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Democracy promotion in Eastern Europe in the context of the European Neighbourhood Policy (ENP)

Abstract: The paper argues that democracy promotion within the ENP should not be seen primarily as a continuation to enlargement policy. On the empiric level, the ENP constitutes a foreign policy tool which integrates some elements of previous enlargment rounds in its overall strategy. On the analytic level, the study of democracy consolidation is only indirectly linked to the question of the potential EU membership of ENP target states. ENP is analysed with the concept of embedded democracy, identifying the potential grip of the EU on different domains of a consolidating democracy. The paper then analyses the utilized instruments of democracy promotion within the ENP and tests their coherence with regard to two East European States (Moldova, Ukraine).

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1. Introduction

The European Neighbourhood Policy (ENP) aims at creating a "ring of friends" around the European Union (EU).[1] While the ENP does not explicitly insist on its surrounding states to develop into fully developed democratic regimes, its instruments are positively related to many features of democracy. For example, ENP actions plans contain provisions for the strengthening of democratic institutions or the freedom of speech, and EU political actors are ready to actively support what they perceive as "democratic" forces in political struggles within ENP target states (e.g., see Karatnycky 2005). Also in the academic sphere, the ENP is perceived as a tool for the democratization of its neighbouring regimes, quite often linked with the judgement that the EU is not paying sufficient attention to this aspect of its agenda (Lynch 2006).

If the ENP is therefore perceived as an instrument for democracy promotion, its quality in effectively influencing the processes of democratization and consolidation becomes highly relevant for the research agenda. In my contribution, I try to deal with interrelations of democracy and the ENP in three steps. First, in section 2, I try to take into account more recent transitions studies in order to draft a model of the regime related rapprochement of the ENP states towards democracy. These findings include a differentiated view on democracy and its sub-dimensions or "domains" (Merkel u.a. 2003; Merkel 2004) and specifications on the influence of the international sphere on domestic democratic consolidation (Pridham 2000; Schimmelfennig/Sedelmeier 2005; Levitsky/Way 2006; Pridham 2006). The main advantage of this differentiation is to reveal that some sub-dimensions of democracy are open to external influences

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[1]   Commission, Wider Europe - Neighbourhood: A New Framework for Relations with
       our Eastern and Southern Neighbours (Commission 2003).

(and only to specific types of influence) whereas other areas are hard to reach by Western, or EU, democratizers. The next step (section 3) then analyses in how far the ENP typifies these differentiations. In section 4, I look at the first steps taken by ENP actors towards Moldova and Ukraine, the two major target states in Eastern Europe in order to shed light on the prospects of ENP democracy promotion.[2] The aim of the whole paper is therefore to establish an analysis of the presumed effectiveness of ENP external democratization and consolidation on the basis of more recent theory driven differentiations.

I present two hypotheses. One is that, with ENP, the EU has actually developed a rational instrument towards non-consolidated or instable democratic regimes which allows for differentiated strategies of rapprochement and integration. The impact of the ENP's adequate structure is however limited by a reluctant will of EU political actors to allocate symbolic and financial resources to that policy field. The other hypothesis refers to differences in democracy promotion between the ENP and previous instruments of the past. In the early years of post-socialist democratization the EU and other international organizations concentrated on the direct support of democratic oppositions and other primary institutions of democracy (Pammett/DeBardeleben 1996; Pastor 1999). Later, the enlargement processes have been characterized by strong conditionality (Grabbe 2002). Both strategies are not extended by ENP: direct democracy promotion has lost much attractiveness due to its limited success in Eastern Europe, and conditionality is not adequate for a region which by definition will remain outside of the EU for some time to come. With the ENP, the EU embeds its conception of transformation in a mix of measures on the economic, political, and societal level. In terms of theory, the ENP approach then is commensurate with the transactionalist approach of Karl Deutsch (1953; 1992) which links social and economic transactions to integration and community building, but to a somewhat lesser extent to direct democracy promotion.

2. External democracy promotion as domain consolidation: contextualizing the effects of ENP in Eastern Europe

Some twenty years after the first stages of opening in the framework of Soviet *perestrojka* the post-socialist space has developed a wide variety of political regime forms. Central Europe and some parts of South-Eastern have become consolidated democracies, at least if we follow indicator based research (e.g.,

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[2] The two further East European States Belarus and Russia are place outside of the paradigm of the ENP. Belarus figures as a potential ENP target state in EU official papers, but has no shown interest in engaging further into the instruments of ENP (see below, table 3). Russia is not part of the ENP framework but enjoys the conditions of a bilateral strategic partnership (http://ec.europa.eu/comm/external_relations/russia/intro/index.htm).

Karatnycky 2004; Bertelsmann_Stiftung 2006). While, according to the same sources, most former Soviet Republics have to continuously be classified as autocracies, a few states on the Western edges of the former Soviet Union find themselves in a "grey zone" (Bendel/Croissant/Rüb 2002) between democracy and authoritarianism. Many authors have by now argued that the consolidation both of the democratic and autocratic regimes has followed an overdeterminate series of causal effects (Fish 1998; e.g. Offe 1998; Ash 1999/2000). With regard to the established democracies, the – sometimes partial – administrative tradition of the Hapsburg empire, the mode of transition, socio-economic wealth, and comparatively high degrees of education made the success of democracy highly probable. On the other side of the divide, Russian or Ottoman traditions of administration and the judiciary, lesser degrees of wealth and education as well as only partial elite transitions have contributed to the reversion to "competitive authoritarianism" (Levitsky/Way 2002), presumably with no other outcome having been likely from the beginning (Jowitt 1992; Crawford/Lijphart 1997).

