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## **European Union Accession Dynamics and Democratization in Central and Eastern Europe: Past and Future Perspectives<sup>1</sup>**

EIGHT POST-COMMUNIST COUNTRIES (TOGETHER WITH TWO Mediterranean ones) joined the European Union (EU) in May 2004 – and many of them also NATO a few weeks before – nearly a decade and a half after Communist regimes collapsed there from 1989. Undoubtedly, this historic event marked the high point of these countries' transformation in the intervening period. EU accession, in particular, involved a full recognition of their systemic performance in becoming functioning market economies and as having achieved 'stability of institutions guaranteeing democracy, the rule of law, human rights and respect for and protection of minorities', to use the wording of the original Copenhagen conditions of 1993.

Already many other countries in Central and Eastern Europe (CEE) are lining up with EU membership in their strategic sights. Bulgaria and Romania are the closest to achieving this, having completed their negotiations and with 2007 as their envisaged entry to the EU (however, possibly subject to delay in Romania's case). Croatia's negotiations were due to start in March 2005 but these were postponed because Zagreb's efforts to arrest and hand over the war criminal Ante Gotovina were not considered satisfactory; the negotiations eventually began in October 2005. So did Turkey's negotiations, but doubts about this country achieving its aim of membership are already put in serious doubt by barely concealed reluctance in several member states. Macedonia has meanwhile applied for membership but the first stage of the commission considering its *avis* is still underway; while other West Balkan countries are moving towards

<sup>1</sup> This article draws on work for a Fellowship from the Economic and Social Research Council on 'Europeanising Democratisation?: EU Accession and Post-Communist Politics in Slovakia, Latvia and Romania'; and previous work for a Leverhulme Fellowship which covered these same countries but also the Czech Republic.

or through the process of Stabilization and Association Agreements, considered as an intermediary stage towards accession. And, significantly, former Soviet republics like Georgia and Ukraine have been showing a strong urge to follow this track towards membership, having recently asserted their credentials as prospective European-type democracies.

All this represents a considerable potential further addition to EU membership, but one that increasingly raises concern also among advocates of integration about the future capacity of the EU. The defeat of the EU Constitution obviously magnifies that concern considerably, especially with respect to decision-making processes. This dramatic event also provoked doubts in the informed press about the prospects for further enlargement and these were not allayed by the EU summit in June 2005, which discreetly postponed decisions on further enlargement, while France has subsequently argued euphemistically for 'time for reflection' on further enlargement.<sup>2</sup> If this stalls, then the consequences in terms of support for European integration in the aforementioned countries, but also particularly for their chances of succeeding in their democratizations, are likely to be negative. Croatia's marked drop in public support for membership together with new domestic complications in the few months following the postponement of negotiations are a first sign of this possibility. And, with growing doubts about further enlargement, there are some current signs in Ukraine, notably in public opinion, that the country's past two-directional foreign policy of looking East and looking West at the same time might be reactivated. Such a development involving a rapprochement with Russia has obvious systemic consequences, given the fragility of Yushenko's position since the Orange Revolution of autumn 2004.

The question, then, is whether such warning signs remain temporary or become a new trend. Much depends on further decisions in Brussels; but clearly a negative interaction between the EU and these hopeful applicants is now a serious risk. At the moment, there is severe agonizing in the EU over a crucial strategic choice. Brussels is now compelled to devote intense attention to its own constitutional affairs and the prospects of the euro, and also to internal harmony between member states, for example, over the EU budget. These

<sup>2</sup> E.g. A. Browne, 'Dreams of a Bigger EU Dashed by Voters' Fears for Lost Jobs' *The Times*, 1 June 2005; [www.euractiv.com](http://www.euractiv.com), 23 June 2005 and 14 December 2005.

major problems, behind which lie doubts about the future of integration, caution some leaders against further enlargement. At the same time, enlargement has in recent years acquired an impressive dynamic, drawing in further post-Communist countries with important geopolitical implications.

Therefore, this article looks back at the political process from the mid-1990s that led to the enlargement of 2004 in order to contextualize such impending problems. It will examine the question of how much accelerating accession furthered democratic conditionality and whether this in turn promoted democratic consolidation in post-Communist countries, while stressing differences between the first and the second. It does this by considering: the dynamics of EU accession; the EU's conditionality policy and its scope and limitations; and the impacts of this policy on domestic politics in candidate countries from CEE. Discussion then looks more broadly at the relationship between accession with its Europeanization effects and democratic consolidation. This relationship is examined in terms of convergent, parallel or conflicting scenarios, where it is hypothesized that enlargement impacts may be more complicated than is usually portrayed at the official level. Lessons are then drawn from this 2004 enlargement with respect to prospective further member states. Would the failure of another accession process to continue and gather pace – but even more the dashing of their early hopes, however unrealistic – produce a damaging counter-reaction within the countries concerned, one with dire consequences for their fragile democratizations and even for the EU itself?

#### THE EUROPEAN UNION AS DEMOCRATIZING ACTOR

The limited theoretical literature on the politics of enlargement has focused mainly on alternative explanations that are either sociological (the logic of appropriateness where the emphasis is on normative action) or rationalist (the logic of consequentiality where action is determined by rewards for compliance or sanctions in the event of norm violation).<sup>3</sup> These are relevant abstractions that help to guide

<sup>3</sup> See introduction by F. Schimmelfennig to R. Linden (ed.), *Norms and Nannies: The Impact of International Organizations on the Central and East European States*, Lanham, MD, Rowman & Littlefield, 2002, pp. 11–13.

research; but there has been little effort to analyse domestic politics in an interactive dynamic with the accession process.<sup>4</sup> In reality, however, the accession process in CEE up to 2004 was too complex to be subject to either one explanation or the other for compliance with conditionality. Instead, this article opts for a comparative politics approach, drawing on democratization studies, which underlines the importance of viewing such compliance as part of the ongoing dynamics of the accession process.

EU pressures over, national responses to and general possibilities for effecting democratic conditionality have to be seen within the context of movement and progress in the accession process. It was the dynamics of enlargement and the promise of actual membership that actuated post-Communist new democracies to agree unquestioningly to the various conditions of Brussels relating to politics, economics and state capacity and to pursue them assiduously (dependent, that is, on the unqualified commitment of their governments to Euro-Atlantic integration). These conditions were monitored rigorously by the European Commission in the half-decade before they joined the EU. This unrelenting procedure distinguishes the EU from other regional organizations where acquiring membership is not nearly such an elaborate, lengthy and testing business and where democratic conditionality is not exercised in such a strict way. Indeed, with the Council of Europe it has been applied much less rigidly in the form of pre-conditions for membership with the expectation that reforms will be implemented more after entry.

