292, May 2008.*

<sup>98</sup> Mathieu Briens, "Belarus and Lybia: wider Europe's 'pariahs'?", in Dieter Mahncke, Sieglinde Gstohl (ed.), *Europe's near abroad. Promises and prospects of the EU's neighbourhood policy*, Brussels, PIE Peter Lang, 2008, pp. 213-34; Elene Koresteleva, "The limits of EU governance: Belarus' response to the EU neighbourhood policy", in *Contemporary Politics*, vol. 15, n. 2, 2009, pp. 229-45.

low, and the European governments never pressed Putin to improve democracy and human rights<sup>99</sup>. The EU also failed in its effort to develop cooperative relations in the energy sector, especially for the free-riding attitudes of some member countries, like Germany, France and Italy<sup>100</sup>. Thus, EU negative sanctions did not produce any political improvements in Belarus and Russia, because European economic aid was not a relevant outcome, especially for an energy exporting country like Russia, on the contrary of enlargement perspectives.

The second empirical evidence concerned the increase of aid to Georgia and Ukraine<sup>101</sup> after the two revolutions. The EU increased funds towards Georgia after the roses revolution of December 2003, that led to the retirement of Shevardnadze. Previous gradual political steps back in 2000-2003 had not been sanctioned by the EU. Then, aid increased also in 2006, when Saakashvili had a political involution. The worst political climate was the consequence of the EU economic incentives to the government after 2004, and the decrease of democratic assistance that before 2004 had been channeled (from USA, EU, international institutions, like Soros Foundation) to Georgian NGOs<sup>102</sup>. USA aid had the same trend, with increases in 2004 and 2006<sup>103</sup>. Then, the USA applied the "lesser evil" diplomacy to their Georgian allied<sup>104</sup>. In Ukraine, Tacis funds increased after the orange revolution of 2004, which led to the election of western presidential candidate Yushenko. In 1994, after the election of the eastern candidate Kuchma, and the following political involution<sup>105</sup>, EU aid had decreased (to a more limited extent), but was still inferior (for example) to that channeled to Russia. Way (2008)<sup>106</sup> emphasized that foreign aid -especially of the USA,

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<sup>99</sup> Tocci, *op. cit.*, 2008.

<sup>100</sup> Anna-Lena Hogenauer; Michael Friedel, "The EU and Russia: strategic or short-sighted partnership?", in Dieter Mahncke, Sieglinde Gstohl (eds.), *Europe's near abroad. Promises and prospects of the EU's neighbourhood policy*, Brussels: PIE Peter Lang, 2008, pp. 257-276.

<sup>101</sup> Youngs, *op. cit.*, 2008.

<sup>102</sup> Susan Stewart, "The interplay of domestic contexts and external democracy promotion: lessons from Eastern Europe and South Caucasus", in *Democratization*, vol. 16, n. 4, 2009, pp. 804-824.

<sup>103</sup> OECD, *op. cit.*, 2010.

<sup>104</sup> Povilas Zyelis, "New version of the Kirkpatrick doctrine in the post-Soviet space", *Democratization*, vol. 17, n. 5, 2010, pp. 878-898.

<sup>105</sup> Way, *op. cit.*, 2005.

<sup>106</sup> *Ibidem*, 2008.



which were nearly the double of that of the EU<sup>107</sup> - was relevant both in democratizing Ukraine, and in Russia (a no change case). Ukraine received a relevant flow of democratic and economic assistance before 2005, especially by the USA, permitting an efficient supervision of the electoral process. After the worsening of political performances in 2010, there was not any decrease of EU aid. Then, the EU did not help Ukraine to reduce its dependence from Russia in the energy sector<sup>108</sup>. The total amount of bilateral EU aid followed similar trends, even if with some delay after Brussels' decisions<sup>109</sup>.

Data on the other countries with gradual transitions (Moldova and Armenia) confirm the absence of correlation between EU aid and political performances. In Moldova, after the political involution in 2002, funds remained at an intermediate level, even if superior to those of more democratic years. In 2005, the increase of funds depended on the launching of the *EU-Moldova Action Plan* by the EU. In Armenia, aid has not followed specific domestic political events; funds had remained stable and increased since 2006, when the *European Neighbourhood Policy (ENP) Action Plan* was launched. In the meanwhile, political performances had strongly worsened.

The empirical evidence on the evolution of EU foreign aid supports the theoretical choice of not summarizing in one analytic category negative and positive conditionality. The EU does not give rewards or sanctions within a gradual continuum from very negative, negative, to neutral, to positive and very positive. Negative sanctions are applied after intense violations of democratic principles; in intermediate cases, that is to say with illiberal democracies or hybrid regimes, there is no reaction. If political and civil rights are improved, rewards only materialize when the democratic transition is discontinuous: thus, not depending on the quality of democracy either.

