

There are growing concerns about the state of representative democracy in both Eastern and Western Europe. Whether it is the rise of populism, the increase of illiberal tendencies or the expression of outright antidemocratic sentiments, the number of threats is growing. This is all the more alarming since the origins of democracy can be found in our continent. The changes have an (negative) impact on the European integration process as such and on support for EU enlargement. The articles of this book, written by young progressive academics, offer a broad perspective on democratic shortcomings and potential solutions. They make clear that although the post communist countries have followed a different trajectory, their (disillusioned) electorates have much in common.

Problems of Representative Democracy in Europe

Jan Marinus Wiersma, Ernst Stetter & Sebastian Schublach (Eds.)

This book is edited with the financial support of the European Parliament.



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Problems of Representative Democracy in Europe

A Challenge for Progressives

Jan Marinus Wiersma,
Ernst Stetter &
Sebastian Schublach
(Eds.)

FOUNDATION FOR EUROPEAN
PROGRESSIVE STUDIES
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D'ETUDES PROGRESSISTES



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This publication was published with the support of
Foundation for European Progressive Studies (FEPS),
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Preface of the editors

Enhancing representative democracy pre- and post EU accession

This publication is the product of a successful, multi-annual cooperation between FEPS, the progressive European think tank, the European Forum for Democracy and Solidarity, a social democratic NGO with a lot of experience in studying democratic transitions in Europe and the Karl-Renner-Institut (RI), the political academy of the Austrian Social Democratic Movement.

It was back in the first stage of our joint project, which dealt with EU enlargement anno 2012, that we planned a follow-up concentrating on democracy issues pre- and post EU accession. The Karl-Renner-Institut from Austria then became the third partner.

The successful transformation of new member states and candidate countries to EU standards depends on the quality of their representative democracies and the state of their rule of law. We observed that although progress has been made in these areas, there are still shortcomings that hinder the successful European integration of these countries.

The articles in this book illustrate this point, focussing on problems such as the return of authoritarianism, the role of selfish elites, weak institutions and extremist populism. They implicate the European Union, which has not always given sufficient priority to these issues in its dealings with newcomers and applicants. This has damaged the reputation of the EU that is and was already put under pressure by the crisis of the Eurozone (and the way it has been handled) and the anti-enlargement mood in many EU countries. The lack of positive output by the EU has also reduced its popularity in the EU itself. This has led to growing Euroscepticism, anti-European rhetoric and the rise of anti-EU parties. This puts traditional parties and representative democracy as such to the test although it certainly is not the only factor contributing to the loss of support for the way our countries are generally run.

We invited academics from older and newer EU member states and from candidate countries to participate in the project, asking them to develop together – with a series of seminars and work visits – the contents of this book. Though all authors share the same democratic principles, it soon became obvious that there is no one definition of democracy in practice and that the diversity of backgrounds is enormous. This explains the variety of the contributions and subjects touched upon. There is no single explanation of the problems of representative democracy; there are no single solutions. Nevertheless after having read this book, the reader will have a better grasp of the issue at hand and a better idea of a (progressive) answer to the questions posed. Positive steps in that direction have been made recently. One should very much welcome the fact that democracy and the rule of law have become absolute priorities in membership negotiations. The new European Commission will develop a rule of law mechanism for internal EU use. That is also very promising.

We would like to express our gratitude to the authors for their contributions and in particular to René Cuperus who also helped with the editing. Special thanks go to Judit Tanczos, FEPS, and Danijel Tadić, EFDS and the Foundation Max van der Stoel. Without them this project would not have been possible.

The Editors

Jan Marinus Wiersma, Vice President, EFDS

Ernst Stetter, Secretary General, FEPS

Sebastian Schublach, Head of Department for International Politics, RI

An introduction

The state of democracy in Europe

Alarming developments in new and old member states

JAN MARINUS WIERSMA

There are growing concerns about the state of democracy in Europe, in both East and West. Whether it is the rise of populism, the anti-democratic mentality of Russian President Vladimir Putin or the rejection of liberal democracy by Hungarian Prime Minister Victor Orbán, the number of threats is growing.

This is all the more alarming since the origins of representative democracy can be found in our continent. These days however its essential values have come under pressure. The prediction of Francis Fukuyama that after the collapse of communism liberal democracy would prevail everywhere has not come true. Instead the warnings of Fareed Zakaria against the dangers of illiberalism seem to be more realistic.

While there have been no attempts to overthrow democratic rule as such either in the EU or in countries that are (potential) candidates for membership, it has been harder than imagined to establish a strong political culture of pluralism, respect for opposition and free media in the post-communist countries. At the same time we have seen many voters in the old democracies turn against traditional politics.

These changes of attitude also have an impact on the European integration process as such and on EU enlargement. Both are being approached in a much more critical way on both sides of the former dividing lines in Europe.

Scope of the publication

The title of the project, of which this publication is the product, has a positive and ambitious connotation: *Enhancing democracy pre- and post EU enlargement*. These days, however, many speak in much darker terms of a crisis of representative

democracy in Europe as if it has failed completely. Maybe that is too pessimistic and we should rather use the words weaknesses or shortcomings.

In this publication we have avoided a complicated debate about definitions of democracy since there are so many and we prefer to refer the reader to Bernard Manin and others who have made this their specialty (Manin, 1997). One can distinguish general European trends and manifestations in the development of our democracies, but also very specific country situations as we found out during work visits to Bosnia and Herzegovina – how can democracy work in a non-functioning state? – and Greece – where an economic emergency caused political havoc. Even though citizens express the same kind of frustration about politics in new and old EU member states and in candidate countries, its origins are not the same. It is very important to make this distinction since it explains the diversity of the contributions to this book and the variety of answers authors come up with depending on their background. Most contributions deal with the situation in countries that have recently joined the EU or intend to do so in the near future. These are countries that have transited from communist rule to democracy, from a planned to a market economy, or are still in this process. The problems they confront have different roots than those we can observe in the more established democracies of Europe. A certain fragility seems to make them more vulnerable to populist and nationalist politicians and parties that neglect certain basic democratic rules. Weak institutions, an underdeveloped party system and biased media play into the hands of these groups. The trend in others parts of the EU is one of disillusioned voters turning away from traditional (EU) politics towards populist and extremist parties on the right and the left. What both the older and young democracies have in common are a growing lack of trust in the political elites and institutions and decreasing turn-out at elections.

