

# The EU's Promotion of External Democracy: In search of the plot

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## Summary

*While the EU has recently upgraded its external democracy promotion policies through a set of initiatives such as the “Partnership for Democracy and Shared Prosperity with the Southern Mediterranean”, the proposal for a “European Endowment of Democracy”, and the “Strategic Framework and Action Plan on Human Rights and Democracy”, there is one challenge that it has not yet addressed: what exactly does it aim to support?*

*This policy brief illustrates that both the conceptualisation of democracy and the means to achieve it remain vague, and explains why this is problematic. It points out the risks that stem from a lack of clear understanding about how human rights, governance, civil society and socio-economic development relate to democratisation. It concludes that the EU should reflect on the substance of its external democracy promotion policies and conceptualise the relationship between the different elements of democracy promotion cited above and democratisation. While ongoing reforms of international democracy promotion should continue, a wider debate on substance could help identify what the EU should support in the future. The EU should also establish a reflective external democracy promotion policy where the assessment of actions on democratic development becomes systematic and is institutionalised.<sup>1</sup>*

<sup>1</sup> This policy brief draws on an international research project on the substance of EU democracy promotion,

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## EU democracy promotion is vague

For more than two decades, the European Union (EU) has committed itself to promoting democracy in other parts of the world.<sup>2</sup> Its democracy promotion profile has been strengthened since the historic developments in the Arab world, as witnessed by the EU's launch of the ‘deep democracy’ concept, the proposal for a European Endowment of Democracy, and the new Framework and Action Plan on Human Rights and Democracy Promotion.<sup>3</sup> New momentum for democracy promotion also comes

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involving *inter alia* a special issue of the *European Foreign Affairs Review* (2011, 5) and an expert meeting at CEPS on 2 July 2012. We are grateful to the European Commission for its funding of a Jean Monnet Information and Research Activity and to CEPS for its organisational support. We would also like to thank all the authors and participants involved in the project for their valuable insights, in particular Fabienne Bossuyt, Eline de Ridder, Vicky Reynaert, Steven Blockmans and Michael Emerson. The responsibility for this policy brief lies solely with the authors.

<sup>2</sup> The EU uses ‘democracy promotion’, ‘democracy support’ and ‘democracy building’ interchangeably. We use the term ‘EU’ here, even if, strictly speaking, the European Commission or the EEAS is concerned.

<sup>3</sup> The Council of the EU, Council Conclusions on the European Endowment for Democracy, Brussels, 1.12.2011; Council of the EU, EU Strategic Framework and Action Plan on Human Rights and Democracy, Luxembourg, 25.6. 2012.

from the EU's own critical assessment that its policies were too accommodating of authoritarian regimes. One challenge remains, however, which will be addressed in this policy brief: despite the high and growing importance of democracy in the EU's external actions, what the EU aims to support is still unclear.

At the conceptual level, attempts to draw up a 'European Consensus on Democracy', have failed to bear fruit. The 'deep democracy' concept has been defined in various and rather vague terms.<sup>4</sup> For instance, more 'formal' descriptions focusing on rules and rights can be contrasted with more 'substantial' understandings that take into account the level of maturity of democratic practice. While there seems to be a core of common elements in the formal notions, there are also some notable differences, such as with respect to the right to form political parties or freedom of religion. In her speeches, the EU High Representative for Foreign Affairs and Security Policy Catherine Ashton sometimes adds elements not mentioned in the documents, such as gender equality and private investment, and civil society is sometimes mentioned, sometimes not. The most recent *EU Strategic Framework and Action Plan on Human Rights and Democracy* do not elaborate on the substance of what should be promoted and remain conspicuously silent on the notion of deep democracy. Even the enlargement process with Central and Eastern Europe, which is often considered as a prime example of successful EU democracy promotion, demonstrated the vagueness and inconsistencies that characterise the EU's views on democracy.<sup>5</sup> This has led commentator Milja Kurki to conclude that in fact different meanings of democracy coexist and even conflict with each other, creating a situation of conceptual fuzziness.<sup>6</sup>

<sup>4</sup> According to Michael Emerson, speaking at a public forum on democracy promotion at CEPS on July 2<sup>nd</sup>, the concept was invented in the wake of the crisis in Tunisia to hide the fact that the EU did not have a democracy agenda at all in the Middle East and North Africa.