These dynamics are best examined in terms of push/pull effects of the EU – that is, push over conditionality and pull in terms of the promise of eventual membership. Such effects are set within the overall process of convergence towards European integration by applicant and candidate countries. Convergence may take various Europeanizing forms, including the commercial and economic, with possible indirect influences on political attitudes; but increasingly it assumes an extensive policy focus because of the concentration in membership negotiations on adopting European legislation. At the same time, push and pull effects may be evident on the part of

<sup>4</sup> See, however, K. G. Kelley, *Ethnic Politics in Europe: The Power of Norms and Incentives*, Princeton, Princeton University Press, 2004, for an insightful application of these theories to the case of minority rights in four CEE accession countries.

prospective member states in the sense of pushing for an invitation to negotiate (and thus making extra efforts to satisfy the political conditions) as well as eventually for accession to take place. Pull effects may, furthermore, be seen in the case of negotiating governments trying to win over support and opinion on their domestic fronts.

The attraction of EU membership and of negotiations succeeding is a powerful incentive. In other words, there develops also a within-country dynamic that is clearly affected by the ongoing dynamics between the European and national-governmental levels. Serious setbacks in enlargement once on track would run the risk of the process perhaps unwinding on both fronts. Hence, it is above all movement that counts, for this helps much in driving the persistent efforts by candidate countries to satisfy the EU's (ever more elaborate) political conditions originally presented at the Copenhagen European Council in 1993. Although formal satisfaction of these 1993 conditions has to precede the invitation to open membership negotiations, the most intensive period of assessing progress with them in practice and meeting elaborations of them – including the commission's monitoring of these conditions – occurs during membership negotiations.

The European Commission, which oversaw and monitored rigorously the observation of the Copenhagen conditions since the mid-1990s, takes the view that the moment of entry to the EU in effect represents the end point of democratic consolidation.<sup>5</sup> This assumption may be bureaucratically convenient as it avoids calling into question the effectiveness of EU conditionality aimed at 'consolidation' in accession states that are new democracies. However, such an assumption also rides roughshod over the definitional niceties of democratic consolidation as understood in the world of democratization studies (as defined below). But the commission has never reached conceptual clarity on what constitutes a newly consolidated democracy, despite regular use of the term 'democratic

<sup>5</sup> Cf. the comment of David Ringrose, Director General of Enlargement, European Commission, that the end point of democratic consolidation is EU accession and that the commission would not like a (conceptual) debate about the end of consolidation as this would provoke differences among the member states. Once candidate countries received the invitation to join, thereafter 'the political criteria are no longer an issue' (interview in Brussels, December 2002).

consolidation' in its annual regular reports which have monitored the accession countries.<sup>6</sup>

In the case of Central and Eastern Europe, it is clear that the whole EU accession process, including the years of the Europe Agreements took place when democratic consolidation was underway. The transition years in CEE were largely spent before negotiations for EU membership commenced in 1998/2000, although they coincided with the early opening up to Europe, notably in commercial relations. Political effects from the EU began to impinge as from the operation of the Europe Agreements for association from the mid-1990s, while democratic conditionality started with the commission's *avis* of 1997. Nevertheless, in some cases, like Romania and Slovakia, where transition was prolonged because of the persistent influence of former regime elements in the first case or because of attempts at democratic inversion in the second, it may be argued that the EU impinged on transition itself (this is directly observable with the series of *demarches* issued against Meciar's Slovakia in 1994–95). Meeting the Copenhagen conditions in effect means that applicant states should have moved convincingly towards consolidation although they probably cannot yet be in sight of its achievement.

Given that consolidation invariably takes at least two decades, if not somewhat longer in CEE because of the extent of the transformations required (political and economic but also state- and nation-building in certain cases), then we are generally looking for its achievement in the second decade of the new century, i.e. well after the enlargement of 2004 but also that planned for 2007. Democratic consolidation involves by most definitions the stabilization, routinization, institutionalization and legitimization of patterns of democratic behaviour.<sup>7</sup> That is, once transition uncertainties are removed, the way is open for the institutionalization of new democratic structures and clarification of how they interrelate in practice as well as the internalization of the new rules and procedures and the dissemina-

<sup>6</sup> One EU ambassador in a new member state from post-Communist Europe, who had seen through the last vital years of the accession process, when asked for his definition of 'democratic consolidation' (at the end of the interview in spring 2005) replied that he could not 'tell what is consolidation', that there was no working definition and that the 1993 conditions 'look evidently like the key variables'.

<sup>7</sup> R. Gunther, N. Diamandouros and H.J. Puhle (eds), *The Politics of Democratic Consolidation: Southern Europe in Comparative Perspective*, Baltimore, Johns Hopkins University Press, 1995, Introduction, p. 7.

tion of democratic values. The last involves a 'remaking' of political culture in the sense of democratically inclined rather than authoritarian behaviour becoming predominant. It is likely that consolidation is achieved at variable paces when comparing different levels or partial regimes that include institutional structures and the state, parties and interests and civil and economic society.<sup>8</sup> Thus, institutional consolidation probably takes less time than the consolidation of a democratically inclined civil society although in some cases – where civil society has (re)emerged during the late authoritarian period – this may occur more quickly.

It follows that a significant relationship is likely to develop between the two simultaneous processes of democratic consolidation and EU accession, but not merely because they are contemporaneous. This also comes from elite expectations of accession benefiting consolidation, the rigorous demands from Brussels about political conditions but also indirect political effects from candidate countries participating in the EU system, not to mention the wide-ranging and in some instances profound effects from implementing European legislation.

#### EU CONDITIONALITY POLICY: ITS SCOPE AND LIMITATIONS

This dynamic approach in explaining the impact of democratic conditionality leads us to consider the scope for as well as the limitations on the EU's influence over conditionality. This starts with contesting the simple assumption in earlier work on the domestic politics of European integration that it has been the logic of national decision-making that has held sway over the dictates of integration.<sup>9</sup> There has been a considerable expansion of policy concerns and also of political weight of Brussels over the past two decades, giving the EU far more push and pull potential than before. Furthermore, as frequently noted during the accession of CEE, negotiations for

<sup>8</sup> Cf. P. Schmitter, 'The Consolidation of Political Democracies', in G. Pridham (ed.), *Transitions to Democracy: Comparative Perspectives from Southern Europe, Latin America and Eastern Europe*, Aldershot, Dartmouth, 1995, p. 556; and, J. Linz and A. Stepan, *Problems of Democratic Transition and Consolidation: Southern Europe, South America and Post-Communist Europe*, Baltimore, Johns Hopkins University Press, 1996, Chapter 1.