After a promising start...

Most of what can be observed today, was not visible – or far below the surface – when dictatorial rule ended in Central, Eastern and South Eastern Europe. The collapse of communism in 1989 marked the start of an era of optimism about the future of liberal representative democracy, both in the wider Europe and elsewhere.

This also explains the popularity of Fukuyama's 'End of History' (1989)¹ in which he described the end of totalitarian ideology and predicted that the future would be liberal, democratic and 'boring' – the European Community and its internal market being the new model. 'Marketization', as he called it, would become the rule in international relations. Fukuyama was convinced that the state of consciousness that permits the growth of liberalism would prevail.

Fareed Zakaria, in 'The Rise of Illiberal Democracy' (1997),² did not share his optimism. Of course he wrote his article many years later and had been able to see 'new' democracy in practice. He warned against the abuse of democracy by elected politicians who use illiberal means to curb their opponents, violate human rights and promote authoritarian rule. Democracy without constitutional limits is just about the accumulation of power and its use, he argued. It creates the dangerous (and very contradictory) situation in which people in fact vote for politicians that will use their eventual victory to make their citizens less free.

Gliding scale

We should heed the warnings of Fareed Zakaria since they concern a very serious threat to democracy in countries that were celebrated as being finally free in 1989. In some parts of Europe we can observe examples of illiberal democracy and of politicians who exploit the weakness of democratic institutions to govern in an authoritarian way. Resurgent authoritarianism is one expression of the growing vulnerability of representative democracy in immature democracies and of course the most dangerous and worrying one. One should however distinguish causes from effects. Nationalist movements and authoritarian political leaders grab the chance to exploit the lack of democratic maturity and a weak political system in their home countries and take advantage of the dissatisfaction of disillusioned voters who expected more of the change from communism to democracy. Their popularity and electoral support allows them to use the rule of law as a political instrument instead of applying it as a constitutional principle. As winners they

1. *The National Interest*, Summer 1989

2. *Foreign Affairs*. November-December 1997

take all. They prefer to use populist and nationalist slogans to package their message. They tend to be socially conservative and intolerant of others and their ideas. We see this most clearly in countries such as Russia and Belarus but this trend is also obvious in some new member states and (potential) candidate countries, while questions have also been raised when an Italian Prime Minister abused his ownership of part of the media.

These politicians and parties reap what others have sowed as they profit from the unpopularity of their more democratic opponents. Hungary – read the recent speech of Prime Minister Orbán attacking liberal democracy – and Russia are only more extreme examples of where democracy became a façade or threatens to become one. They represent the most visible examples of a trend that is also threatening other young democracies. Researchers label them as ‘fake democracies’, ‘grey zones’, ‘defective democracies’, ‘hybrid regimes’ or elective dictatorships.

The more firmly established democracies under pressure

Although the threat to constitutional democracy in the post-communist countries seems to be the most worrying phenomenon in the Europe of today, representative democracy as such has also become problematic in countries where the rule of law as such is not in danger.

Parties – especially those that are or have been in government – and their politicians – the pillars of representative democracy – have lost the trust of (sometimes large) parts of the electorate who have either decided not to vote anymore or have turned to left and right-wing populists – anti capitalists or nationalists. This can be observed both in the more mature as well as in the young democracies although of course it is difficult to speak of traditional parties when dealing with the second category.

However, the political elite generally has lost support all over Europe by being (portrayed as) selfish or corrupt, handing over powers to technocratic institutions and agencies and not fulfilling promises of a better life (after communism for example) but instead making things worse by ‘surrendering’ to globalization or Brussels’ neoliberalism. This is a recurrent theme in the ar-

ticles of this book. A dangerous cocktail of frustration with globalization – in the West – and those who were left behind in the transition processes – in the East – has helped parties on the fringes to grow in a spectacular fashion. Add to this immigration fears – again in the West – and the growth of anti-EU sentiments – fed by the crisis in the Eurozone and high unemployment in most EU countries – amongst broad segments of the population and the dramatic picture is more or less complete.

The traditional left in particular must face the challenge of countering these trends and changing the outlook. But so must the EU which has not only lost normative power and democratic support but is often seen as the culprit for all wrongs, being undemocratic and run by neoliberal fanatics or bureaucrats.

Themes addressed

This book offers a wide variety of assessments and explanations of what is threatening representative democracy and which remedies could help restore public trust in its practice and its fundamental values. The articles show that although general trends can be identified, they lead to very different outcomes (and possible scenarios) depending on the state of the societies that have been addressed.

The social economic context was mentioned above as being of prime importance to the theme of this book. Another issue raised here by some is that representative democracy is in fact undermining itself by creating confusion about who is accountable for what. The widespread phenomenon of double delegation – outsourcing important public functions to non-elected agencies and institutions – is alienating the ordinary voter since in these cases elected politicians cannot be held to account. Many regard the European Central Bank (ECB) as a good example of this phenomenon.

Democracy is not (or should not be) just a set of formal rules on how to organise government. To function properly and convincingly, it needs a systematic culture of checks and balances in place. Democracy needs informal rules on how to reach compromises in an inclusive way. People judge democracy by its practice. Serious shortcomings both in terms of input (the quality of the

democratic process) as well as output (more prosperity for example) still exist in many parts of Europe not the least in Central, Eastern and South Eastern Europe. Elections have sometimes been abused and constitutional guarantees have been ignored, as mentioned already. Thus it can happen that elections legitimize practices that actually limit pluralism such as the open manipulation of facts to promote intolerant forms of nationalism as seen in Serbia where villains have been turned into heroes. In the Western Balkans the democratic regimes are not yet consolidated, as democracy is often seen as a means and not as an end.

But even where the EU has supported transformation in Central, Eastern and South Eastern Europe and has contributed to the establishment of independent democratic institutions, they do not always function properly. There are many examples of how the EU 'screening' process has let the (selfish and corrupt) elites off the hook or has promoted mechanisms that turn out to be counterproductive – take the example of judicial autonomy actually protecting judges appointed under the 'old' regime that have not changed their old habits and can in no way be held accountable. The lack of trust in representative democracy is also fed by a growing scepticism about the EU and its institutions which the populists are keen to exploit. Because people find it difficult to identify what the EU really stands for, they use social, normative or rational arguments to turn away from it. But even more dangerous to the EU and the enlargement process could be the changed – and much more negative 'us versus them' – narrative being adopted by mainstream parties.