<sup>5</sup> E. De Ridder and D. Kochenov (2011), "Democratic Conditionality in the Eastern Enlargement: Ambitious Window Dressing", *European Foreign Affairs Review (EFAR)*, 16(5), pp. 589-605.

<sup>6</sup> M. Kurki (2012 forthcoming), *Democratic Futures: Re-visioning Democracy Promotion and Democratization*, London: Routledge.

If we move away from concepts and towards the EU's democracy promotion activities in practice, the fog refuses to lift. Scholars come to different conclusions about the content of EU democracy promotion and have defined it variously as 'social', 'electoral', 'consenting', 'embedded', 'shallow' or 'neoliberal'. While some argue that the EU's primary focus is on elections, for example, others contend that election support is only a marginal element of EU democracy promotion efforts. And while some authors see a social democratic European model being exported abroad, others stress that EU democracy promotion policies support a neoliberal market model rather than political rights.

The ambiguity about whether the EU aims to promote a certain democratic model, what the elements of such a European model might be and what the EU promotes in practice is also widely recognised by EU officials, academics and NGOs working in the field. The range of EU instruments and initiatives in the realm of democracy promotion is well-documented: election observation missions, declarations and initiatives, the European Initiative for Democracy and Human Rights (EIDHR) and various other funding bodies that support democracy-related activities. A democracy promotion strategy should consist of more than a series of instruments and initiatives, however. While the EU has published some general strategic documents about foreign policy objectives such as development and security, the substance of democracy promotion remains blurred.

### Should the EU define the substance of democracy promotion?

At least for those who are truly committed to democratic values, the absence of a clear understanding of what should be the aim of and what should be promoted through EU democracy promotion policies is problematic – for two reasons. Internally, it is a matter of good policy to define policy goals clearly. If the EU is ambiguous about what it aims to achieve, it is difficult to assess its performance. The Commission Communication on Governance in the European Consensus on Development, for example, states that democratic governance includes issues such as the 'management of migration flows' and a 'climate conducive to private investment' in the same breath as fundamental freedoms of

expression, information and association. Apart from the fact that issues such as migration are not part of other conceptualisations of democracy in EU democracy promotion, such as 'deep democracy', and are not part of the definition of democratic governance presented by the EU in the earlier White Paper on European Governance, it would be rather difficult to sell the effective management of migration flows as instances of democratisation.

In addition, the broader strategy has to be spelled out clearly. This includes explicit consideration of what elements could be considered as supporting democracy. For example, projects under the banner of Security Sector Reform (e.g. in the Democratic Republic of Congo (DRC) and Rwanda) have been supported as contributing to democracy. In principle, such reforms can contribute to democratisation by strengthening civilian control over the military and increased transparency. However, nowhere is it specified in documents on EU democracy promotion, including in the new Strategic Framework, how questions of security relate to successful democratisation. What is more, in the DRC, security sector reforms were essentially and primarily serving security purposes and the aspect of technical support dominated political aspects. This is a systematic problem. Back in 2008, Richard Youngs demanded that the "EU should work towards a tightened categorisation of what qualifies as democracy aid".<sup>7</sup>

The EU's haziness with respect to the goal of democracy promotion and the steps needed to reach this goal allows it to stretch the definition of democracy promotion very far; potentially too far. This may be beneficial to the EU's own interests since it allows for a flexible interpretation of what will (not) be supported under the banner of democracy, but as we show in more detail below, it may actually be detrimental from a democracy promotion perspective. For an actor with a strong bureaucratic culture and large budgetary resources such as the EU, the existence of a transparent definition and resulting operationalisation is all the more important.