<sup>9</sup> S. Bulmer, 'Domestic Politics and European Community Policy Making', in B. Nelsen and A. Stubb (eds), *The European Union: Readings on the Theory and Practice of European Integration*, Boulder, CO, Lynne Rienner, 1994, p. 144.

membership were distinctly asymmetrical, and so the political initiative over accession was largely held by the EU; and that went too far for conditionality. As a whole, the scope for EU influence over conditionality has grown over time and, given its leverage over CEE candidate countries bent on joining, this influence was immense so long as membership remained a promise and became increasingly probable.

Partly as a reflection of the long-term politicization of its own affairs and partly in response to the post-Cold War enhancement of democracy promotion as well as of human rights as an international concern, the EU came to expand its democracy agenda and to develop new instruments for furthering this such as the regular reports, the Phare Democracy Programme and twinning arrangements with individual member states.<sup>10</sup> This development was also influenced by demands from CEE for political assistance as well as by EU anxiety over the state of post-Communist democracies as future member states (once their membership entered the vision of Brussels from the mid-1990s). The latter featured strongly behind the inclusion of fighting corruption among the political conditions and in the severe pressure for improving state capacity in these candidate countries.

Concerning the content of conditionality, the EU moved in the later 1990s well beyond the (somewhat bland) formal democracy criteria utilized initially with respect to Southern Europe a generation before into areas of substantive democracy. While the Copenhagen criteria as defined in 1993 covered the stability of democratic institutions, the rule of law and human and minority rights, since then EU conditionality has also come to specify the strengthening of state capacity, the independence of judiciaries, the pursuit of anti-corruption measures and the elaboration of a series of particular human and minority rights (as well as highlighting the severe condition of the Roma); but also economic, social and cultural rights such as those relating to trafficking in women and children and gender equality.<sup>11</sup> More recently, other issues have been added, notably the handing over to the Hague tribunal of war criminals from the Balkan conflicts of the earlier 1990s, with respect to Croatia and Serbia-Montenegro as well as Bosnia-Herzegovina. The seriousness of this

<sup>10</sup> A. Dimitrova and G. Pridham, 'International Actors and Democracy Promotion in Central and Eastern Europe: The Integration Model and its Limits', *Democratization*, 11: 5 (December 2004), pp. 95–7.

<sup>11</sup> *Ibid.*, p. 97.

last demand was shown in March 2005 when the opening of membership negotiations with Croatia was halted over the failure to act in the Gotovina case.

However, the EU's political conditions have not been conceptually driven nor have they been influenced by any political doctrine. Moreover, some of these additional conditions, like fighting corruption (motivated mainly by the EU's concern for CEE's impact on its own growing fraud problem) sit rather awkwardly with furthering democratization, even though the commission argues with some justification that anti-corruption underpins the rule of law. Rather, the EU conditions have been pragmatically handled and incrementally developed without this involving any comprehensive view of liberal democracy.

The limitations facing the EU are several. They relate first of all to the timing of conditionality impacts in relation to democratization, for, as noted above, the new democracies in CEE established their new institutions well before the political conditions began to be applied methodically and annually as from 1997. Therefore, conditionality was not – and could not be – about macro-institutional choice just as it did not engage with types of liberal democratic regimes. In any case, that would have opened up an awkward debate among the member states with their somewhat different versions although mainly on the parliamentary model (a point emphasized by commission officials in elite interviews). As the Copenhagen conditions stressed, the EU concern was about the 'stability of institutions guaranteeing democracy' – whatever they were.

Secondly, limitations derived from the institutional weakness of the European Commission, which emerged as the protagonist of EU conditionality and the routine manager of accession business in the 1990s. Clearly, it thereby acquired important powers but at the same time the commission showed more often than not that its approach to democratic conditionality was bureaucratic rather than straightforwardly political. The standard 'list system' it adopted for monitoring the political conditions indicated this just as did the commission's avoidance of any model of democracy. The same caution applied to regionalization where Brussels's main concern was the administration of the structural funds with the choice of model being left to the candidate states.<sup>12</sup> The European Commission preferred instead of

<sup>12</sup> G. Pridham, *Designing Democracy: EU Enlargement and Regime Change in Post-Communist Europe*, Basingstoke, Palgrave Macmillan, 2005, p. 127.

adopting models to establish operative principles, such as transparency, accountability, professionalism and effectiveness in the case of state capacity.

Thirdly, certain limitations were self-imposed in the commission's conditionality agenda, even though the conditionality policy it developed in the later 1990s and beyond was the most ambitious both in the EU's history and in comparison with other international organizations. Limitations are shown in some important gaps in the commission's attention to democratic actors, for political parties are completely omitted (although their activity is catered for by the European transnational parties), while civil society is narrowly defined as the development of NGOs (which is covered more via the Phare Programme than the political conditions properly speaking). The commission's reluctance to engage with political parties is an admission of its more bureaucratic than political approach, even though enlargement commissioners have very occasionally intervened publicly over the question of extremist parties in these new democracies.<sup>13</sup> Moreover, the commission has sometimes discreetly encouraged the European Parliament to take up certain political issues that the commission might find difficult to handle publicly.<sup>14</sup> Fourthly, limitations or constraints on conditionality action were obviously set by the commission's dependence on national accession governments as its main agents here in candidate countries, reflecting the inter-governmental focus of accession business. However, accession governments were not always in a position to carry through conditionality effectively, as will be discussed below.

Having emphasized the limitations facing the EU's conditionality policy, it should be added that member states have occasionally intervened for high political reasons on conditionality matters. This has produced either a less rigorous line over conditionality (as happened in the case of the invitations in late 1999 to Bulgaria and Romania to negotiate for membership, following their contribution to the NATO effort in the Kosovo war) or a reassertion of a particular condition as over the Gotovina issue for the opening of negotiations with Croatia in spring 2005. In the latter event, the strong line was taken as an

<sup>13</sup> *Ibid.*, pp. 151–3.

<sup>14</sup> Author interviews with Geoffrey Harris, European Parliament Secretariat, and with Kristin Schreiber, member of Commissioner Verheugen's cabinet, both in Brussels, February 2001.

example to other West Balkan countries, notably Serbia-Montenegro, that the EU would not soften its position on war criminals (although, admittedly, there were differences among member states on the decision to delay negotiations with Croatia).