It is not accidental that most of the states in post-socialist Europe not falling into the two clear categories of regime classification figure as target states of the ENP. After the more or less involuntary invitation (in the context of the stability pact after the Kosovo War 1999) of the Western Balkans into the group of potential future EU members, EU political leaders were looking for an instrument of integrating other regions into West European structures without having to offer full EU membership. One of the Copenhagen criteria of 1993 referred to democracy explicitly, which excluded non-democracies from integrating with the EU in the political sphere. A coherent integration strategy needed to be developed only to those countries where at least parts of the political elite strove for that integration and promised to deal with the Copenhagen criteria within foreseeable time.

If we exclude the Western Balkans, which need to be dealt with differently, the states where this is the case can be counted with one hand: Armenia, Georgia, Moldova, and Ukraine. In a way, they can by now be seen as the decisive countries for democracy promotion within the ENP.[3] Notably the Mediterranean states, which were included into the ENP as a consequence of their participation in the Barcelona process, were and are not seen as cases of potential democratization. The Barcelona Declaration of 1995 had identified peace, stability, and security as common interests in the region – democracy was not among them (Yesilada 2000). The political elements of the Mediterranean policy may therefore refer to the promotion of some political and civic freedoms in a broadly non-democratic context.

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[3]   Altogether the ENP covers 16 states: Algeria, Armenia, Azerbaijan, Belarus, Egypt, Georgia, Israel, Jordan, Lebanon, Libya, Morocco, Moldova, Palestinian Authority, Syria, Tunisia, Ukraine. Originally, the three states from the Southern Caucasus were not included into the ENP; this decision was however corrected in 2005.

With regard to the politically hybrid regimes of Eastern Europe the approach of the EU is different, though.[4] Implicit and explicit aims of the EU and its member states refer to the strengthening of the state of law and of the judicial systems, to the support of civil society and free media, and even to open support perceived "democratic" forces in their conflicts with political opponents (Kempe/Solonenko 2004). With other words, while democracy promotion across the Mediterranean consists in fostering liberalization and sometimes – in a very limited number of countries – democratization, the ENP target states in Eastern Europe are seen as cases in the struggle for democratic consolidation. As a political tool, of which democracy promotion is only one dimension, the ENP may therefore be judged by its potential of being able to deal with a variety of different regime types. What is relevant for understanding the effects of ENP in Eastern Europe is not its overall democracy promotion potential. The focus is on the logic of situation with regard to *consolidation*, which is the deepening of democratic practices, the strengthening of its institutions, and the rooting of its behavioural and cultural preconditions in society.

How are regimes on a long path to democracy conceptualized? Early concepts of consolidation concentrated on core institutions of democracy. Huntington declared two electoral turnovers as an indicator for democratic consolidation (Huntington 1991). Others saw settlements between old and new elites at the centre of consolidation (Linz 1990; Burton/Gunther/Higley 1992). With a special eye on Latin America, non-successful regime transitions were then seen to lead to a "breakdown of democracy" (Linz 1978). The oscillation between the reputedly clear regime types of democracy on the one hand and autocracy on the other was linked to these minimalist conceptions of democracy. Where free electoral choices existed for some time, and where the relevant leaders accepted those elections as the "only game in town" (Linz), democracy reputedly existed. However, whereas most countries of the second wave of democratization had been established as consolidated democracies relatively quickly, things seemed more complicated in the Third wave. This also had to do with a more differentiated view on the processes of consolidation. Notably with regard to post-socialist Europe, concepts of consolidation became more complex and were not restricted to the character of elections and elite behaviour. Rather, they turned to additional regime levels: institutions and constitutions, the intermediary sphere, minority inclusion, international settings and political culture (Diamond 1994; Linz/Stepan 1996; Dawisha/Parrott 1997; Merkel 1998).

As a first consequence, these distinctions reminded transition researchers that consolidation had been a question of generation change also in previous cases. West Germany, for an example, needed about thirty years of regime existence before its political culture was judged as thoroughly democratic (Conradt

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[4]   Again, these hybrid regimes are Armenia, Georgia, Moldova, and Ukraine. Azerbaijan figures as an authoritarian regime (e.g., see Freedomhouse 2006a) and should therefore be analysed seperately, more in line with the Mediterannean cases.

1980). Secondly, the more general question came up when a process of consolidation should be considered complete. Most cases in Central Europe followed the German example insofar as no serious fall-backs occurred in any of the potential dimensions of consolidation. Beyond that subregion, developments were more ambiguous. Not least in today's European target countries of both the ENP and the Stability Pact, the historic novelty of presumably free political competition and participation was accompanied by illiberal forces and practices. Most elections were labelled "free" and even "fair", but political conflicts did sometimes not respect existing constitutions or were even violent. Some political parties voiced clearly anti-democratic programs. Corruption soiled the state of law and political contention. Notably in the two countries concerned in this study, long-term political development consisted of an oscillation between election victories by "democratic" oppositions and their transfer into discredited forces in due time.

If democratization studies aim at making assertions about shorter time frames than a generation, the existence of these and other non-consolidated (but also not clearly authoritarian) regimes makes a concept of incomplete consolidation necessary. With a basis in liberal democratic theory (Dahl 1971), such a model has been developed by a group around the German political scientist Wolfgang Merkel (Merkel 1999; 2003; 2004). Similar to Dahl's idea of relating ideas of democracy to its existing institutions, Merkel identified three dimensions of democracy: (1) the vertical dimension of power legitimation and power control, (2) the (horizontal) dimension of the liberal constitutional state, and (3) the dimension of agenda control. From there, he developed five partial regimes or "domains" of democracy, all of which need to function in order to identify a liberal democracy: (a) the electoral regime and (b) the public space belong to the vertical dimension, (c) political rights and (d) horizontal checks and balances belong to the horizontal dimension, and (e) the actual transfer of power to those elected constitutes the dimension of agenda control.