Externally, the absence of a definition of democracy and a catalogue of what constitutes

democracy promotion invites suspicion that the EU is not truly committed to democracy but that it intends to adjust its promotion agenda to fit its own commercial or security interests. (Deliberately) vague understandings open the door to double standards and inconsistencies. The current situation is therefore harming the credibility of the EU as an international actor.<sup>8</sup> This may also explain why the US is sometimes preferred by partner countries to the EU: the US has more clearly communicated the values it aims to support.<sup>9</sup>

This does not mean that there should be one tight 'EU model of democracy (promotion)' that is rigidly applied to all regions and countries. Plurality will certainly always be inherent to the EU's approach given the composition of its member states with different traditions and models of democracy. Where it allows the EU to take 'ownership' by partner governments into account, and to react swiftly to new situations and specific domestic needs in a context of economic crisis and multipolarity where the 'European model' and the West's style of liberal democracy are being challenged, the EU's flexibility may actually be an advantage. However, pluralism cannot be an excuse for ambiguity.

### Critical issues

Poorly conceptualised notions of what constitutes 'democracy' and its promotion may also lead to policies that limit or hinder democratisation. What Western democracy promoters have in common is the emphasis on free and fair elections as the political core of democratic systems. In the past, the external democracy promotion policies of the EU and other Western donors have been criticised for being too narrowly focused on elections while neglecting the broader picture. While elections should remain an important element of democracy promotion policies, it is important to look at the whole electoral process, including the

<sup>7</sup> R. Youngs (2008), "Is European Democracy Promotion on the Wane?", CEPS Working Document No. 292, CEPS Brussels, p. 14.

<sup>8</sup> The EU's credibility may further be damaged by dubious democratic developments within EU member states and the EU's apparent weakness to deal with them, i.e. the case of freedom of expression in Hungary or the crisis around the suspended president of Romania. The EU's response to the crisis in the eurozone has also been criticised from some sides as non-democratic.

<sup>9</sup> M. Kurki (2012), "How the EU Can Adopt a New Type of Democracy Support", FRIDE Working Paper No. 112, FRIDE, Madrid, pp. 1-3.

preconditions and follow-up. More fundamentally, an electoralist substance was found to fit in well with a neoliberal conception of the state whereby state power is confined and public control is limited (cf. Crawford, 2005, pp. 590-591, referring to Milton Friedman). In order to promote democracy beyond this minimal standard, it is necessary to go beyond the electoral process and consider other elements of democratic systems, such as political rights and so-called horizontal accountability (checks and balances in the political system) or deliberation (emphasis on an open dialogue not jeopardised by power relations).<sup>10</sup>

In recent years the EU has shown a broader interpretation of democracy promotion than its earlier electoralist bias. However, the EU's increasingly broad understanding of democracy has given rise to new challenges. Supporting objectives that are laudable as such may nevertheless have adverse consequences for democracy promotion policies when their relationship with democracy is insufficiently conceptualised and operationalised. Below, we discuss different critical issues in this regard and argue for a mainstreaming of democracy support throughout the EU's external actions.

The first critical issue concerns the **relationship between human rights and democracy promotion**. In EU documents, democracy and human rights promotion are often mentioned in the same breath without paying attention to their relationship. The latest example is the EU Strategic Framework and Action Plan on Human Rights and Democracy that does not present any discussion about how the two objectives relate to each other. Also, it is not clear why references to human rights appear more than four times as often in the text as those to democracy and why the subheadings consistently refer to human rights only.<sup>11</sup> Our research confirms this bias

<sup>10</sup> W. Merkel (2004), "Embedded and Defective Democracies", *Democratization*, 11(5), pp. 33-58; A. Wetzel and J. Orbie (2011), "Promoting Embedded Democracy? Researching the Substance of EU Democracy Promotion", *European Foreign Affairs Review (EFAR)*, 16(5), pp. 705-725; J.S. Dryzek (2009), "Democratization as Deliberative Capacity Building", *Comparative Political Studies*, 42(11), pp. 1379-1402.

<sup>11</sup> See R. Von Meijenfildt "New EU policy: strong on Human Rights, weak on Democracy support", Blog 28.06.2012, (<http://www.vonmeijenfildt.eu/?p=1525>).

towards civil rights over political rights in EU democracy promotion in the (pre-Arab Spring) Southern Mediterranean countries, Central Asia and Latin America.<sup>12</sup> This bias is problematic because it concerns a case where the EU may easily overstretch the notion of democracy, to the point that democracy promotion would be 'everywhere and nowhere' in the EU's external actions. While certain civil rights can be seen as directly related to democracy, this is less obvious for other human rights such as children's rights. Activities such as the integration of people with intellectual disabilities into the workplace can hardly count as democracy promotion.