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<sup>107</sup> Baracani, *op. cit.*, 2009.

<sup>108</sup> Judith Burger, "The implementation of the neighbourhood policy in the East: the case of Ukraine", in Dieter Mahncke, Sieglinde Gstohl (eds.), *Europe's near abroad. Promises and prospects of the EU's neighbourhood policy*, Brussels: PIE Peter Lang, 2008, pp. 165-84.

<sup>109</sup> OECD, *op. cit.*, 2010.

## Rewards to democratizing states: democratic assistance

Among the three instruments, democratic assistance is the most “constructivist” one and has been applied by Western countries, since the second half of the ‘90s, when political conditionality to development cooperation had failed to produce relevant effects<sup>110</sup>. In fact, the main feature of democratic assistance is its limited capability to produce political effects. Thus, it is an example of “organized hypocrisy”. Western countries apply and emphasize democratic assistance, precisely because are conscious that it has limited effects<sup>111</sup>.

The EU channeled democratic assistance to candidate and neighbor countries. In the first phase, it had been low, as in the ‘90s EU economic aid (Phare) to the candidates was limited (5%), in comparison to structural and cohesion funds channeled to its members. Only 2% of the Phare was devoted to democratic assistance<sup>112</sup>, while a larger 25% went to support to institutions (public administration and regionalization) and to expenditures in training and research<sup>113</sup>. Economic aid to former Yugoslavia states was around 5% of funds directed to EU member countries. In the first half of the last decade, EU democratic assistance to the second *tranche* of Eastern Europe candidates represented a percentage superior to 2%: Croatia 28%; Bosnia 19%; Serbia 14%; Montenegro and Kosovo 8%; Macedonia 5%; Albania 3.5%. Data on former USSR (in the second half of the decade) were over-estimated, because percentages include aid to improve *good governance*. Ukraine and Armenia received 30%, Georgia 26%, Moldova 18%. In Belarus, as economic aid was totally cut, nearly 60% of the few funds of 2005 were channeled to support civil society. In Russia, EU democratic assistance was nearly 4% of the total (in the first half of the decade), but since 2005, Putin refused EU aid to independent NGOs<sup>114</sup>. Thus, in former USSR (and also in Bosnia), traditional democratic assistance (to support independent NGOs

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<sup>110</sup> Fossati, *op. cit.*, 1999; Thomas Carothers, *Critical mission. Essays on democracy promotion*, Washington: Carnegie Endowment for Democracy and Peace, 2004.

<sup>111</sup> Youngs, *op. cit.*, 2008.

<sup>112</sup> Karen Smith, “Western actors and the promotion of democracy”, in Jan Zielonka, Alex Pravda, *op. cit.*, 2001, pp. 31-57; Youngs, *op. cit.*, 2008.

<sup>113</sup> Fossati, *op. cit.*, 2004.

<sup>114</sup> *Ibidem*, 2011.

and press agents) has been limited. The EU focused on good governance, to improve the public administration effectiveness and favor the *acquis* transfer<sup>115</sup>.

In sum, EU democratic assistance rewarded democratizing countries, and especially the candidates with more concrete possibilities to enter the Union (like Croatia) or the “neighbors” which were living uncertain political transitions (like Georgia and Ukraine), but did not sanction illiberal democracies, hybrid or authoritarian regimes. This occurred precisely because democratic assistance had to compensate the effects of illiberal democracies (Bosnia), and of hybrid or authoritarian regimes (Armenia, Russia, Belarus)<sup>116</sup>. That policy was perfectly coherent with the constructivist ideology of political correctness<sup>117</sup>.

Thus, the external anchorage to promote democracy in former USSR has been weak. This is the reason why Edwards (2008)<sup>118</sup> and Sasse (2008)<sup>119</sup> have emphasized the low consistency of the EU’s neighborhood policy. Only Ukraine, and only with pro-West presidents, has materialized a democratic convergence process, but it has not been rewarded by the granting of any candidate status by the EU, that never envisaged membership perspectives, because this could have led to conflict with the eastern and pro-Russia population<sup>120</sup>. Diplomatic pressures of the EU in Ukraine (and of the USA in Georgia) were not the most relevant factor of the “colored revolutions”; those governments or regimes failed because of the weakness of their institutions. Thus, the absence of an effective rewards policy of the EU towards Ukraine has weakened its democratization process, and in 2010 the presidential election were won by the pro-Russia and lowly democratic candidate. Then, Sasse (2013)<sup>121</sup> emphasized that the economic, political and

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<sup>115</sup> Richard Youngs, “Democracy promotion as external governance?”, in *Journal of European Public Policy*, vol.16, n.6, 2009, pp.895-915; Richard Youngs, *The European Union and democracy promotion: a critical global assessment*, Baltimore: Johns Hopkins University Press, 2010.