Using this model, and not alternative ones like that of Dahl (1989) or the indicator institutions (e.g. Bertelsmann_Stiftung 2006; Freedomhouse 2006a), reproduces a major shift of consolidation studies. The horizontal dimension of the liberal states, and especially the domain of horizontal checks and balances, places the state of law – the "Rechtsstaat" – into the centre of new democracy consolidation. With the seminal text of Linz/Stepan (1996), the state as a guarantor and protector of democracy was re-introduced into a debate that before had considered institutions of the state as independent but not as dependent variables of regime consolidation (again, Juan Linz was involved, see Linz/Valenzuela 1994). Notably with regard to the newly created states after the fall of the Soviet Union and Yugoslavia, the state returned in two guises: the quality of its "stateness" and the institutional arbiter above politics, its institutional interactions and its actors. Both dimensions, of course, had always constituted as major elements of Western liberal democracy. In communism however, the Soviet and Yugoslav federations had been used as tools to spread

authoritarian rule against national self-determination (Carrère d'Encausse 1978), and therefore the idea of a neutral state as a domain of political self-restraint took some time to return to the study of post-communism.

Within the frame established so far, international effects on the democratic quality of a regime play a specific role. Other than during liberalisation or democratization, when "domino effects" make regime dynamics in different cases dependent one another (Starr 1991), consolidation mostly rests on domestic factors. The international sphere may prove beneficial or detrimental to the democratic quality of the behaviour of domestic political forces. Foreign political forces may pressurize or persuade incumbents or other relevant political forces in new democracies concerning all levels of a political regime. In some dimensions, however, external actors are able to promote democracy independently of domestic politicians, at least as long those adhere to the widely common (but not always liked) principles of societal and economic transnationalism.

Table 1: Domain democracy and international interference

Domain, or partial regime, of democracy		Manifestation of defectiveness of democratic regime	Potential means of international democracy promotion
Vertical control dimension	(a) Electoral Regime	Elections not free and/or fair	Pressure on or persuasion of target state government
			Strengthening electoral institutions by expertise and/or observation potential
			Strengthening political forces that are not treated fairly
	(b) Public Space	Public control of government not possible, e.g. by absence of independent media	Pressure on or persuasion of target state government
			Strengthening independent media economically
			Offering international public spaces (as ersatz for domestic discourse)
Horizontal control dimension	(c) Political Rights	Basic political rights not granted, e.g. for opposition movements	Pressure on or persuasion of target state government
	(d) Horizontal checks and balances	Law and constitutional order do not apply to the governing	Pressure on or persuasion of target state government
			Offering expertise with regard to administrative and judiciary systems
Agenda control	(e) Effective electoral power	Elections determine the persons that are effectively in power	Pressure on or persuasion of target state government

As table 1 shows, in the domain of the electoral regime all new European democracies have pledged to the Charter of Paris, which means they fall object to the international election monitoring regime of the Organization of Security and Cooperation in Europe (OSCE).[5] Also, foreign forces inside or outside of the political establishment can choose to support forces that are not treated fairly within the domestic electoral process. In the other dimensions of domain democracy, foreign influences are much more difficult to exert. First, political rights can be attributed by domestic actors only because political participation and competition are until now almost exclusively organized within existing (nation) states. Second, political empowerment mainly refers to domestic actors as well, at least as long as we look at the potentially beneficial effects to new democracies. If major political actors of a given state rely on foreign economic power (be it from the "West" or the further East) too heavily, negative effects on the autonomy of representation are to be expected (Hellman 1998). Altogether, table 1 tells us that international influence may be less intrusive exactly with regard to those dimensions which are most problematic in the Eastern European ENP states.

What more does the research on the international dimension of consolidation promotion tell us? Probably the major hypothesis consists in the positive relation between a planned membership in International Institutions dominated by Western democracies and democratic consolidation in the projected accession states (Schimmelfennig/Engert/Knobel 2006). While the effect has already been hypothesized for the phases of liberalization and democratization (Pridham 1994; 1995), notably the case of the Slovak Republic and its "second transition" after the elections of 1998 gave further support for the phase of consolidation (Krause 2003; Henderson 2004). Beyond this finding, the main work of the external democratization literature has less been invested in causal inference but in analytic distinctions between different types of actors and methods that make a difference for the potential effectiveness of international democracy promotion (Pridham 2000; Levitsky/Way 2005; Bunce/Wolchik 2006; Levitsky/Way 2006; Pridham 2006; Schimmelfennig/Engert/Knobel 2006). Accordingly, the different authors have distinguished between initiation regimes (e.g. the EU, the OSCE, NATO, or different nation states), target subtypes (e.g. governments, policy networks, interest or civil society organizations in target states), and instruments (e.g., conditionality, incentives, pressure, learning processes).

In that literature, the EU (and therefore ENP) has usually played an outstanding role because of several distinct features of it democracy promotion endeavours. First, the European political and economic space even without immanent EU accession constitutes a unique area of transnational interlinkages. Second, the EU's focus on "civil" aspects (e.g. on the humanitarian and

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[5]   See http://www.osce.org/odihr.

peace-keeping "Petersberg tasks" of the Treaty of the European Union, TEU) makes the promotion of democracy an attractive aim for foreign and security policy. In that logic, the cold war of the past can most promisingly be turned into a lasting peace by cooperation and integration. Third, articles 6 and 49 of the TEU offer EU membership to any European state that is able to fulfil certain requirements, democracy being one of them. Forth therefore, and maybe most important, the EU cannot escape its general ability of offering membership to a zone of relative wealth and peace, as long as certain criteria are met in countries that belong to Europe on the map.