The second critical issue refers to the **promotion of horizontal accountability**. Since it refers to the horizontal separation of powers and to an independent judiciary, horizontal accountability is closely related to the notion of democracy. However, the actual support for this area may target foreign policy goals other than democratisation, such as the support of business and, eventually, the smooth working of the free market. For example, it has been argued that much of the support in this field to the pre-Arab Spring governments in North Africa was aimed at facilitating economic liberalisation and a market-based economy rather than democratic reforms. We argue that the EU should be more explicit about the intended goals and critically assess compatibility with democratisation objectives. After all, increasing the capacity of courts in authoritarian states without ensuring their independence may even be detrimental to democratisation.

Thirdly, the EU now puts a lot of emphasis on elements that are not directly related to democracy but may support a democratic development and may protect democracy from shocks and destabilising tendencies. These are

<sup>12</sup> See A. Wetzel and J. Orbie (2011), "With Map and Compass on Narrow Paths and through Shallow Waters: Discovering the Substance of EU Democracy Promotion", *EFAR*, 16(5), pp. 705-725; and the respective articles in A. Wetzel and J. Orbie (eds) (2011), "The Substance of EU Democracy Promotion", *EFAR*, Special Issue, 16(5); Other studies came to similar conclusions: F. Bicchi (2009), "Democracy Assistance in the Mediterranean: An Overview", *Mediterranean Politics*, 14(1), p. 71; S. Herrero (2009), "A Decade of Democracy Promotion Through the European Initiative for Democracy and Human Rights", EPD Working Papers Series on Democracy Support, 1/2009:8, European Partnership for Democracy, Brussels.

socio-economic development (including poverty reduction, social redistribution and education), 'stateness' (in terms of a functioning bureaucracy, good governance and a state monopoly of violence) and civil society organisation.<sup>13</sup> Supporting socio-economic development, stateness and civil society is not necessarily always conducive to democratisation, however. While in the best case support for these conditions advances democracy in a third country, in the worst case it may even bolster an authoritarian regime. The problem is that the EU does not – for whatever reason – make explicit when and how support for the state, civil society and development may (or may not) support democracy. Instead, it seems to apply an 'all good things go together' view where different aims are grouped without clear conceptual underpinnings.

The prioritisation of **socio-economic development** over democratisation is a well-known feature of EU democracy promotion. Even if the content of EU democracy promotion is often (and increasingly) more political than it first seems, there is still a large 'developmentalist' tendency in EU policies. The implicit assumption behind this seems to be that economic development will ultimately lead to democratic reforms and that the latter should not necessarily be tackled upfront. From this perspective, the EU has been rather lenient towards the democratic situation in developing countries in sub-Saharan Africa that have been making economic progress, such as Uganda, Rwanda, and Ethiopia. This is reflected in the practice of budget support. Even apart from the fact that the EU has never made explicit its developmentalist practices, e.g. by explaining how and under which conditions socio-economic development might foster democratic systems, its merits could also be challenged. For example, after the West stabilised Arab regimes when the latter faced serious threats of state bankruptcy, "Arab regimes proved inventive in instrumentalising international funds in order to safeguard political power and maintain previous structures of material legitimacy".<sup>14</sup>

Another example is the EU's **governance** agenda. The governance concept has various meanings, and the EU has added to its conceptualisation by

means of its own White Paper on European Governance. In its external actions, however, the EU mostly follows the World Bank's understanding that takes the political regime into account but also stresses the management of a country's economic and social resources for development and government capacity. Understood in an 'output-oriented' sense, strengthening the administrative capacity of the bureaucracy in an authoritarian state may be highly problematic. In cases such as Mali and Djibouti, where capacity-building programmes were meant to enable the ministries to control migratory flows into the EU, the assistance is completely unrelated to democratisation. In the post-Arab Spring countries, the EU should be careful not merely to strengthen the capacity of key administrative bodies and security institutions, but also to focus on democratic administrative procedures. In the worst case, output-focused governance programmes are even counterproductive to democratisation.