Representative democracy stands for multiparty systems since it is through parties and their political programmes that voters have a choice. But parties have in a way become part of the problem, one of the causes of a lack of trust and regarded as the exclusive vehicles of political elites and their (personal) ambitions. They are not always exemplary of the democratic ideals they claim to promote. Many of them lack internal democratic rules – especially in countries where the multiparty system had to start from scratch – and transparency is not always a priority even though some held open leadership elections. Many voters complain that it has become difficult to discern left wing from right wing parties because their policies are often the same.

The present crisis has also ignited a more fundamental debate about the problems of representative democracy (Manin, Rosanvallon). We have already

referred to procedural and substantive definitions and to the issue of representation as such: who represents who (double delegation) and possible alternatives. One Belgian author recently suggested the replacement of certain elections with lotteries (as the ancient Greeks did). Others underline the importance of grassroots initiatives such as the new social movements as alternative or at least additional democratic tools. The plenums in Bosnia-Herzegovina are a good recent example of original experimentation.

Although the descriptions in this book expose the failures and shortcomings of today's representative democracy, none of the authors actually proposes to replace it completely by introducing for example a form of direct democracy. With all its flaws and all the deficiencies of multi-party systems, there seems to be no real alternative way of running complex societies democratically.

Not just an alarm bell

This is not just an exercise in sounding the alarm bell. Various proposals to adapt and reform representative democracy show the desire of the authors to help it work (better). The Party of European Socialists has become involved. All this should be seen as an appeal to politicians and their parties, in particular to those that belong to movements that laid the foundations of full representative democracy as we know it. Who are better equipped to repair what has been damaged than the original designers? When tackling the issue, we are of course also and especially talking to ourselves. What have our authors come up with? Below are a variety of suggestions that do not represent a coherent or comprehensive programme – we never had that ambition – but at least suggest a number of ways to repair some of the shortcomings that have been identified and analyzed in this publication.

- » Reduce double delegation (the outsourcing of democratic decision-making to technocratic institutions) in order to restore the direct accountability of elected representatives;
- » Strengthen parties in order to make them real and effective interlocutors with the voters by fostering internal democracy, promoting transparency, improving their programmatic work and recruitment;

- » Stop selling Europe (the EU) as a failure and as something to be ignored by national politicians, but instead communicate its unique advantages;
- » Make the left-right divide of the traditional parties more visible (nationally and in the European institutions), thereby offering voters a clearer choice
- » Recognise the valuable contribution of new social movements, how they build (horizontal) relationships and experiment with direct democracy, empowering citizens through more participation. Make freedom a positive experience again. Make bridging and bonding with new forms of community a priority;
- » Link Brussels' transformative power to grassroots and civic movements in the (potential) candidate countries in order to force the elites to be more responsive to the citizens and to make them fully respect the rule of law;
- » Invest in proper narratives and pluralist interpretations of history;
- » Strengthen anti-authoritarian trends by supporting progressive democratic forces in countries that otherwise run the risk of ending up with hybrid and defective regimes;
- » Increase support for EU enlargement in candidate countries by making social cohesion more of a priority in the transformation process;
- » Reinvent social democracy. This will be the greatest challenge of the Left. Reconnect values and practice promoting more just reform policies reconstructing societies where a decent life for everybody is the main goal;
- » And last but not least break with excessively neoliberal social economic policies as embodied in the European Semester to help restore the legitimacy of the EU and its member states as deliverers of economic opportunities for all. This also means ending the dominance of the architecture of economic governance to be replaced by a socially responsible one. This will help avoid excesses like the situation in Greece where democracy has been undermined by the Troika that controlled the implementation of the emergency measures demanded by the ECB, IMF and the European Commission.

Questioning representative democracy

I

Grey-zones between democracy and authoritarianism*Re-thinking the current state of democracy in Eastern and South Eastern Europe*

VEDRAN DŽIHIC

In Eastern and South Eastern Europe and particularly in the region of the former Yugoslavia, where the states have been undergoing multiple transformation processes in the last two decades (including the transition from war to peace in the former Yugoslavia) (see Dzihic, 2012; Jovic, 2012; Ramet, 2007; Segert & Fassmann, 2012), the global economic crisis has revealed the fragility of the political and socio-economic systems and jeopardized the democratic consensus. The region has entered a new phase of development, facing certain signs of democracy fatigue. As Jan Werner-Müller has recently put it in Foreign Affairs ‘democracy is struggling; nearly all the countries that joined the EU during the last decade are experiencing profound political crisis.’ (Müller, 2014: 14) Twenty years after the end of the Cold War, initial euphoria about democratic change in many countries of the East and South East has given way to growing mistrust in political institutions and political representatives, and an increasing disaffection with democracy itself. This wide-ranging disaffection is due to the weak performance of political systems and the weak output of the regimes that has undermined their legitimacy. Politicians seem no longer able or willing to deliver tangible results to their voters. When measured against Abraham Lincoln’s famous quote that democracy was ‘government of the people, by the people, for the people’, politics now produces no or too little good ‘for’ the people. This is a situation where people start questioning the notion of democracy itself, paving the way to something new – be it another and better form of democracy or another kind of regime with authoritarian characteristics. With the general crisis of democracy in the West we face an emergence of grey-zones between democracy and authoritarianism and even new

forms of authoritarianism in some parts of Eastern and South Eastern Europe. Classical authoritarianism seeks absolute obedience, is directed against individual freedoms and liberties and is always ready to use repression against opponents. New authoritarian regimes are chameleon-like – they are able to adjust to new circumstances, they have institutionalized representation of a variety of actors and they even incorporate some democratic procedures like elections and thus create a structure resistant to change. Even in Eastern and South Eastern Europe, in a region that went through two decades of democratization, we are witnessing new semi-democratic or new authoritarian regimes (or grey zone regimes), which – under the guise of democracy – limit individual freedom and reduce liberties. What does it mean for the notion of democracy and for the future of democracy?