In that context, the EU stands out as the actor in the international sphere that is able and needs to offer most in exchange for consolidation efforts by political actors in target states. Whereas most international actors – International Organizations, single states, transnational civil society organizations, and so on – have limited means to actively support democracy, the EU is able to do so indirectly: not by inserting democratic actors or practices, but by offering criteria to sooner or later join the European Club. If an interest in joining the EU (or even sub-dimensions of integration) exists, political actors in half-democratic states are only able to keep this aim open if they adapt to more or less clearly laid out practices pre-defined by the Copenhagen criteria and subsequent documents.

This is the main background for introducing the element of "leverage" into the theoretically oriented debate on external democratization (Levitsky/Way 2005). Instruments of leverage refer to incentives and threats – a carrot-and-stick-strategy – to adapt domestic political (and economic) practices in exchange for opening the four freedoms of the Treaty of the European Community (TEC).[6] As Levitsky and Way underline, leverage should not be reduced to conditionality alone, but always refers to a combination of incentives and demands. Linkage, on the other hand, has not to do with "positive or negative pressure",[7] but with learning, interaction, and exchange. Linkage processes are not restricted to the political sphere, but even more importantly societies and their segments may undergo learning processes that position them closer to democracy than was possible under communist rule. Quite in the tradition of Karl Deutsch, linkage is not only about the diffusion of ideas, but also refers to the exchange of goods and investments as well as to the mobility of persons. In short, transactions are at the core of linkage processes.

Breaking down the differentiation into the area of the ENP shows that the EU's major program of external democratization bears elements of both linkage and leverage (table 2). In the electoral regime, for example, the transfer of electoral organization expertise belongs in the linkage array, whereas the con-

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6   Article 3 of the TEC: eliminating obstacles to the free movement of goods, persons, services, and capital.
7   That refers to another way which has been used to distinguish between incentives and pressure, see Jünemann/Knodt (2006).

trolling aspects of election observation fall under the label of leverage. Also the support for opposition movements, which have been prominent in the three coloured revolutions of Serbia, Georgia, and Ukraine (Bunce/Wolchik 2006; Kuzio 2006), should be seen as a carrot-and-stick-instrument. On the one hand, the contacts between social movements and civil society groups mean an exchange of ideas. On the other, by transferring not only ideas, but experts, communication equipment, and tents, the Western opposition supporters make their Eastern counterparts dependent on financial support and therefore cut their autonomy (Margolina 2005).

Table 2: Tools of external democratization at disposition in ENP

Domain, or partial regime, of democracy		*Linkage* *(networking, exchange, interaction)*	*Leverage* *(incentives and threats)*
Vertical control dimension	(a) Electoral Regime	Transfer of electoral organization expertise	Pressure on target state government through election observation Campaign support for single political forces
Vertical control dimension	(b) Public Space	Persuasion of target state government to support media autonomy Offering international public spaces	Linking media autonomy to further steps of integration Strengthening independent media economically
Horizontal control dimension	(c) Political Rights	Persuasion of target state government to grant political rights	Pressure on target state government in concert with other international organizations (e.g. threating suspension from Council of Europe) Linking realization of political rights to further steps of integration
Horizontal control dimension	(d) Horizontal checks and balances	Persuasion of target state government to enact administrative and/or judicial reform	Linking administrative and/or judicial reform to further steps of integration
Agenda control	(e) Effective electoral power	Persuasion of target state government to weaken non-elected power centres	Linking democratically legitimated checks and balances to further steps of integration

The revealing element of table 2 consists in the limitation of the EU as an international democracy promoter in the dimensions of horizontal and agenda control. Even with a wide ranging instrument like the ENP, the EU and its member states have to respect the principle of state sovereignty, which allows for countries to autonomously organize the distribution of power within their borders. Therefore, there is little the EU can do to actually enforce horizontal checks and balances or the effectiveness of electoral power. With regard to the cases of Central Europe, the EU was of course able to link progress in these areas to prospects of accession. Within the ENP, this concentration on benchmarks has been replaced by the presentation of incentives (Kelley 2006). They consist in various steps of furthering integration between ENP states and the EU, which in any case fall short of EU membership. In the end, a mechanism of "shaming and praising" (Kelley) then remains the main lever of the EU to have ENP target states strengthen their reforms in the administrative and judicial systems. This logic is widely judged to be an inadequate extension of the enlargement paradigm that cannot work because its single main incentive – EU accession – is excluded from the beginning (Koopmann 2006; Magen 2006).

The combination of a wide variety of linkage measures and of a limited – but existing – number of leverage instruments that characterizes the ENP does not mean, however, that ENP is a completely toothless tiger. Comparative research has shown that not only the external dimension counts for for the success of democracy promotion from outside. Equally, domestic power constellations determine the readiness of a government to accept reform challenges as demanded from International Organizations (Schimmelfennig/Engert/Knobel 2006). As long as the costs for governments are not very high – e.g. as long as their survival is not threatened by reforms –, the may well follow "soft" advice in the form of persuasion, ideational reframing, or minor financial assistence. Therefore, especially after landscape electoral victories of the "democratic" opposition, windows of opportunity for democratic reforms can be expected. Another factor positively influencing democracy promotion is the credibility of incentives. Even modest measures of leverage may make a difference to target states if all political parties see them as beneficial or if specific situations are so bad that any kind of support needs to be accepted notwithstanding conditions.[8]

Altogether, the strategic choices around ENP limit the EU's potential for democracy promotion notably in comparison to the extremely successful paradigm of enlargement, when the EU was able to induce major changes with regard to political conflict and electoral accountability (Slovakia), minority inclusion (Estonia, Latvia, Slovakia), and the state of law in the sense of the "Rechtsstaat" (all new member states). On the other hand, Estonia or Slovakia

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[8]   The permanent crisis – first from bad harvest, then from Russian boycotts – of the Moldovan agriculture is a handy example where any help is welcome even by political forces that object Western integration (see Way 2003).

may not prove to be the best cases references to cases like Ukraine or Georgia. Generally, the Central European States belonged to the above discussed group with overdeterminate influences on a sound development of democracy. None of the former Soviet republics share equal conditions for democratic consolidation, and therefore measure of both linkage and leverage may fall on different ground. Therefore, what has been accomplished in Central Europe with the aid of the EU may not be replicated in the more defective regimes farther East. Still, (many) linkage and (few) leverage instruments exist within the ENP frame to influence democracy in EU neighbour states.