With regard to **civil society**, the link to democratisation is not always as strong as it may seem at first sight. Sometimes, support for civil society follows a rather instrumental logic and is aimed at other objectives than democracy promotion. For example, in sub-Saharan Africa, civil society is often promoted with a view to furthering the development agenda. EDF-financed capacity-building programmes for civil society mainly support non-state actors in their roles as service providers and contributors to the Country Strategy Papers (CSPs). In the Southern Mediterranean countries, support to civil society has long aimed to increase the effectiveness of the authorities and the functioning of the free market. Finally, in Ukraine, civil society was often supported with a view to approximating legislation to the EU's *acquis*. Apart from this, there are questions about the representativeness of civil society.

In sum, the points made above are not a repetition of the frequently heard criticism that democracy promotion objectives come into conflict with economic or geopolitical interests. Rather, the problem that we have identified is much more complicated and concerns the inherent tensions *between* laudable external policy objectives such as democracy, human rights, civil society promotion and socio-economic development. Without clear conceptualisations of how these objectives are interlinked and under which conditions they

<sup>13</sup> This conceptualisation is based on Merkel, op.cit.

<sup>14</sup> O. Schlumberger, (2010) "Opening Old Bottles in Search of New Wine: On Non-democratic Legitimacy in the Middle East". *Middle East Critique*, 19(3): 246.

could be synergistically promoted, the content of so-called ‘democracy promotion policies’ risks being diluted or even contradicted. The EU should therefore think carefully about how its external objective of democracy promotion links both to other external policy objectives and to the single elements that are usually presented as democracy promotion measures. It should establish a more **reflective democracy promotion policy**. This should include two dimensions. On the one hand, the substance of democracy promotion activities should be evaluated *ex ante* for their effect on democratisation. On the other hand, it should also include a more comprehensive ‘democracy mainstreaming’, whereby policy actions that are not explicitly labelled but related to democracy promotion, such as trade or development policies, are systematically evaluated against their potential impact on democratic systems. The explicit incorporation of democracy promotion into the portfolio of the new EU Special Representative for Human Rights could be an important step in the development of such a more reflective policy.

### Tackling the problems

This policy brief has argued for a clearer definition of what it is that the EU aims to promote through its democracy support and how this is to be achieved, illustrating the pitfalls of an ill-conceptualised policy. Given that the EU institutions have so far failed to come up with an ‘EU consensus on democracy’, it would be advisable to launch a wider debate on the substance of EU democracy promotion, for example through a Green Paper on this topic. While different views will (and should!) undoubtedly continue to circulate, the current ambiguity when defining the EU’s policy objectives in relation to democratisation should be resolved. This is not a call for the EU to reinvent the wheel, however. It could also draw on the work of other institutions that have more expertise, experience and legitimacy in this area such as the Council of Europe, the Organisation for Security and Cooperation in European, and the UN institutions.

It should be noted that the EU has already tried to tackle some of the shortcomings that are mentioned in this paper – albeit gradually and reluctantly. While recent documents do not bring more clarity to the EU’s general conceptualisation

of democracy support, some specific policies and initiatives should be mentioned. First, the EU has made some progress towards an embedded focus on elections. Second, the EU’s system of general budget support is being reformed and will be substituted by “good governance and development contracts”. Such contracts could only be made with countries respecting the fundamental values of the EU, including democracy. However, it seems that this will only concern general budget support, not sectoral budget support. It also remains to be seen how and when this linkage between development and democracy considerations will be established.

Specifically, this policy brief leads to the following policy recommendations:

- The EU should seriously reflect on the substance of its democracy promotion policies. In this regard, the role of elections, human rights, socio-economic development, civil society and governance should be conceptualised more clearly.
- This process could be facilitated through a Europe-wide debate on this issue, e.g. by issuing a Green Paper on the topic. This debate would take into account the views of different stakeholders, including those from the target countries, without neglecting existing international standards and agreements.
- Ongoing reforms of the EU’s democracy support policies, such as the focus on the whole electoral process and the linkage between democracy and development goals, should be encouraged and implemented.
- Institutionally, the EU should establish a reflective democracy promotion policy that includes *ex ante* assessments of the substance of democracy promotion activities and a more comprehensive mainstreaming of the substance of democracy promotion across different policy sectors. The “Strategic Framework and Action Plan on Human Rights and Democracy” only takes a small step in this direction.