#### DEMOCRATIC CONDITIONALITY AND ITS IMPACTS ON CANDIDATE COUNTRIES

The accession process was distinctly top-down and elite-driven whether from Brussels or from the various CEE national capitals. All the same, the push/pull dynamics were usually complicated by domestic factors even though the accession process ended successfully in the achievement of membership in May 2004. As one would expect, conditionality matters have far more direct impact with political elites – especially those holding government responsibility – than they do either in the political arena of parties, the media and the public or in the socio-economic arena of interests and NGOs. This may reflect simply the relative brevity of direct integration experience for these countries; although it also suggests a lack of depth to conditionality impacts and hence a basic limit to the possibilities of integration affecting democratic consolidation.

The prospects for the EU's political conditions in CEE depended very much on the unqualified commitment of national governments to accession for their countries – their pull towards the EU, as it were – because negotiating membership was a sustained and testing business. Such commitment almost invariably included a strong normative element concerning integration, vital for helping to maintain the drive behind accession.<sup>15</sup> At the same time, CEE elites were remarkably content with embracing the version of democracy demanded by the EU and promoted by means of Brussels's bureaucratic incrementalism. Especially if in government, they chose not to question conditionality because they saw it as a necessary route into the EU. The explanation was simple: governing elites were just too busy – indeed,

<sup>15</sup> In contrast, the lack of such a commitment was, for instance, evident in the case of the Meciár government in Slovakia in the mid-1990s. This government, influenced by a dubious attachment to democratic standards, ran into political problems with the EU over worsening political conditions in that country; and this resulted in Slovakia's failure to be invited to negotiate membership in late 1997.

overloaded with accession on top of routine government business – and did not wish to complicate their chances of joining the EU. In other words, conditionality was treated strategically so that sometimes attitudes towards the political conditions appeared rather instrumental. This did not have to matter absolutely if in the end these conditions, when implemented, in fact promoted the quality and consolidation of the new post-Communist democracies.

While government commitment to conditionality was crucial politically, it was not necessarily decisive. For institutional capacity was important especially with certain conditions, such as the cooperation of justice ministries for judicial reform and the effectiveness of special agencies like those for fighting corruption. For some of the conditions implementation proved more difficult than with other ones, since behavioural compliance was important for complementing legislative decisions. This was notably true of fighting corruption and promoting human and minority rights, but to some extent also of judicial reform because of legacies of state-oriented judicial culture under Communism. As a prominent human rights lawyer in Bulgaria noted:

The transition from a totalitarian principle of social organisation towards a democratic principle, where the roles are clearly distinguished, is particularly painful for the third – judicial – power as it is unable to reform itself. It does not have the tools to adopt laws that would make it independent, nor does it have the resources needed to ensure the efficient functioning of the judicial system. In addition to these self-evident hurdles, very few members of the judiciary clearly realize the role of their system in a democratic society. The traditional education and understanding of lawyers in former socialist countries – that they should act as ‘counsel for the state’ – predetermines the lack of any concept for the reform among the members of the judiciary.<sup>16</sup>

In other words, the initiative and drive for judicial reform had to come from the governmental level, especially in challenging this culture. Given, however, the rootedness of this problem, was the role of the EU little more than that of pressing accession governments to move, albeit slowly, along the road of reform?

Progress in judicial reform can indeed be slow, as shown in Latvia. Even as late as 2002, the commission’s Progress Report complained about that country’s progress: ‘while most of the deficiencies of the judicial system have been identified, only part of them have been

<sup>16</sup> Z. Kalaydjieva, ‘An Independent Judicial System in the Context of EU Accession’, in European Institute, Sofia, *Bulgaria’s Progress towards EU Membership in 2000 – the NGOs’ Perspective*, Sofia, European Institute, 2001, p. 18.

addressed', so that 'efforts in this field need to be multiplied in order to ensure a thorough systemic reform, based on political support for modernising the judiciary and sufficient funding'.<sup>17</sup> Nevertheless, in EU eyes, there is scope for influence as pressure from Brussels 'helps those who are trying to get a more responsible judiciary'. For instance, the state president of Latvia had taken a strong line over judicial reform and 'this opened discussion' over the matter, which provided a stimulus.<sup>18</sup> It became clear, however, that passing laws to promote reform – where the EU pressure could be most decisive – was far from enough to remedy the situation after the Communist experience.

As shown by the difficult case of Romania, political control was a major problem in reference to the powerful position of the Ministry of Justice, notwithstanding detailed improvements in the condition of the judiciary. This was highlighted by the 2002 Progress Report on that country, which concluded that 'the executive's involvement in judicial affairs has not been reduced in practice'.<sup>19</sup> The Romanian government indeed responded to that report with 'a comprehensive strategy' for dealing with outstanding problems,<sup>20</sup> but there was evidence of a lack of strong political will on the part of the Nastase government (2000–04) to force through change.<sup>21</sup> However, under persistent EU pressure political control over the judiciary was finally ceded in summer 2004. Overall, the main problem is that the implementation of judicial reform involves – in addition to a range of practical difficulties – changing the mentality of judges and training them in new areas like human rights, anti-corruption, environmental protection and banking law as well as European law itself – all of which were unfamiliar to Romanian judges.<sup>22</sup>

<sup>17</sup> European Commission, *2002 Regular Report on Latvia's Progress towards Accession*, Brussels, European Commission, 2002, p. 34.

<sup>18</sup> Interview with Andrew Rasbash, head of EU delegation to Latvia, in Riga, May 2003.

<sup>19</sup> European Commission, *2002 Regular Report on Romania's Progress towards Accession*, Brussels, European Commission, 2002, p. 37.

<sup>20</sup> *The Judicial System Strategy of Reform, 2003–2007*, Romania, Government Decision no. 1052, 2003.

<sup>21</sup> According to Sorin Ionita, Romanian Academy Society, in reference to judicial reform, 'written things are agreed with Brussels, but the reality points the other way' (interview in Bucharest, October 2003).

<sup>22</sup> Interview with Simona Teodorou, secretary of state for EU affairs, Romanian Ministry of Justice, in Bucharest, October 2003. She nevertheless commented that the

Over accession, national governments performed a difficult balancing act between coping with incessant demands from Brussels and avoiding the pitfalls of domestic politics. As a whole, though, political figures or parties with reservations about integration and/or the EU's conditionality generally chose not to make an overt issue of this as the alternatives lacked credibility. Eurosceptic parties there were in some CEE countries; but they did not take issue with the EU's political conditions, nor were they necessarily suspected of harbouring doubts about liberal democracy. Populist or nationalist forces chose not to confront the conditions imposed from Brussels largely for tactical reasons. As was often the case, strong public support for accession tended to caution most politicians who were nationalist-inclined. This included the nationalist Greater Romania Party of the notorious Corneliu Vadim Tudor, for Romania evidenced one of the consistently highest levels of public support for EU membership during membership negotiations according to Eurobarometer surveys.