<sup>116</sup> *Ibidem*, 2008.

<sup>117</sup> *Ibidem*, 2011.

<sup>118</sup> Geoffrey Edwards, “The construction of ambiguity and the limits of attraction: Europe and its neighbourhood policy”, in *Journal of European Integration*, vol. 30, n. 1, 2008, pp. 45-62.

<sup>119</sup> Gwendolyn Sasse, “The European neighbourhood policy. Conditionality revisited for the EU’s eastern neighbours”, in *Europe-Asia Studies*, vol. 60, n. 2, 2008, pp. 295-316.

<sup>120</sup> Burger 2008, Lavenex, Schimmelfennig 2010.

<sup>121</sup> Gwendolyn Sasse, “Linkages and the promotion of democracy: the EU’s eastern neighbourhood”, in *Democratization*, vol. 20, n. 4, 2013, pp. 553-591.

cultural linkages with Russia had limited EU's promotion of democracy<sup>122</sup>. However, Lavenex and Schimmelfennig (2013)<sup>123</sup> emphasized that EU's relations with "neighbors"<sup>124</sup> have been characterized by functional cooperation among the administrations, without any coercive democracy promotion in the short term. Haukkala (2008)<sup>125</sup> has labeled EU's neighborhood policy (through negotiations without enlargement perspectives) as a "normative power"<sup>126</sup>. In sum, negative sanctions to Belarus and Russia were not effective, and diplomatic or economic incentives to Georgia and Ukraine mostly remained symbolic.

### **The relation between enlargement and democratic consolidation in Eastern Europe**

However, the side-effect of low impact of the EU in the democratization process of countries pertaining to the geo-political sphere of influence of Russia has been precisely the contrary in the relations between EU and its candidates. In fact, the EU enlargement process has strongly favored the democratic consolidation of the eastern European candidates, after the political transition phase, whose main "engine" has been the fall of the Soviet block. European integration represented the external "anchor" that has favored both economic and political reforms. The same hypothesis was supported by Pridham (1991)<sup>127</sup>, who had emphasized that the enlargement towards Mediterranean countries represented the external linkage that reinforced democratic consolidation. Those countries made many post-

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<sup>122</sup> Michael A. Mc Faul, Nikolai Petrov, Andrei Ryabov, *Between dictatorship and democracy. Russian post-communist reform*, Washington: Carnegie Endowment for International Peace, 2004.

<sup>123</sup> Sandra Lavenex, Franz Schimmelfennig (eds.), *Democracy promotion in the EU's neighbourhood. From leverage to governance?*, London: Routledge, 2013.

<sup>124</sup> Michael Emerson, "Just good friends? The European Union's multiple neighbourhood policies", in *International Spectator*, vol. 46, n. 4, 2011, pp. 45-62; Sandra Lavenex, "Concentric circles of flexible European integration: a typology of EU external governance relations", in *Comparative European Politics*, vol. 9, n. 45, 2011, pp. 372-393; Richard G. Whitman, Stefan Wolff (eds.), *The European neighbourhood policy in perspective*, Houndmills: Palgrave, 2010.

<sup>125</sup> Hiski Haukkala, "The European Union as a regional normative hegemon: the case of European neighbourhood policy", in *Europe-Asia Studies*, vol. 60, n. 9, 2008, pp. 1601-1622.

<sup>126</sup> Tocci, *op. cit.*, 2008.

<sup>127</sup> Pridham, *op. cit.*, 1991.

accession adjustments<sup>128</sup>. Instead, the post/second world war democratization of other European countries had mostly domestic origins (except, again, its starting point). However, this hypothesis is solely linked to the critical juncture between transition and consolidation, and this relevant passage has probably not been studied enough in the literature<sup>129</sup>; then, other domestic factors may have influenced the different degrees of speediness of the political stabilization in each eastern candidate.

The most recent enlargement phase can help to elaborate some medium-term diagnoses on the democratization process. Kitschelt (2003) emphasized that the institutional legacies of the past would have influenced the democratization process of Eastern European countries<sup>130</sup>. The democratic transition would have been simpler in the countries with bureaucratic (and democratic regimes: East Germany, Czech Republic and, in part, Poland) or national-accomodative (and semi-authoritarian: Hungary, Slovenia, Croatia and, in part, the three Baltic states, Slovakia, Serbia) communism in the past, and more difficult in those with a patrimonial (and authoritarian: Albania, Macedonia, Bulgaria, Romania, Moldavia, Ukraine, Russia, Belarus, Georgia, Armenia) past. Kitschelt did not elaborate any diagnosis for Bosnia, as that country did not exist in recent decades. Kopstein (2003)<sup>131</sup> and Pop-Eleches (2007)<sup>132</sup> emphasized that past (institutional and cultural) *legacies* had influenced the democratization process more than EU political conditionality<sup>133</sup>.