Elements of defining democracy

Generally speaking, I use a broad notion of democracy here. I understand democracy as a specifically modern form of cultural and political praxis and social knowledge stemming from European enlightenment that puts individual freedoms and rights, the negotiation of interests by ‘co-decision’ and popular participation and a system of checks and balances at its core (Dahl, 1971; compare also Merkel’s notion of embedded democracy: Merkel, 1999; Merkel, 2003). This approach highlights the participatory dimension of democracy. In this paper, participation is conceived as an activity that reaches beyond the mere act of voting and includes other kinds of engagement in political decision-making and deliberation (such as through public meetings, protests, civil engagement, media participation, private initiatives etc.) (compare: Diamond & Morlino, 2005). From the degree and kind of participation one can draw conclusions as to the democratic legitimacy of the regime. If participation is limited, reduced or senseless (from the point of view of engaged citizens), then the democratic legitimacy of the system is likely to falter (Rosanvallon, 2010). Here we can put forward the notion of responsiveness in order to capture exactly the disposition of the regime to accept the thus continuously reformulated ‘will of the people’ as a basis for political practice. Responsiveness signals to us the agency people wield through participation with respect to the system.

On the basis of the above-stated notion of democracy it can be assumed that the feedback-loop is an essential element of a high quality (and not just pro forma) democracy. The feedback loop is defined as a functioning input/output link between demos (the people) and kratein (the rulers). It operationalizes the concept of ‘responsiveness’. The focus is also on the question how much ‘power’ citizens have to co/decide on political matters. The procedural term of the ‘feedback-loop’ or the reciprocal conjunction of people and rulers through the a) output of the regime and the b) input by the people sheds light on the divergence between the ideal and the reality of democracy. It underlines the insightful statement that two levels are essential in scrutinizing democracy: first the level of democratic values (including normative principles and rules, subjective attitudes etc.) but also the ‘the practice of democracy’ (Fuchs, 1997: 84f).

The empirical evidence: Stagnation of democratic development

Judging recent democratic developments by comparing the scores from general democracy indices such as the Bertelsmann Transformation Index or Nations in Transit, the stagnation of democratic progress (Nations in Transit, 2012) or even authoritarian tendencies become obvious. The overall score of the countries in South Eastern Europe over the last decade has only marginally improved from 4:22 to 4:07. In the recently published Nations in Transit Reports for 2012 and 2013 the fragility and vulnerability of democracies in Eastern and South Eastern Europe provided the title for both reports. In 2012 Freedom House presented the newest democracy scores under the title ‘Fragile Frontier. Democracy’s growing vulnerability in Central and South Eastern Europe’, whereas the report in 2013 was entitled ‘Authoritarian aggression and the pressures of austerity’. The evaluation of the democracies particularly in South Eastern Europe is very negative:

‘Stagnation and decline have (...) become apparent in the parts of South Eastern Europe that lie outside the EU. Albania, Bosnia and Herzegovina, Croatia, Kosovo, and Macedonia have all suffered decline in national democratic governance over the past five years, driven in part

by the overlap between business and political interests and the nagging problem of organized crime'. (Nations in Transit, 2012: 2-3)

Following the findings of Nations in Transit, the trend described in 2012 has continued in 2013 and 2014. In 2013 the report noted that besides the steady decline in democratic performance and some overwhelming autocratic tendencies in Eurasia, the Balkans and countries of Central Europe in particular have faced serious challenges in recent years.

'The repercussions of the European economic crisis have been felt by some new EU states, while others continue to grapple with ineffective government and endemic corruption. These problems must be addressed urgently and in a sustained manner if further backsliding and more intractable difficulties are to be avoided.' (Nations in Transit, 2013: 9)

Even if some positive trends in the Balkans (like Croatian accession to the EU and the agreement between Serbia and Kosovo) were noted in the report for 2014, the criticism of dysfunctional governments remains while democracy scores continue to spiral downwards (see Nations in Transit, 2014).

These findings correspond with the results of scholarly works on the state of democracy conducted by international and regional experts (see Pestic, 2012; Bieber, 2012; Dzihic/Segert, 2012; Jovic, 2012). Opinion polls and studies of local experts and scholars repeatedly show that fundamental democratic principles (such as freedom, equality, the rule of law or participation) are under serious threat, at least from the citizens' perspective (Balkan Monitor Reports, 2018, 2009, 2010; Golubovic, 2010). This is particularly true when it comes to participation rights. On the one hand citizens observe diminishing possibilities for participation in political processes, which results in growing disenchantment with politics and democracy and a rapid increase in scepticism towards democratic institutions and their representatives (see Bohle/Greskovits, 2009; Krastev, 2011; Nations in Transit, 2012, 2013; at the same time: Pestic, 2012; Pavlovic, 2010; Curak 2010). These attitudes and behaviours by citizens reinforce the declining importance of the institutions of representative democracy – such as parliaments – over the last two decades. The economic transformation processes starting from the

1990s featured a intertwining of economic and political power, which results in a situation where newly emerged transitional economic elites (oligarchs, Tajkuns) deployed informal and non-democratically controlled tools to control formal institutions of democracy and thus increase the dominance of the executive branch of government over parliaments.

Regional experts also underline the tendencies of partocratic regimes or regimes with strong elite dominance (see Mujkic, 2009; Pestic, 2012; Pavlovic, 2010), whose political representatives respond to the growing alienation between themselves and the electorate with the increased use of methods of social and national populist mobilization. Their mutual distrust, which is a common feature of all post-war societies (like in the case of former Yugoslavia), is used by political elites for political purposes. Such politics, based upon nationalist mobilization, quite often using the language of hatred, reinforces the authoritarian tendencies within societies and thus poses a challenge to the democratic consensus (Curak, 2010; Horvat, 2012; Pestic, 2012; Cohen & Lamp, 2011).