Looking more closely at the domestic scene, both political parties and the media – though to a significantly lesser extent economic interests and NGOs – were sucked into the accession process once negotiations started, if only to keep abreast with developments and acquire EU expertise. However, these intermediary actors were not really direct proponents of democratic conditionality, well informed though they tended to become. The media gave intermittent attention to this matter, usually following the commission's annual monitoring reports when they typically highlighted criticisms from Brussels. Some NGOs were indeed active on conditionality's behalf, at least in those areas in which they were engaged, such as human and minority rights. However, public opinion remained largely ignorant of what conditionality entailed, except when a few of the conditions became controversial or over-exposed (although, as over corruption, of which CEE publics were only too aware, it did not always follow they made a connection with Brussels's demands).

At the same time, political parties were in their own area of activity already well networked transnationally with their European party equivalents, like the Party of European Socialists, the centre-right European People's Party and the European Liberal, Democrat and Reform Party. Very relevantly, these Euro-parties operated their own

push from Brussels was important for, while there was 'also an internal need for judicial reform, the rhythm came from the EU'.

form of tight democratic conditionality for aspiring member parties, focusing on their commitment to democratic values and procedures as well as their handling of the Communist past. Since the commission chose not to include parties among its political conditions, transnational party cooperation provided a vital parallel channel for furthering democratic standards in the party systems of these new democracies and for educating party elites in the ways of European politics.<sup>23</sup> However, this activity involved mainly certain party elites and restricted groups of activists, so that its direct effects, while significant, could not be described as widespread. Transnational networking was much less evident on the part of economic interests and national NGOs during the accession period, although there were some developments in this direction with prospects for more progress once these countries became member states. In general, one could say that such transnationalization tended to have reinforcing effects on democratic consolidation in CEE.<sup>24</sup>

#### EUROPEANIZATION AND DEMOCRATIZATION: CONVERGENT AND PARALLEL SCENARIOS

Looking back over the accession process up to 2004, the relationship between Europeanization and democratization emerges as a largely positive one. One is tempted all the more to agree with this view in the light of EU enlargement in May 2004, since this historical development encourages optimism for the final stage of democratic consolidation in these CEE countries. They are now finally embedded in the Euro-Atlantic structures with all the guarantees, support mechanisms and opportunities these offer for ever-closer union, collective decision-making and transnational networking with more established democracies. However, it is necessary to look at how far these two processes of Europeanization and democratization were convergent, parallel or even conflicting.

One tends initially towards the convergent scenario if only because conditionality has been part of the overall convergence process between accession countries and the EU. It does, however, require some qualification because democratic convergence has been

<sup>23</sup> See Pridham, *Designing Democracy*, Chapter 5.3.

<sup>24</sup> See *ibid.*, Chapters 5.5 and 6.4.

incomplete, owing to the general limitations on EU influence and various domestic realities that have complicated the implementation of if not compliance with the political conditions. Failings in the CEE new member states have been common with regard to judicial reform, fighting corruption and alleviating the condition of the Roma. Imperfect convergence might therefore be an apt conclusion on democratic conditionality up to 2004. But in fact there are some arguments also for the other two scenarios.

There is a certain parallel process in that democratic conditionality ran alongside other integration developments with respect to CEE. These included commercial and economic and, of course, policy developments through the adoption of European legislation, which began before membership negotiations started under the Europe Agreements from the mid-1990s. And there is, too, literally a parallel scenario in that the political conditions were monitored annually alongside membership negotiations. However, there were some occasions, notably in Romania's case, when the two interacted, i.e. with deficiencies in implementing conditionality threatening the continuation of negotiations – in fact, ominously over that country's prospects for making it through to EU entry.

The main political issue in the first years of Romania's negotiations was lack of action over the condition of institutionalized children (a notorious legacy from the Ceausescu regime), while later Romania's inability to put impressive-sounding plans into practice over judicial independence and corruption was repeatedly criticized by Brussels in the final stage of negotiations. In general, the procedure for halting negotiations is somewhat lengthy and cumbersome, allowing offending candidate countries suitable time for rectifying matters. In the cases of Bulgaria and Romania, the conclusion of negotiations has not alleviated the pressure from Brussels because of the new mechanism of 'safeguard clauses' in their 2005 accession agreements, which allow for a year's delay in their entry to the EU if they fall behind with meeting obligations. Romania is clearly the weaker of the two in this respect. Threats have been made by the Competition Commissioner that, if Romania fails to improve its performance over state aid and restructuring its steel sector, then 'the Commission would have no other option than to propose postponement'.<sup>25</sup> However, the 'safeguard clause' has indeed been effective in

<sup>25</sup> [www.euractiv.com](http://www.euractiv.com), 13 May 2005.

some areas, notably judicial reform, so that the remaining major issue between Brussels and Bucharest is fighting corruption.

On questions of parallel processes, it is important to recall that post-Communist countries have been undergoing different simultaneous transformations in which the EU has played some role. Brussels requires, for instance, that candidate countries become functioning market economies. However, persistent EU pressure over the economic conditions (also monitored annually from 1997 to 2002 along with the political conditions) gave added momentum to economic transformation but also thereby enhanced social tensions. These were transmitted into greater political tensions during the accession process, and this probably inhibited ready movement at this stage towards democratic legitimization. However, there is no evidence that this problem actually detracted from democratic consolidation. In fact, such political tensions tended to be voiced through alternation in power in a way that did not challenge the consensus over EU membership. Some discussion emerged late in accession about the EU favouring economic 'winners' over economic 'losers', but this remained confined to expert and elite circles and did not really enter the public arena.<sup>26</sup> The EU impact on the so-called third transformation of state- and nation-building has been more restricted, being focused especially on minority rights. Undoubtedly, the EU has, together with the Council of Europe and the OSCE, had a positive impact here in the sense that otherwise progress would have been slighter, not least because of societal if not cultural barriers to furthering minority rights in the new post-Communist democracies. This outside influence may be seen as furthering political tolerance and social awareness; thus it has been in its particular way beneficial to democratic consolidation.

#### EUROPEANIZATION AND DEMOCRATIZATION: A CONFLICTING SCENARIO?

So far, Europeanization and democratization may be seen as more or less complementary when viewed as longer-term processes (here trying not to be too impressed by the fact that enlargement took

<sup>26</sup> See H. Tang (ed.), *Winners and Losers of EU Integration: Policy Issues for Central and Eastern Europe*, Washington, DC, World Bank, 2000.

place in 2004).<sup>27</sup> But in the shorter-term perspective problems have indeed arisen. They may include increased government overload deriving from the whole burden of managing accession with its 30 policy chapters and the inevitable frustrations for decision makers at least with having to cope with Brussels's endless bureaucratic demands – sometimes referred to as 'fax democracy', where national officials sit by fax machines waiting for the latest directive from Brussels.<sup>28</sup> As far as conditionality itself is concerned, one may mention signs of evaluation fatigue, especially in the later stages of accession.