The 2004 enlargement confirmed Kitschelt's hypothesis, because all new members pertained to the former two categories. Moreover, the EU has stabilized other four frontier cases between nationalist and patrimonial communism: all the three Baltic states and Slovakia. Instead, the 2007 enlargement towards Romania and Bulgaria did not confirm Kitschelt's

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<sup>128</sup> Rachel A. Epstein, Ulrich Sedelmeier, *International influence beyond conditionality: post-communist Europe after EU enlargement*, London: Routledge, 2009.

<sup>129</sup> Fossati, *op. cit.*, 2011.

<sup>130</sup> Herbert Kitschelt, "Accounting for post-communist diversity. What counts as a good cause?", in Zgegorz Ekiert, Stephen E. Hanson (eds.), *Capitalism and democracy in Central and Eastern Europe. Assessing the legacies of communist rule*, Cambridge: CUP, 2003, pp. 49-86.

<sup>131</sup> Jeffrey Kopstein, "Review essay. Post-communist democracy: legacies and outcomes", in *Comparative Politics*, vol. 35, n. 2, 2003, pp. 231-50.

<sup>132</sup> Grigore Pop-Eleches, "Historical legacies and post-communist regime change", in *Journal of Politics*, vol. 69, n. 4, 2007, pp. 908-926.

<sup>133</sup> Arista Maria Cirtautas, Franz Schimmelfennig, "Europeanisation before and after accession. Conditionality, legacies and compliance", in *Europe-Asia Studies*, vol. 62, n. 3, 2010, pp. 421-441.

hypotheses, as the two Balkan countries had a patrimonial communist regime in the past, but their democratization process seemed quite stable after their entrance in the EU in 2007<sup>134</sup>. The 2013 enlargement was coherent with Kitschelt's diagnosis, as Croatia had a semi-authoritarian past, and should fully democratize in the future. Serbia (and Montenegro) is another frontier case, like the other four (Baltic states and Slovakia), and should democratize (and enter the EU), according to Kitschelt. Macedonia, Albania and all former USSR countries had an authoritarian and patrimonial past; according to Kitschelt's hypotheses, they should have an unstable political future<sup>135</sup>. Ukraine (with a patrimonial regime and authoritarian past) has had (but only with Western presidents) good political performances, but democracy has worsened after the 2010 victory of the Eastern president. In sum, Ukraine, like Moldova, remained an hybrid regime<sup>136</sup>.

The main alternative hypothesis is that of the socio-economic modernization level<sup>137</sup>. Countries with a more stable political future would increase (Macedonia, Ukraine, Russia), but precisely these cases (and especially the latter) do not empirically support this thesis. Thus, the explanation capability of the historical legacies hypothesis has been partial. In sum, the democratization process of the candidates has been reinforced by the EU enlargement<sup>138</sup> in all the countries with a democratic or semi-authoritarian past, including some frontier cases (the Baltic States, Slovakia, Serbia); instead, in Romania and Bulgaria it has been modified by the EU political conditionality. In Ukraine, a non candidate country with a patrimonial and authoritarian past, the democratization process has been reinforced, even if only partially and for limited time periods, by the cultural proximity with the West. Thus, this seems another "frontier" case and the coherence of Kitschelt's hypothesis has to be tested again in the next years.

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<sup>134</sup> Franz Schimmelfennig, Hanno Scholtz, "Legacies and leverage. EU political conditionality and democracy promotion in historical perspective", in *Europe-Asia Studies*, vol. 62, n. 3, 2010, pp. 443-460.

<sup>135</sup> Fossati, *op. cit.*, 2011.

<sup>136</sup> Roberto Di Quirico, "La democrazia si è fermata a Bucarest. Limiti e prospettive del processo di democratizzazione nei paesi ex-sovietici vicini dell'Unione Europea", in *Rivista Italiana di Scienza Politica*, Vol. 40, n. 1, 2010, pp. 59-82.

<sup>137</sup> Joergen Moeller, Svend-Erik Skaaning, "The three worlds of post-communism: revisiting deep and proximate explanations", in *Democratization*, vol. 16, n. 2, 2009, pp. 298-322.

<sup>138</sup> Geoffrey Pridham, *Designing democracy. EU enlargement and regime change in post-communist Europe*, Houndmills: Palgrave, 2005.

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