To sum up here: The economic crisis in East and South East European societies reflects a crisis of democratic norms and institutions and reveals citizens' general lack of trust in formal institutions and political elites. Corruption and nepotism are but the side effects of this. The core deficit this crisis reveals is this: the nominally representative systems (which allow for government 'by' the people) established in Eastern and South Eastern Europe are too weak to compensate for the decrease in output legitimacy. The current protests in several countries of Eastern and South Eastern Europe (see the protests in Bosnia, Bulgaria, Montenegro, etc.) are thus an expression of a weakness of democracy. They also indicate the citizens' desire to participate (again) in political affairs, and to buttress democracy 'from below'. All these negative trends pose a challenge to the very notion of democracy and open up a space for non-democratic or even authoritarian practices. Thus the newly emerging crisis of democracy in transitional societies offers a good opportunity to reflect upon general assumptions of democracy and democratization theory. By doing so in the following chapter we go a step further in conceptualizing the so-called 'grey zone' regimes and their ability to alternate flexibly between elements of democratic and authoritarian rule.

Re-Conceptualizing the zone between democracy and authoritarianism

Democratic transition in Eastern and South Eastern Europe has not brought the results wished for by external actors and/or expected by the local population. Clear examples are the authoritarian tendencies in Hungary, and various other unstable young democracies in the region.

The 'classical' assumptions of transformation research are based on a linear and standards-based democratic transformation. It is supposed to progress in clearly distinguished phases from democratic opening to gradual consolidation up until the final goal of Western oriented liberal democracy. This model has been repeatedly criticized and revised over the last decades (see a summary in: Merkel, 2010; Dzihic & Segert, 2011). As early as 2002 Thomas Carothers wrote of the 'end of the transition paradigm' (Carothers, 2002). Diamond (Diamond, 2008) spoke about a 'democratic rollback' while Puddington (Puddington, 2010) diagnosed an accelerated erosion of the democratic model. The focus shifted to the coexistence of elections, division of powers and authoritarian rule (see Ottaway, 2003; Merkel, 2010; Levitsky & Way, 2010; Rosanvallon, 2010). The functional weakness of democracies in Eastern and South Eastern Europe is a convincing case for the revised view that there is no linear pathway to democracy, and that transition to democracy is also always a transition from democracy, or even a regression of democracy (Erdmann, 2011). Transformation does not necessarily lead to 'Western style' republican, liberal democracy.

The significant functional weakness of democracies in the countries of Eastern and South Eastern Europe can thus be seen as a clear proof of the widespread assumption that there is no linear path to democracy and that democratization efforts in some cases can even lead to non-democratic change and even democratic roll-back. As Charley Tilly put it in the early 2000s, 'de-democratization' seems to be inherent in any kind of democratization. (Tilly, 2007). It became increasingly clear that liberal democracy is only one possible final outcome of the democratization process (see some countries of the post-Soviet area). I argue that there is no automatism in democratic transition. There is an inherent contingency of transformation processes as well as an enormous divergence of political systems that have developed in East and South Eastern Europe since 1990 (Mackov, 2000; McFaul & Stoner-Weiss, 2004; Brussis & Thiery, 2003).

The assumption of an automatic, inevitable consolidation of democracy also seems to be misguided, especially since even some of those states that followed a linear and stable process of consolidating democracy have started facing processes of de-democratization or regression from democracy (see Albrecht & Frankenberg, 2010; Köllner, 2008). Andras Bozoki describes this particular dilemma using the example of Hungary.

'From the happy story of the transition from dictatorship to democracy, there is a looming potential tragedy, a transition from democracy. The last twenty years were far from being unproblematic, prime examples: a widening gap between the winners and losers of the regime change, between the living standards of the capital city, Budapest, and the rest of the country, and between the life chances of educated classes and the Roma population. But still, what we all experienced was a genuine liberal democracy. Governing parties lost elections. The media aggressively criticized politicians. Democracy was consolidated, and the country successfully joined the European Union. Is it possible to take the oxygen of democracy away within a few weeks and months? Moreover: Is it possible to make a reverse transition?' (Bozoki, 2011)

With these new trends in mind, several common assumptions of democratization theory have been revised. The core assumption that Western liberal democracies are a normative role model for countries in Eastern and South Eastern Europe has lost a lot of its original credibility. The latest debates about post-democracy and crises of democracy (Crouch, 2005; Fukuyama, 2011; Rosanvallon, 2010) underline the fact that the crisis of democracy in the West (and particularly within the EU) has changed the perception of democracy on the periphery of the West. Another important assumption related to the importance of free and multiparty elections for democratic consolidation was challenged by scholars arguing that free and fair elections are a necessary but not sufficient condition of liberal democracies (Diamond, 2008; Bunce, 2006; McFaul & Stoner-Weiss, 2004). The reduction of the concept of democracy to pure electoralism has certainly led to significant problems. By putting a strong focus on the importance of elections the importance of other important

elements of democracy, for example the active participation of citizens, the functioning of the state, or the redistributive ability of the welfare state, was largely underestimated.

We can conclude that the ‘transition-to-democracy’-paradigm was able to generate some important insights into the course and characteristics of the political transition from authoritarian to democratic rule, but it remained rather blind towards regressive processes of democratization or so called ‘de-democratization’ processes. Following on from these deficiencies, the debate has shifted towards the tendency of regression from democracy and towards so called grey zones between democratic and authoritarian rule (Runciman, 2013; Brussis & Thiery, 2003; Mc Faul & Stoner-Weiss, 2004).

The early debate on de-democratization was dominated by two concepts, the one focusing on ‘defective democracies’ and the second on ‘hybrid regimes’. ‘Defective democracies’ are regimes ‘characterized by the presence of a largely functioning democratic electoral regime for regulating the access to power through elections, while having substantial problems with securing the functioning of those elements of governance related to the values of liberty, equality and control of democratic rule.’ (Merkel et al, 2003: 15) The concept of ‘hybrid systems’, however, is based on the emergence of mixed regimes that combine both democratic and authoritarian elements of rule (see Way, 2004; Lauth, 2006). While the concept of ‘hybrid regimes’ can be seen as an important conceptual step for exploring the zones between democratic and authoritarian rule, we still do have a strong ‘democracy bias’ within the concept. Meanwhile, however, a debate on new authoritarianisms has emerged (see Bredies, 2011; Kailitz, 2009; Gerschewski, 2013, 2011; Albrecht & Frankeberger, 2011).