It must be remembered that other international organizations were applying conditionality pressures at the same time as the EU and that accession governments, or some of them, were quite regularly put under the whip of the International Monetary Fund, for example. However, these elite frustrations tended not to be noticed widely outside national capitals, and so it is a fair conclusion that they did not have serious effects for democratization at the societal level. In general, conditionality, whether political or economic, served to speed up developments that might otherwise have occurred – or, perhaps, with some political conditions, not much or not at all (improving the condition of the Roma is one obvious instance). The question that then arises is whether conditionality, once carried out, actually met its stated purpose of better governance or of breaking with past political practices at other levels of these new democratic systems.

At this juncture, the discussion begins to point somewhat towards a conflicting scenario. Negative impacts may also occur notwithstanding the official commitment of Brussels to furthering democratic consolidation in CEE. The most serious possible conflicting scenario did not in fact happen. A stalling if not blocking of enlargement would probably have had detrimental consequences for these still somewhat fragile democracies. There were nevertheless some aspects of Europeanization that posed particular problems for democratic

<sup>27</sup> This following section develops from Pridham, *Designing Democracy*, Conclusion.

<sup>28</sup> The term was coined by Jens Stoltenberg, opposition leader in Norway (*The Economist*, 9 October 2004, p. 45). Cf. one Czech interview respondent's remark at the end of the discussion that 'one reason to become a member state as soon as possible' was to get away from commission pressure, for the commission was 'like His Majesty' (interview with Jaroslav Zverina, vice-chairman of the Committee for European Integration, Chamber of Deputies, in Prague, March 2003). The regal reference was evidently to George III and his imperious behaviour towards the American colonies.

consolidation or ones that for a while appeared to do so. However, in most cases it is necessary to withhold judgement and wait on further developments in early EU membership.

Firstly, the bureaucratization of relations with Brussels could have wider institutional or procedural effects on these still unconsolidated democracies. This concern arose over the sheer immensity of the accession business with these countries having to accommodate the whole *acquis communautaire* of some 80,000 pages, which had to be implemented under great pressure with insufficient time or effort to consult where necessary. Accession certainly favoured the executive institutions over the parliamentary ones; while administrative values were sometimes given a priority over democratic (i.e. participatory) values. There was admittedly little real scope for changing European legislation – which had essentially been drawn up with Western European country preferences in mind – there being only some flexibility over the timing of its implementation through a limited number of negotiated transition periods. The growing bureaucratization of links and procedures with the EU is inevitable given the experience of older member states. It remains to be seen how much this really affects the crystallization of these new democracies as decision-making systems.

Political elites in CEE expressed no wish while conducting accession to take issue with the EU's democratic deficit, at least for tactical reasons to do with their overriding priority to achieving membership.<sup>29</sup> The question is whether after enlargement the governments in CEE – comprising nearly a third of the member states – choose to show more interest in these basic problems of the EU's functioning. This is likely to arise now in some form because of the compelling need to address the political future of integration following the negative referenda in France and Holland on the EU Constitution. Some tensions already exist in that certain longer-standing member states, which admittedly did not undergo the strict conditionality imposed on post-Communist states, would today fail the test of some of the political conditions.<sup>30</sup> Special polemical discussion has been

<sup>29</sup> Cf. the comment of a former Slovak deputy prime minister for European integration that 'we understand [the democratic deficit] as a fact'; and, there is no criticism of it as 'we are concentrating on accession – we are simply pragmatic' (author interview with Pavol Hamzik, in Bratislava, April 2002).

<sup>30</sup> *Guardian*, 17 April 2003 and 13 January 2004; *European Voice*, 12–18 December 2002. As is commonly noted, Greece would fail on grounds of both fighting corruption and its treatment of minorities.

reserved for then Prime Minister Berlusconi of Italy because of his provocative record on media control and on corruption, even to the extent of his government passing legislation to protect his own private interests – a blatant violation of the rule of law. Assessments have even been made whereby Italy might not meet EU requirements for membership.<sup>31</sup> At issue here is an absence of East/West sensitivity for, even though the old member states in question had not been subject to such democratic conditionality before they acceded to the EU, their current record or behaviour conflicted with the values of the EU's policy as it has developed since the mid-1990s.<sup>32</sup> It will therefore be revealing to see how the EU's democratic conditionality for current or further candidate countries develops now under the partial influence of these new member states from CEE.

Secondly, the pre-existing problem of elite/mass relations and public mistrust towards the political elites in CEE countries came into view during the accession process.<sup>33</sup> It derived essentially from the legacy of Communist rule in the form of mistrust towards state authority, but also drew on public awareness of corrupt practices among political circles since the advent of democracy. The fear was that this gap of political credibility could worsen with accession's over-concentration on executive power. The signs up to enlargement taking place were, however, that this fear was not seriously realized. This was partly because of the fairly high prestige of the EU itself, which in some of these countries encouraged a hope that entry to the

<sup>31</sup> R. Owen, 'Berlusconi's Leadership Raises EU Fitness Doubts', *The Times*, 28 June 2003.

<sup>32</sup> Cf. the comment of Heather Grabbe (later appointed to the cabinet of the enlargement commissioner from 2004): 'The goal of EU membership is used by reformist politicians as far afield as Serbia and Ukraine as an incentive to undertake painful measures to overhaul their economies and political systems. Politicians in these countries will find it harder to ask change of their people when such a lousy example is set by Berlusconi' (who was just about to assume the presidency of the EU on Italy's behalf); and that in repeating Berlusconi's behaviour 'the Central and East Europeans would have been ostracised by the Union and told they were unfit for membership if their leaders had lifted themselves above the rule of law, or concentrated media ownership in their own hands. Italian frivolity will provide the rest of the EU with a bit of light entertainment over the next six months. But it looks like a sick joke in those countries where democracy is a recent, hard-won achievement' (*The Times*, 8 July 2003).

<sup>33</sup> E.g. Eurobarometer 2004.1, *Public Opinion in the Candidate Countries, National Report, Executive Summary, Latvia*, Brussels, European Commission, 2004, p. 3.

EU might actually improve public institutions.<sup>34</sup> Furthermore, the wide party-political consensus on accession in most countries made some impression at the public level, even though in certain countries – notably Hungary – there were fierce battles over the terms, while in the Czech Republic, in particular, accession was marked by a Eurosceptic debate.