3. ENP and democracy promotion: the first steps

What has happened in ENP with regard to democracy promotion since the presentation of the first documents in 2003, and in how far have instruments of linkage and leverage been used? From the beginning of the European Neighbourhood Policy, the EU used the term democracy very hesitantly when spelling out the aims of the ENP. In the ENP's founding document, the Commission singled out "political stability, economic development and the reduction of poverty and social divisions" (Commission 2003: 3). Democracy was only referred to in a footnote that – questionably – declared "democracy, [the] respect for human rights and the rule of law, as set out within the EU in the Charter of Fundamental Rights" as "shared values" of both the EU and their neighbouring states (ibid: 4). Because of the EU's inherent democracy defecit, also Romano Prodi's famous phrase of "the motto of the neighbourhood policy [being] everything but the institutions"[9] of the EU cannot be counted as a straight reference to democracy. More than to democracy, the approach of the ENP is linked to the idea of Europe and the EU as a civilian power, with a foreign policy oriented at multilateralism and cooperation not only with regard to internal organization but also concerning its external policy (Smith 2004). The ENP accordingly consists not only of political, but also of economic and societal elements (Commission 2003: 9-15) aiming to link individuals and populations of neighbouring regions in addition to elites structuring the political framework of cooperation.

Throughout the years following the establishment of the ENP, its character as an integrated civilian foreign policy tool became even clearer. In further strategy papers and reports (Commission 2004a; Commission 2004e; Commission 2004b; Commission 2005), the Commission expanded the large variety of aims by further including political dialogue, trade measures to resist the competition of the Common Market, the areas of Justice and Home Affairs, Energy, Transport, Information society, Culture, Research, Innovation, and Social Policy into the objectives of the ENP (Commission 2004a). Rather than a need-tailored

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[9] In a speech in 2002, see http://ec.europa.eu/external_relations/news/prodi/sp02_589.htm.

instrument, ENP now looks like the overall frame for the relations of the EU with all its neighbours from which EU actors can pick those tools they judge adequate.

Time showed that the actors primarily used EU related legal texts as a starting point for the ENP. Not positions or resources from individual member states were used to "tailor" strategies to individual ENP target states. Rather, an interplay between the Commission and the Council secretariate – under the guidance of the High Commissioner Javier Solana – set the previously negotiated Association Agreements (AA) and the Partnership and Cooperation Agreements (PCA) as the starting stones for ENP. Accordingly, policy goals of single member states, like for example Poland in its foreign policy towards Ukraine, were not able to influence ENP decisively (Lorek 2006; Gerhardt 2007).[10]

The consequences of integrating different kinds of policy goals into the ENP framework bears antipodal results for democracy promotion. On the one hand, the integrated approach opens opportunities for overall coherent action: factors concerning the character of the political regime can be taken into account in other, for example the economic, sphere of action. In the other hand, in difference to enlargement policy the particular aim of democracy promotion does not outrank other political policy goals any more. Where the Copenhagen criteria apply to the end goal of cooperation and integration, political assistance to administrative and/or judicial reform can ultimately be linked to the effective consideration of the values of the Charter of Fundamental Rights. Of course, that does not only apply to recent enlargement waves but to all present real and potential applicant countries. Within the ENP paradigm, the advantage of coherent action does therefore not translate into a firm grip of EU actors on democratic reforms in ENP target countries.

This fundamental limitation is clearly mirrored in the overall development of ENP since its start in 2003. The basis of cooperation consists in all cases in the previously started processes of association in sub-Mediterranean and partnership and cooperation in post-socialist Europe. On the basis of these AAs and PCAs, the EU proceeded rather quickly and concluded the first step of the ENP process by issuing country reports. Within a period of one to three years, the country reports were poured into ENP action plans, on which – in contrast to the reports – the target states had a considerable influence by consultation and negotiation. With the exceptions of Algeria, Belarus, Libya, and Syria, all ENP countries have now an action plan agreed upon (see table 3). With Azerbaijan, Egypt, or other cases of non-democracy among the group with con-

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[10] Of course, the cited literature refers to the past, and therefore to the very first steps of ENP only. An indicator for Poland's ambition to become a major player in the EU's Eastern dimension is its commitment to participate substantively in Cross Border Cooperation (CBC) within the European Neighbourhood Policy Instrument (ENPI). As recently published figures show, Poland's is the member state receiving the highest contributions (Commission 2006d: 33-35).

cluded action plans, the secondary role of democratization and consolidation in ENP is demonstrated.[11]

Table 3: Main instruments of ENP and state of progress (April 2007)

ENP target state	Status of relations with EU*	ENP country report	ENP action plan**
Algeria	AA 2005	--	--
Armenia	PCA 1999	2005	X
Azerbaijan	PCA 1999	2005	X
Belarus	--	--	--
Egypt	AA 2004	2005	X
Georgia	PCA 1999	2005	X
Israel	AA 2000	2004	X
Jordan	AA 2002	2004	X
Lebanon	AA imminent.	2005	X
Libya	--	--	--
Morocco	AA 2000	2004	X
Moldova	PCA 1998	2004	X
Palestinian Authority	Interim AA 1997	2004	X
Syria	AA pending ratification	--	--
Tunisia	AA 1998	2004	X
Ukraine	PCA 1998	2004	X

* AA = Association agreement. PCA = Partnership and Cooperation Agreement.