Thomas Carothers sparked an important debate by developing a concept of feckless pluralism. According to Carothers, there are pluralistic grey zone regime types outside of the ‘democracy vs. Autocracy’-logic that can be politically quite stable and produce an output valuable for the citizens without necessarily following the logic of democratic rule.

‘Countries whose political life is marked by feckless pluralism tend to have significant amounts of political freedom, regular elections, and alternation of power between genuinely different political groupings.

Despite these positive features, however, democracy remains shallow and troubled. Political participation, though broad at election time, extends little beyond voting. Political elites from all the major parties or groupings are widely perceived as corrupt, self-interested, and ineffective. The alternation of power seems only to trade the country’s problems back and forth from one hapless side to the other. Political elites from all the major parties are widely perceived as corrupt, self-interested, dishonest, and not serious about working for their country. The public is seriously disaffected from politics, and while it may still cling to a belief in the ideal of democracy, it is extremely unhappy about the political life of the country. Overall, politics is widely seen as a stale, corrupt, elite-dominated domain that delivers little good to the country and commands equally little respect. And the state remains persistently weak. Economic policy is often poorly conceived and executed, and economic performance is frequently bad or even calamitous. Social and political reforms are similarly tenuous, and successive governments are unable to make headway on most of the major problems facing the country, from crime and corruption to health, education, and public welfare generally.’ (Carothers, 2002)

Thomas Carothers’ concept seems to offer an appropriate framework for analyzing the grey zones between democracy and authoritarianism in today’s Eastern and South Eastern Europe. How can we approach those grey zone regimes? What are their characteristics?

Crises of democracy and economic downturns in Eastern and South Eastern Europe change daily life. They require new answers by politics and institutions and pose new challenges to the mechanisms of upholding or stabilizing power, and of producing legitimacy. Some regimes in Eastern and South Eastern Europe seek to meet such social and economic challenges in a ‘grey zone’ of mixed democratic and (neo)authoritarian government techniques. Hence we may find in many of those countries marked tendencies towards ‘grey zone’ regimes. Such regimes are characterized by a partial incorporation or imitation of liberal democratic procedures and formal institutions, which are however simultaneously undermined by an overall logic of limited pluralism (Krastev, 2011).

To develop a deeper understanding of such grey zone regimes and their internal logic, the following observation from scholarly research into ‘new authoritarianism’ seems a good starting point: In order to ensure greater legitimacy and broader societal support for their rule the authoritarian politicians deploy and at the same time instrumentalize important elements of the institutional architecture of liberal democracies. At the time of general economic and social crisis and widespread crises of democracy these new authoritarian forms of rule start to be perceived as attractive, rather flexible and adaptable, and finally functional alternative systems. As a result, in many countries of Eastern and South Eastern Europe we are witnessing new and amazingly adaptable ‘grey zone regimes’, able to incorporate the institutions of liberal democracy and to rule on the basis of limited pluralism (see the concept of feckless pluralism above). Here we find new forms of regimes that reconcile competitive elections, multi-party systems, parliaments, constitutions and other elements of rule usually associated with liberal democracies on the one hand with the functional logic of authoritarianism and with mechanisms and techniques of rule (including open or subtle repression) characteristic of authoritarian regimes on the other.

Many regimes in Eastern and Southern Europe could be described as being in the grey area between democracy and authoritarianism:

‘A rigid distinction between democracy and authoritarianism creates a big trap – namely, that everything which is not democratic must be authoritarian, and that any time an authoritarian regime is toppled, what must follow it is democracy. For better or worse, most political action takes place in a gray no-man’s-land between democracy and authoritarianism.’ (Krastev, 2011)

Ivan Krastev points at the bigger spread of these mixed systems and their functionality and rationality in the East European context. He also refers to the adaptability and strategic changeability and flexibility of such regimes, which on the one hand refer to themselves not as authoritative but thoroughly democratic and on the other hand have long since started adjusting to the rules of global capitalism in which they fully participate (Krastev, 2011). As David Runciman argues autocrats have demonstrated a high level of flexibility, being even ‘bet-

ter at picking up tips from their democratic rivals than the other way around.’ (Runciman, 2013: 322). Russia in the current context of Ukraine and Western sanctions might stand as an example here. But let us take a closer look at the internal logic of rule in grey zone regimes.

First of all, those regimes create a façade of formal democratic elements and even rule of law. They seek to underline their democratic character with a strong declarative and rhetorical commitment to democracy, which is however undermined by nearly every aspect of the day-to-day functioning of the regime. There are several areas where the authoritarian character of the regime can be detected: It starts at the level of participation, where elections are either slightly or strongly manipulated by the regime, and where media are shamelessly used for political exploitation and election advertising. Secondly, courts, which are de jure independent, are de facto politically controlled or dominated by the executive branch of government. Thirdly, although the government has all rights to exercise power, several informal and democratically non-legitimate actors such as economic oligarchs and businesses, religious leaders and other clientelistic groups claim control over certain policies for themselves (Merkel, 2010: 22). Quite frequently (4) ethnic or national issues or questions of territory and national sovereignty are used by the regime as a ‘scapegoat’ to mobilize voters or divert attention from their own particular interests and non-democratic and non-transparent practices (Bohle & Greskovits, 2009: 62). A final and very important element for analyzing grey zone regimes is the mutual relationship between political elites and citizens. In order to keep the democratic façade alive and continue operating in the grey zone between democracy and direct authoritarian rule the grey zones regime need to keep a certain level of popular support. How and with which means a necessary level of popular support is achieved by grey zone regimes seems to be one of the crucial questions for empirical analysis of particular countries in Eastern and South Eastern Europe. Since even Tocqueville wrote about multiple faces and models of autocratic government, or to put it more contemporarily – different shades between democracy and autocracies, it is time to investigate whether current grey zone modes of rule in Eastern and South Eastern Europe point to a new global era of democratic decline and (semi)authoritarian rise.