However, the failure of elite/mass problems to become critical through accession benefited from the ignorance of national publics at this time concerning the realities of European integration and the consequences of membership. There was, in other words, a delay in moving from the abstract to the concrete in public understanding of the EU. But likely adjustment problems, especially economic, coming from early membership could create public disquiet and discontent in the years to come, although the first stage after accession has seen economic growth in the new member states. The very low turnout in European elections in CEE in June 2004 – much lower than the still low turnout in the old member states – could turn out to be a first indicator of some disillusion. It remains, furthermore, to be seen what effects the dramatic rejection of the EU Constitution in two of the original member states and the consequent crisis over political integration will have on both elite attitudes and public responses in these post-Communist democracies, given their own enthusiasm for – and dedication to – joining the European Union.<sup>35</sup> And, more seriously even, what will happen to more fragile democracies not merely in the Western Balkans but in former Soviet territory like Georgia and

<sup>34</sup> E.g. in Romania, this attitude has been quite pronounced because of the problems of state capacity there and the connection made between EU accession and reform of the state. According to the director of the Institute of Marketing and Polls (IMAS), ‘the public believe these international organizations [like the EU, the IMF and the World Bank] know better than Romanian politicians’; and this meant these organizations ‘had public opinion behind them’ (author interview with Alin Teodorescu, in Bucharest, October 2003).

<sup>35</sup> Initial reactions to the French and Dutch referenda were rather critical of what happened, see N. Smith, ‘New Dawn Fades for Latest EU Members’, *The Sunday Times*, 5 June 2005; although official statements since have been mixed. Nevertheless, President Kwasniewski of Poland commented revealingly, as if to indicate much potential for disillusionment: ‘When I see the atmosphere in some European countries, especially among founders such as France, Germany and Holland, and the atmosphere in our countries, the new EU members, the difference is that the founders are like people after 50 years of marriage and we are still in love with Europe’ ([www.euractiv.com](http://www.euractiv.com), 20 June 2005).

Ukraine, where shifts to democratization in their revolutions of 2003 and 2004 were immediately followed by an impatient declaration about following the path to Brussels?

#### TOWARDS DEMOCRATIC CONSOLIDATION: THE EUROPEAN DIMENSION

These three scenarios taken together convey a more mixed picture than is usually assumed, although one that is still rather more positive than negative. In the end, the crucial question is whether the dynamics between Europeanization and democratization are positive or negative for, whatever the problems along the way, if they are positive, then the prospects should encourage real optimism. Some features of the accession process may have inhibited or even slowed down the achievement of democratic consolidation in CEE, though this was cross-nationally variable. But by and large the EU's influence has pointed towards reinforcing and promoting consolidation, both directly through its conditionality and indirectly through the closer engagement of these new democracies with integration matters and policy-making institutions and procedures.

Nevertheless, democratization in post-Communist countries commenced before the EU impacted politically in these different ways; and the course taken by them in regime change in the earlier 1990s therefore had a constraining effect on the EU's influence. Democratization paths developed, constitutional agreements were reached and the formal structures of these new democracies were created at that time. Hence, the focus of EU conditionality was on ensuring that democratic institutions were really accountable and stable, that the rule of law became entrenched and that political pluralism and minority positions were fully tolerated. In other words, EU conditionality was really concerned with (some but not all) requirements of democratic consolidation rather than the more pioneering tasks of democratic transition. How much, therefore, did the EU through accession contribute towards democratic consolidation in CEE?

In essence, democratic consolidation involves the gradual removing of remaining transition uncertainties, thus opening the way for the institutionalization of a new democracy, the internalization of its rules and procedures by intermediary actors and the dissemination of democratic values through a 'remaking' of the political culture. By

this account, EU accession and its conditionality have achieved most with the first of these three developments, namely democratic institutionalization (albeit with the reservation about bureaucratization discussed above). It has to a more limited extent contributed to the other two developments respectively through transnational elite socialization and through programmes designed to promote civil modernization. The constraints have broadly come from previous regime legacy problems of some depth and from the fact that in regime change societal developments do not usually keep pace with sometimes rapid institutional reform.

It is not the case that the moment of EU entry automatically represents the final point of democratic consolidation. What accession does is to proclaim new members' success with democratization through granting this much-coveted international status, to transmit thereby some political confidence at least to their political elites and, most importantly, to provide an institutional framework that increasingly makes it difficult for democratization to go wrong. In short, accession makes consolidation probable and in the best of circumstances acts as a virtual guarantee that it will be achieved.

But it must be noted that cross-national variation is likely to modify any such conclusion, for the newly liberated former Communist countries took somewhat different, albeit contemporaneous, transition paths. Countries like Hungary and Poland advanced more easily than some with their political change because of their liberalization phases under late Communism and their clear strategies for economic transformation (although the rise of nationalist attitudes in the former and the continuing lack of party system stability in the latter might be held as evidence that democratic consolidation has not quite been achieved). Slovenia may be said to have accomplished democratic consolidation before EU membership because its political change was accompanied by not only effective economic transformation but also the emergence of a healthy civil society, even though its transition had been marked initially by a very brief war with the truncated Yugoslavia in 1991. At the level of party systems, the Czech Republic and Hungary are the most consolidated of the CEE countries; while in Slovakia party system development has remained persistently unsettled. But then Slovakia had a difficult democratization path in the first five years after its independence in 1993 and one that interacted controversially with EU relations. Given the very different dynamic now there, Slovakia is one particular case where EU entry is

likely to be especially beneficial for its democratic consolidation. Latvia and Estonia still have serious problems with their Russian minorities, which must qualify success there with democratic consolidation.<sup>36</sup>

Such cross-national differences are relevant in both contextualizing and influencing the impact of EU conditionality. Of course, all these CEE countries have been subjected to the same political conditions in roughly the same period of time; and, in so far as these have been effectively implemented, a certain uniformity might be expected in the new member states over democratic standards. Nonetheless, some variation here might come from differences between those invited to negotiate in late 1997 and those which received the invitation two years later, the latter being placed under more intense pressure to meet the standards in a more compressed period of time. And cross-national variation would also come from the fact that some political conditions were more difficult to achieve in certain candidate countries than in others because of their variable magnitude – the strong Russian minorities in Latvia and Estonia and the size of the Roma population in Slovakia, to mention some obvious examples. The weakest arena for conditionality effects is clearly at deeper or societal levels; but whether problems here rebound either on EU membership or on democratization itself depends to some degree on the role played by intermediary actors. Evidence available so far demonstrates their own adaptation to accession, which is unlikely to be reversed once EU membership imposes its own schedules, institutional demands and constraints, albeit at a less hasty pace than before.