** X = concluded, -- = not concluded.

Sources: Columns 2+3: Commission (2005). Column 4: ENP homepage,[12] download April 27.

Still, the downgrading of direct and explicit democracy promotion does not automatically lead to its complete disregard. Recently, the Council has agreed on granting a total of over €11.1 billion under the 2007-2013 financial framework for the implementation of ENP.[13] Even more importantly, the covenant for financing is linked to the original set-up of the ENP which underlies differ-

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[11] Another indicator for this is over-optimistic language with regard to democracy in clearly non-democratic states. Even with regard to Azerbaijan, the Commission writes: "The partnership is intended, in particular, to promote Azerbaijan's transition to a fully fledged democracy and market economy" (Commission 2006e: 4).

[12] See http://ec.europa.eu/world/enp/documents_en.htm. Unfortunately, the documents do not tell when single action plans were concluded.

[13] Council document 13339/06.

entiated approaches to single target states, "reflecting the existing state of relations with each country, its needs and capacities, as well as common interests" (Commission 2004a: 3). This differantiation is also taking place with regard to the direct instruments of democracy promotion. In its most recent strategy paper announced the introduction of a Governance facility through which about €43 million per year can be attributed to countries with successful political reform agendas; the Commission here speaks explicitly of a help for "reformist governments to strengthen their domestic constituencies for reform" (Commission 2006a: 13).

Which are the instruments foreseen for the distribution of this money? Given the complexity of the task – finding a common framework on the basis of different member state opinions and very different pre-condition on the side of the target states –, the ENP has developed with enormous speed since its first documents were released in 2003. The action plans now designed for 12 neighbouring countries needed to be coordinated with the work of constructing instruments for a previously unknown policy tool, furthermore one that required some member states readiness to give up independent foreign policy formulations to a large extent.

Somewhat irritatingly, the wide variety of tools at the EU's disposal has been named an instrument itself, the "European Neighbourhood and Partnership Instrument" (ENPI) with various sub-dimensions. With regard to all cooperation target states, the jointly negotiated ENP action plans of the years 2004/05 have been transformed in ENPI country strategy papers, all of which run from 2007-2013, the time frame for the current Financial Perspective of the EU. With a shorter reach, but within the country strategies, "indicative programs" have been developed for the period from 2007-2010; they contain the numbers and figures of financial support from the EU to the target states. Structurally however, financial and non-financial tools are not separated. The following list shows that almost all instruments bear a financial dimension, thus inherently linking joint agreement on policy goals to soft conditionality in the form of financial incentives which prevail as long as cooperation takes place within single instruments:[14]

- ENPI national allocation frames in which priorities of the policy objectives are defined,

- ENPI trans-national/regional programmes with reference to sectors of cooperation, e.g. transport or energy, or environment,

- ENPI-Wide Programmes, e.g. like TEMPUS,

- ENPI cross-border cooperation (ENPI CBC) which focuses on subnational regions linked by borders,

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[14]   The list is taken from the two ENPI strategy papers to Moldova and Ukraine (Commission 2006f; Commission 2006g).

- Instrument for the Promotion of Democracy and Human Rights (EIDHR II),

- Thematic programmes, e.g. "Migration and Asylum" (ex-Aeneas),

- a Stability Instrument provides for responses to crises, emerging crises or continued political instability.

Besides the financial dimension, EU actors have also developed a few tools to notionalize the benchmarks of democracy within the ENPI. At first sight, they sound like all-to-general formulations of ideal consolidation processes. All ENPI strategy papers spell them out as "further protection of human rights and fundamental freedoms", as "consolidation of the rule of law", "effective fighting against corruption", "public sector reform", and further elements of the consolidation of democracy. In the light of the consolidation literature as discussed in section 2, however, the list reveals a specific approach. Unlike in the first years of democratic development of post-socialist Europe, the EU is leaving out the core vertical control dimension of democracy. There is almost no mentioning of the electoral regime, and few formulations in all the strategy papers refer to other vertical control instruments like freedom of expression or freedom of the media. In a way, this reveals an up-to-date understanding of democratic consolidation where the institutions of political competition are only a precondition for the development of a democracy.

Table 4: Dimensions of the European Neighbourhood and Partnership Instrument (ENPI) and democracy consolidation

Domain, or partial regime, of democracy		Dimension in ENPI strategy
Vertical control dimension	(a) Electoral Regime	
	(b) Public Space	
Horizontal control dimension	(c) Political Rights	Protection of human rights and fundamental freedoms
	(d) Horizontal checks and balances	Consolidating the rule of law Effective fight against corruption
Agenda control	(e) Effective electoral power	Public sector reform

What the EU obviously sees as equally decisive are those institutions that are able to limit political competition within horizontal checks and balances and on

the basis of equal political rights (see table 4). Seen from that perspective, democracy promotion within the ENPI is best designed for cases where elements of free and possible even fair political competition exist, but where other political institutions than elections adhere to potentially non-liberal opportunity structures.

In sum, the snatch of EU actors on democracy promotion in ENP target states depends on several premises. First, the general incentives offered by the EU are provided for in the dimension of societal, economic, and political cooperation. A decline of the overall aim of cooperation by target states therefore sets chances of democracy promotion to zero; accordingly the prospects rise with the genuine (and domestically undisputed) wish for cooperation. Second, first evidence shows that policy preferences by specially affected member states do not take the policy lead over the balanced preferences of the EU, and notably the Commission, as a whole. This means that target states longing for cooperation have to address their policy goals to Brussels rather than to individual member states capitals. Third, the openness for accepting incentives depends on a target state's need for financial and other assistance. And fourth, the regime dimension becomes more important if the elites of a target state are aiming at more than economic and financial incentives. Even without the imminent goal of EU membership, the political sub-regimes of the "European" ENP target states are therefore not completely lost to democracy promotion.