Instead of a conclusion

If one examines developments in South Eastern and Eastern Europe to find the theoretical particularities of the grey zone regimes, then the following elements emerge, painting a picture of regimes in which democratic legitimacy competes with authoritarianism: reports of manipulated elections (cf. Kosovo and Macedonia in April 2014); strong control over the media, and open hostility toward media criticism (Montenegro, Serbia, Macedonia); manipulation using ethnic issues (Serbia, Bosnia, Kosovo, Macedonia); weak and politically controlled judiciary (rudiments in all states); and proof of the disproportionate involvement of political and economic elites. Similar trends can be found in many other states in the region. Hungary has led the trend here following the return to power of Viktor Orbán and his right-wing Fidesz in 2010. After winning the elections in 2014 Orbán seems to be quite confident of being able to continue ruling Hungary in an authoritarian manner, knowing that the EU will do little to challenge the specific Hungarian – or, to put it more precisely, Orbán-like – model. Orbán's thinking about democracy and liberalism seem to be having an influence even at the global level, paving the way for the conceptualization and justification of various forms of illiberalism and competitive authoritarianism. In a recent speech (26 July 2014) at the 25th Balványos Summer Free University and Student Camp in Romania, Orbán for the first time openly challenged the very principles of liberal democracy. According to Orbán, in the era that is now dawning the most successful states are not liberal democracies or democracies at all. He explicitly mentioned Singapore, China, India, Russia and Turkey as examples to make his point. By preaching illiberalism, Orbán seems to follow the thesis on illiberalism formulated by Fareed Zakaria back in 1997 in *Foreign Affairs* (Zakaria, 1997). Yet there is something that makes the argument different from Zakaria's general point and at the same time politically dangerous. Promoting illiberalism by elected leaders from one of the member states of the EU at a time of crisis for democracy in the West and the new rise of authoritarianism in Russia or Turkey paves the way for anti-democratic thinking and grey zone political practices even within the EU and puts democracy under attack. In parallel, such a new discourse and political practice might further damage the role model function of the EU and put democracy in regions like South Eastern Europe under constant attack.

2

How to avoid the autumn of democracy?

Fake democracies and democratic exhaustion

RENÉ CUPERUS

'We have entered an age of fear. Insecurity is once again an active ingredient of political life in Western democracies. Insecurity born of terrorism, but also, and more insidiously, fear of the uncontrollable speed of change, fear of the loss of employment, fear of losing ground to others in an increasingly unequal distribution of resources, fear of losing control of the circumstances and routines of our daily life. And, perhaps above all, fear that it is not just we who can no longer shape our lives but that those in authority have also lost control, to forces beyond their reach.'

TONY JUDT

A democracy paradox is haunting the world: the more democracy has been embraced across the globe as the undisputed, universal *end-of-history* political model, the more a hollowing-out of the democratic culture and spirit can be seen.

Serious 'democracy fatigue' is emerging within 'mature', long-established democracies in Western and Northern Europe. Post-war party democracies are being steadily eroded: record-low levels of political trust; a deep representation crisis, symbolized by a pan-European populist revolt against the political establishment; and the non-participation of both the lower educated and the young Millennial network generation in the political mainstream. The political system has also developed a strong bias towards business interests and EU-lobbies and 'follow the money'-led campaign dynamics, with increasing tendencies towards plutocracy (especially in the US) and political corruption (with widespread incidents).

On the other hand, many new so-called democracies are simply fake democracies. They became democracies on the surface only, in which authoritarian

leaders or conglomerates from the world of politics, business or organized crime are 'legitimized' by democratic elections alone.

The hot new topic for political scientists is the process of de-democratization. The retreat from post-war liberal democracy and the rise of authoritarian styles of politics are everywhere, in political leadership in 'one-party democracies' both on the fringes of Europe and within the EU. We only have to look at Putin in Russia, or 'Victator' Orban in Hungary, the macho-political leaders in The Balkans, the phenomenon of 'Berlusconization'.

We are witnessing the rise of an authoritarian style of politics, behind a smokescreen of democratic elections, bringing into power corrupt oligarchies, with a mix of politics, business and organized crime. The late Ralf Dahrendorf, the great German-British political thinker, warned that the 21st century could become the Authoritarian Century, and he may be right. Traditional party democracy and representative democracy are being steadily eroded, reflected in the publication of books bearing titles such as *Democracy in Retreat, the Worldwide Decline of Representative Government*. Increasingly the EU is being surrounded by fake-democracies and authoritarian regimes, while at the same time the EU itself (and as a consequence the national democracies it is made of) lacks both output legitimacy (due to austerity politics and the retreat of the welfare state) and input legitimacy (due to the crisis of representation in European politics).

Philip Coggan, columnist at *The Economist*, recently published his book *The Last Vote – The Threats to Western Democracy* – which tells an alarming story. 'We have become complacent about our democracies and deeply cynical about the politicians that run our governments. (...) The implicit bargain of democracy – that politicians will deliver prosperity in return for our votes – has been broken'.

In *The Last Vote*, Philip Coggan shows how democracy today faces threats that we ignore at our own risk. Amid the turmoil of the financial crisis, high debt levels, and an ever-growing gap between the richest and the rest, it is easy to forget that the ultimate victim could be our democracy itself. Coggan's book is a wake-up call: 'From the 18th century onwards, democracy was based on the representative model – voters have the right to choose, and dismiss, their rulers. But we have steadily moved towards a third model in which our representatives delegate decisions to experts – independent central banks, international courts, technocratic agencies (such as the Food and Drug Administration in the US) and

so on. (...) This "double delegation" may be understandable – governing a modern society is very complex. (...) But it strikes at the heart of the democratic idea – that voters (or at least their elected representatives) are competent to represent themselves. Instead it echoes Plato's concept of the guardians – an all-knowing elite who take decisions on behalf of their inferiors.' (Philip Coggan, 'The threats to western democracy', Policy Network, 5 September 2013.)

This analysis very much complicates the idea of the EU embracing a new role as democracy watchdog to correct and punish so-called 'democratic backsliders', an idea supported by the British think tank Demos (see below). Europe historically may be the cradle of liberal democracy, the rule of law and respect for human rights, but the EU as an institution itself is the ecosystem *par excellence* for new technocratic expert-politics, a new post-democratic space for experts only. For that reason, the EU is perceived by many as an anti-democratic force, a Eurocratic elite project which undermines and overrules national democracies. At the very least, this perception of the EU complicates things substantially.

In other words, the EU may not be the exception or antidote to the trend of authoritarian de-democratization, but instead, being a *sui generis* hybrid Superstate and Supermarket at the same time, the EU is a symbol itself of technocratic authoritarianism at the expense of national democracy.