However, EU conditionality has ceased for those new post-Communist member states that joined in 2004. That means that direct and regular pressures have disappeared unless there is an emergency situation, in which case sanctions based on the Amsterdam Treaty will go into operation. Any lapses in democratic standards will probably attract the attention of the media and more consistently of vigilant NGOs. The final test of this conditionality therefore remains ahead, but there are already signs that other external actors, including INGOs, are playing a significant part after accession over

<sup>36</sup> Cf. reports in 2003 on deficiencies in the observation of human rights in Latvia in Latvian News Agency (LETA), report, 9 February 2005, and in EU Network of Independent Experts on Fundamental Rights, *Report on the Situation of Fundamental Rights in Latvia in 2003*, Brussels, European Commission, 2004.

certain political conditions. For instance, the cause of improving the severe situation of the Roma (defined as one of the EU's political conditions) has now in effect been taken over by the World Bank and the Open Society Institute with their announcement in spring 2005 of the Decade of Roma Inclusion for CEE.<sup>37</sup> Meanwhile, indirect effects on democratic practice come more into play through these countries' now full participation in EU institutions. As a whole, post-accession democratizing influences from the EU will be less concentrated and more diffuse compared with pre-membership conditionality where the EU acted as a forcing house for democratic standards. However, the odds are in favour of the post-Communist democracies now in the EU achieving their consolidation despite the limitations and complexities of conditionality's impact in Central and Eastern Europe.

#### LESSONS FROM THE 2004 ACCESSION AND FURTHER ENLARGEMENT

It is clear from above that the EU's political influence on accession states has been extensive in a wide though not necessarily deep sense. What are therefore the main lessons for any further enlargement to be drawn from the EU's role concerning democratic conditionality in the enlargement to post-Communist Europe in 2004? They may briefly be defined as follows:

- (i) Democratic conditionality's prospects indeed benefit considerably from the dynamics or push/pull effects of EU accession; the pressure to satisfy the political conditions is relentless, clearly showing the EU possesses great leverage over candidate countries in this respect.
- (ii) While these dynamics provide significant scope for the EU's conditionality policy, the limitations on its impact are set in particular by its timing: democratic conditionality is not co-terminous in its timescale with democratic consolidation.
- (iii) Conditionality policy is essentially top-down in its conception but also limited in its effects, as shown by its greater impact on the institutional compared with the intermediary and societal

<sup>37</sup> Interview with Alena Panikova, executive director, Open Society Foundation, in Bratislava, May 2005.

levels; and, similarly, conditionality has been more successful in formal terms (i.e. institutional and legislative) than in concrete terms (i.e. with respect to implementation).

- (iv) Although the European Commission's approach to conditionality is essentially bureaucratic, high politics may occasionally dominate when member states intervene over conditionality matters.
- (v) Crucial to conditionality's chances is the unqualified commitment of accession governments to Euro-Atlantic integration, whereby their action on conditionality matters becomes strategic and rather instrumental for the sake of achieving entry to the EU.
- (vi) Nevertheless, domestic factors may play an influential part in the implementation of conditionality ranging from state capacity to party-political consensus on integration (which provided a permissive acceptance), together with social compliance and adaptation, although with much variation according to the particular political conditions as well as the country in question.
- (vii) Evident too are various negative aspects to the pursuit of conditionality (e.g. possible effects on democratic procedures from EU bureaucratization, complications from the mistrustful state of elite/mass relations in post-Communist societies and some elite resentment in CEE towards apparent EU double standards over political conditions); however, none of these problems have to prove damaging during the accession process if the popularity of membership is high.

If there are any lessons for improvement in conditionality policy in the future, these would have to include: on the EU side, a less rigidly top-down approach, one with more decided cooperation with 'bottom-up' actors like NGOs as well as one that is less mechanically bureaucratic and fragmented in its conception and more sensitive to national particularities in its application; on the CEE side, more realism and less obsession with accession deadlines, thus allowing for a more considered implementation of the political conditions. It is, however, recognized that these suggestions run into basic problems of working methods on the one hand and of political expectations on the other.

What does all this say about further accession states? The same conditionality policy is being and will be applied to accession new-

comers. Bulgaria and Romania have up to now faced the same political demands as the CEE countries that joined the EU in 2004; but already there are signs of a tougher approach towards these two countries by Brussels, as seen in the serious intent of the 'safeguard clauses'. It is generally considered that enlargement thereafter will become more difficult (quite aside from the special impact of the crisis over the EU Constitution): new conditions are being imposed, such as relating to war criminals, in the cases of Croatia and Serbia-Montenegro (not to mention special conditions in Turkey's case such as over the role of the military); while the highlighting of 'stabilization' alongside 'association' in the case of the Western Balkans carries its own challenge for future democratic conditionality. The same new framework will hold for countries like Georgia and Ukraine. There is a growing realization in Brussels that the next enlargements will place a more serious burden on the EU for bringing about systemic change in candidate countries.<sup>38</sup>

This emerging scenario of a tougher ride towards EU membership points therefore to a more problematic observation of democratic conditionality in these other countries. This draws on the principal lesson above about the essential relationship between achieving conditionality and accession dynamics. Movement and optimism are all important for in their absence or delay complications set in for meeting Brussels' conditions. But then we are looking in any case at rather more difficult democratizations in these new applicant countries from the Western Balkans and possibly former Soviet republics. This was underlined by the International Commission on the Balkans in its report *The Balkans in Europe's Future* (2005) when it summarized what it called 'the integration trap':

The consensus uniting governments and people in the Balkans is that the region cannot achieve prosperity and stability outside the process of European integration. At the same time, it is quite clear that the dysfunctional states and protectorates that characterise the region actively hinder the inclusion of the Balkans into the European mainstream. In this sense, the status quo is a problem because it is blocking the road to EU accession.<sup>39</sup>

<sup>38</sup> Cf. the comment of the Central Europe correspondent of *European Voice* that 'enlargement is coming to be seen not as a way of exporting stability but of importing instability' (*European Voice*, 4–11 May 2005).

<sup>39</sup> International Commission on the Balkans, *The Balkans in Europe's Future*, Sofia, Centre for Liberal Strategies, 2005, p. 12.

It has long been recognized that democratic consolidation elsewhere in the post-Communist world would be more arduous if not more dubious than in East-Central Europe. In this light, one may add that domestic factors or constraints – such as the greater influence of nationalism in the Western Balkans – may well surface more ominously over conditionality matters in the future, just as the negative aspects of conditionality listed above may come more into play. And yet, as clearly illustrated by this article, any loss of EU commitment to further enlargement will seriously weaken the motivation to democratize in the Western Balkans as well as in Ukraine and Georgia.