4. Moldova, Ukraine, and the ENP

The combination of these four premises makes Moldova und Ukraine two crucial test cases for the EU's potential to promote democracy beyond its borders. Both countries have undergone deep economic crises in recent years. Wishes for cooperation with the EU exist, and they do so not only in the economic or societal dimension, but also regarding the political incentives of the ENP. Therefore, this coming section will take a qualitative look at the first steps of ENP towards these two states. Because of its young age, it is not possible yet to make judgements about many actions of democracy promotion within ENP or even their consequences. Still, the basic set-up towards these borderline cases is able to reveal much about the potential grip of ENP on the democracy of the EU's neighbouring states.

The nature of ENP as an integrated policy tool of Community institutions partly acting as agents of member states with different policy preferences, it is no wonder that much of the language designing ENP and ENPI strategies has to remain on a general and abstract level. The two most recent documents with regard to Moldova and Ukraine (Commission 2006f; Commission 2006g) concentrate on "political dialogue and reform", "economic and social reform and development", and other cloudy common objectives of the respective target states and the EU. The country-specific approach crystallizes not so much in

individual wording but in the inclusion of different dimensions. For example, cooperation for the settlement of the Transnistria conflict figures prominently in the Moldova strategy paper, whereas environmental and health issues around the Chernobyl catastrophe of 1986 are objects of EU-Ukraine cooperation.

Despite the inherent tendency to general language and to similar policy approaches towards similar cases, the first year of ENP reveal a set of differences. One of them could already be remarked with the publication of the action plans in 2004. Comparing them reveals a stronger weight of Ukraine in treating more priorities and offering further reaching perspectives (Beichelt 2007). For example, the EU and Ukraine agreed to cooperate closer in the area of security, proliferation and crisis management. Although the Transnistrian conflict is certainly more central to Moldovan than to Ukrainian affairs, the EU is working with Ukraine to find "a viable solution, (…) including border issues" to it (Commission 2004d: 4). Ukraine is supported in its bid to WTO membership, Moldova isn't. And, finally, Ukraine was already in 2005 offered a "constructive dialogue" on visa facilitation (ibid.: 26) whereas Moldova was asked to build up an efficient border management before a dialogue on visa facilitation was to be initiated (Commission 2004c: 28).[15] On general terms, the comparison of action plans reveals a variable approach from the side of the EU in dealing with preferences from member states. Not least because of the asymmetric relation between the EU and most target states,[16] the EU in extreme cases enjoys the power to define the nature of "common interests" between EU and ENP states.

Also in another area, the existence of various strategy and country papers invites to cross-country comparison. All Commission documents may not only be seen as political documents, but also as data on the way the EU views certain issues. Although the Commission officially denies that formulations in reports on one country indirectly say something about situations in other countries, the self-proclaimed benchmark approach and the semi-diplomatic character of language negotiation in official ENP documents make the opposite probable. Comparing the language used by the Commission to characterize the situation with regard to political reforms reveals a conscious distinction of "intended" and "committed" reform endeavours. For example, whereas the Moldovan government is in the eyes of the Commission "committed to promoting judicial and legal reform", the Ukrainian leadership has merely "declared its intention" to do so.

With regard to the four dimensions of democracy consolidation within ENP (again, see table 4), the Commission sees Moldovan "commitments" in two of

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[15] Meanwhile, negotiations have started and led to first, but asymmetric results in visa facilitation (Commission 2006b; Commission 2006c).

[16] Somewhat less than a third of both Moldovan and Ukrainian imports comes from the EU, whereas the countries each come to less than 0.5% of the imports to the EU (Emerson u.a. 2006).

them, and furthermore commends "an ambitious programme of comprehensive public sector reform". On the other hand, Ukraine's reform steps are declared merely "intentional" in two dimensions, and furthermore the "declaration" of the fight against corruption a priority distinguished prospective and real reforms in an additional area (all citations are from Commission 2006f; Commission 2006g). On the other hand, laying too much into them would lead ENP studies in the undesirable direction of a Brussels astrology known from the elapsed Communist studies. In general, the Commission reports show a similar judgement on political reforms in both countries (this is underlined by the ENP progress reports of 2006, see Commission 2006b; Commission 2006c). In any case, the comparison of documents verifies that the Commission is in reality differentiating between cases, which is a pre-condition for making the country-specific policy choices declared in early ENP documents.

Since many of the sub-instruments of ENPI and related measures like the Stability instrument are in the phase of development, it is not surprising that neither the Commission nor other reports reveal much about the real content of ENP yet. One of the few areas of evidence is the financial support from the EC/EU to ENP states. Figures relating to Moldova and Ukraine seem to reveal that the expectation of new financial instruments has straightened EU funding the two states. More and more funds have been going into TACIS which reflects efforts to concentrate EU aid to less isolated projects (see Commission 2006a). A closer look at financial patterns also reveals that Ukraine has been more effective in attracting funding in the area of human rights suppert; more than €5 million have been paid to Ukrainian projects since 2001 (see annexes 6 in these documents: Commission 2006f; Commission 2006g).

Table 5: Financial support from the EC/EU to Moldova and Ukraine, 1991-2006

	2000	2001	2002	2003	2004	2005	2006	Average*, 2000 – 2006	Sum**, 1991 – 2006
Moldova	2.2	5.7	3.0	6.5	4.2	12.1	7.7	€5.9	€320.7
Ukraine	1.9	3.2	5.0	2.3	2.6	3.2	3.2	€3.1	€2413.2

* in Euros per head and year.

** in million Euros.

Sources: Calculated from Annexes 6 of Commission (2006f; 2006g), Fischer Weltalmanach 2007 for population.

Altogether, the financial support of the two East European ENP target states still rests on a rather moderate level. The €320 million to of support to Moldova and €2.4 billion to Ukraine (see table 5) need to be related to the populations in order to make this judgement. A calculation reveals that the EC/EU has been paying about €3 (Ukraine) and €6 (Moldova) per capita and year, with more variations to Moldova than to Ukraine. In contrast, the EU has been paying yearly sums of €44.4 for every citizen of Slovenia, €91.5 for every Estonian (the highest value for a post-communist new member state) and €296.9 for every inhabitant of Greece between 2004 and 2006 (Beichelt 2004: 170). While the figures illustrate the legitimate difference between intra-EU and external solidarity, they also relate to one of the main findings of the international democratization literature: the incentives offered by international democracy promotors need to be significant enough to balance potential domestic political costs (Schimmelfennig/Engert/Knobel 2006). The level of financial support announced in the first ENP reports does not indicate a strong incentive in the sense that "everything but the institutions" is on offer. At least financially, we are dealing with much less than the substantially richer EU countries along the Mediterranean receive from funding from Brussels.[17]

5. Conclusions

The previous sections have shown that a characterization of the ENP as "new wine in old wineskins" (Kelley 2006) may be a premature metaphor with regard to its sub-dimension of democracy promotion. It seems plausible with reference to the EU's internal organization, and notably to "institutional learning and strategic adaptation from enlargement policies to expand [the EU's] foreign policy domain" (ibid.: 48). For the question of democracy consolidation in half-democratic ENP countries, however, there is some old wine and a considerable number of new wineskins. The old wine is that there are only very few cases of post-socialist democratization that are not overdetermined in their regime development. Central Europe has become (more or less) democratic, most of the post-soviet bloc hasn't. Of the others, even EU membership as the most important incentive of external democratization has not played a decisive role. Not only Ukraine, but also Bulgaria and Romania as EU members only possess a "partial" press freedom (Freedomhouse 2006b). Corruption remains high in quite a number of new member states (Transparency_International 2006) which points at an immanent weakness of the state of law as well as accountable executives and administrations.

Therefore, until now there is a very limited number of cases in order to explore the effects of conditionality and persuasion in an environment that proves sensitive to the limited impact of external democracy promotion. Moldova and

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[17]   The Commissions own calculations indicate that Moldova's GDP/capita is at about 2% of the EU-15 average (Commission 2003: 19).

Ukraine are, besides other liberalizing ENP states like Georgia, Morocco or Tunisia, test cases for the impact of a limited resources approach of external influence. In the end, qualitative research will be needed to shed light on the interconnectedness of external incentives and/or persuasion, transnational socializiation, and domestic readiness to restrict governance power to political (not economic) institutions (not persons) in these countries. The character of this process is by nature domestic, with only limited influence of external actors. My study has tried to show that the EU and the Commission within this narrow frame have managed a setup of external influence on political reforms which fits individual needs and reflects the insights of the democratic consolidation literature.

If compared with (post-socialist) enlargement policy, this well makes up for some new wineskins both with regard to style and substance. First, the transparency of ENP is very high, given that even Commission Staff Working Papers are published on the ENP webpage. Second, target states dispose of substantially more room of manoeuvre because of the less pre-defined goal of ENP. After all, having an international organization with a substantial own democracy deficit exert persuasion on how to best democratize is one of the paradoxes of EU external democratization. EU actors will have to adapt to interpreting democracy promotion not as an asymmetric gift pack but as a tool which needs to fit preferences of target states in an environment of much linkage and little leverage. Third, the integration of democracy promotion in a full-fledged external policy tool constitutes a paradigm shift in the EU's approach towards Eastern Europe. Already the more or less coherent approach of the EU and its "first rank" (Soetendorp 1999: 15) member states is a novelty. Thinking together economic integration and political reform is not a new element if looking at previous enlargement processes. If ENP is analysed as an instrument of EU external policy, the coherence seems much higher than with reference to other regions of the world.

Closer looks at Moldova and Ukraine have shown that the overall picture of democracy promotion within the ENP is mixed. On the one hand, the needs of incomplete regime transitions are well reflected (better than the needs of the Southern Mediterranean dictatorships). Major instruments of ENP are set for those dimensions of the political regime that deserve most attention when transforming "defective" democracies into functioning polyarchies. Moreover, communications from the Commission reveal that its apparatus is well able to make the differentiations necessary for a country-individual approach. The Commission therefore almost has strategic actor qualities in integrating various preferences and balancing them with the ENP partners. Not least, the ENP can be seen close to a community policy and therefore constitutes a main catalyser for the integration of European foreign policy.

On the other hand, the sound structural approach is bound by an altogether reluctant strategy of the EU to offer strong incentives. Except for some countries (e.g. Poland), the ENP is not an object of public debate, and therefore the

motives of domestic politicians to gather resources for the support of democratic consolidation in non-EU are bleak. Consequently, the financial frame of ENP remains rather modest which adds to the limited leverage of soft conditionality. Therefore, while the potential success of ENP as a tool of external democracy promotion must remain open at this early stage, some of its elements "raise serious questions about its internal coherence and future potential" (Magen 2006). The empiric material gathered at this early stage is not sufficient to support the hypothesis that *only* a credible promise of EU membership is able to make external democratization a potentially powerful tool (Schimmelfennig/Engert/Knobel 2006). Because of the weakness of the leverage aspects of ENP, it is not very probable that Moldova or Ukraine will be the cases to dismiss it. As long as the relevant actors hesitate to put more strength and credibility into the ENP, its influence on the consolidation of democracy will probably remain faint.

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