If this is true – and the alarming support, deep into the middle ranks of the electorate, for anti-EU (far) right-wing populist parties does suggest that the EU is not recognized as a convincing democratic space by large parts of the electorate – the EU itself cannot credibly be the democratic guardian angel or democracy watchdog.

Democratic backsliding

This is problematic for the strategy recently proposed by the British think tank Demos, which calls on the EU to control and correct the so-called 'Backsliders': the EU-countries in which democracy is steadily being undermined, which includes both new and old members of the Union.

Demos argues that: 'The European Union (EU) was founded on the principles of liberty, democracy, the rule of law and respect for human rights and funda-

mental freedoms. The accession process for new EU member states ensures that new countries adhere to these basic principles of democracy. But there are few mechanisms at the EU's disposal for ensuring that member states do not slide backwards and become less democratic once they are part of the Union. Reports on democratic backsliding tend to focus on Central and Eastern European countries, most notably Hungary, Bulgaria and Romania. However, countries in Western Europe have also come under fire for undemocratic legislation, controversial policies on religious freedom and problems over corruption and media ownership.

'Backsliders' assesses in detail the status of democracy in seven European countries – France, Italy, Greece, Bulgaria, Romania, Hungary and Latvia – and considers how the EU should meet the challenge of upholding strong democratic values in all its member states. It also builds on existing measures from around the world to create a unique index that provides a detailed picture of democracy across Europe. The report concludes arguing that the EU, and the European Commission in particular, needs to fully embrace its role as a democratic protector.'

In the report five core problems of democratic backsliding are identified:

1. *Democratic malaise and public distrust:*

Across Europe voters are increasingly dissatisfied with traditional political parties. Parties of protest have been gaining ground with startling success.

2. *Corruption and organised crime:*

Corruption exists in the most advanced democracies, but the extent to which it flourishes and goes unpunished within a country is a reflection of poor democratic institutions and procedures. The European Commission has estimated that €120 billion, or 1 per cent of the EU's GDP, is lost to corruption each year.

3. *The justice system:*

A healthy and functioning democracy requires an independent judiciary that is free of corruption and political influence. Judicial reform and the independence of the judiciary remain issues of concern, particularly among Central and Eastern European former Soviet bloc countries. There have been persistent concerns about the functioning of the judicial systems in Bulgaria and Romania, and more recently in Hungary in response to proposed constitutional changes.

4. *Media freedom:*

The US watchdog Freedom House produces an annual report on the freedom of the press, which classifies the world's countries into three categories: 'free', 'partly free' and 'not free'. In 2012, four of the EU's then 27 member states failed to make the grade as 'free'. In order of concern these were Romania, Bulgaria, Hungary and Greece.

5. *Human rights and the treatment of minorities:*

The pressures of immigration are being felt across Europe, where a high standard of living and the opportunity of employment have attracted migrants from every corner of the world. The treatment of asylum seekers, and two minority groups in particular – Muslims and Roma – have been issues of concern in some EU member states.

Demos's EU Democracy Index (see below), shows that since 2000, Europe has become more politically unstable, corrupt and intolerant towards minorities, and that while Greece and Hungary are Europe's biggest 'democratic backsliders', no country is immune from democratic decline.

Jonathan Birdwell, Head of the Citizens Programme at Demos and one of the authors of the Demos report, argues that, with democracy in Europe increasingly under strain, 'the EU must keep a keen eye on democracy's progression and step confidently and vocally into its new role as democracy watchdog'. The legal basis for this enforcement role of the EU, especially by the European Commission, can be found in the Lisbon Treaty, which now requires the EU to uphold the Charter of Fundamental Rights among member states. Birdwell: 'As for enforcement, the Commission needs to sharpen existing tools and build new ones. Infringement proceedings need to be reformed to distinguish core democratic transgressions from issues of lesser import. For severe transgressions, the EU can suspend a country's voting rights in the Council. This is a dramatic step with a high bar to meet, and thus something that has never been used in the history of the EU. The EU should consider making it slightly easier for it to take this action and thereby make its threat more real.' (In: Jonathan Birdwell, 'Backsliders: Safeguarding Democracy in the EU', Policy Network, 16 October 2013.) Before installing the (undemocratic) EU as the democratic watchdog, with the power to inflict punishment, let's first return to the question of democracy itself.

What is democracy? And why the democratic decay?

Despite a long history of theoretical thinking, academic reflection and political practice, it is still hard to exactly define democracy. Democracy in (post)modern societies needs a much broader definition than just a purely political and legal one. It must for instance include the mass media, the channels of mass communication. Free press (independent from aggressive business interests and from political clientelism) may be a more important precondition for genuine democracies than the existence of a multiparty system.

For that reason, it is very worrying that in many countries the boundaries between media and politics have been broken, and that media ownership increasingly is interwoven with political power: the process of Berlusconiization, also to be found in Central and Eastern Europe and the Western Balkans. Politicians or political parties control newspapers and television channels, and use that to manipulate public opinion, as well as blocking or reducing access to the media for opponents. This is also a phenomenon that increasingly hurts Northern democracies. Media tycoons (Rupert Murdoch's deal with Tony Blair's New Labour) and tabloids (the German *Bild Zeitung* and the Austrian *Kronenzeitung*) play a problematic electoral and economic role in the political process.

Formal criteria for democracy such as the rule of law, Montesquieu's division of powers (think about the clash between the political and juridical system in Hungary) are, indeed, fundamentally important. But indispensable for a genuine democratic political culture is also respect for political opponents. The old historic concept of '*Her Majesty's Most Loyal Opposition*' derived from the oldest modern parliamentary democracy, Britain, is key to how powerful parties in government should deal with the political 'enemy', including under a winner-takes-all electoral system.

Turkish political culture for instance is notorious for having a completely distrustful, and therefore fundamentally undemocratic, relationship between political opponents. The same applies to Putin's Russia and several Balkan countries. Democracy needs procedural fair play and mutual respect, to begin with.

It is also important for the democratic health of a society to have a certain tension and competition between different parts of the 'elite'. We can differentiate between the cultural elite (intellectuals, journalists, academia, media, artists), the

economic elites (business leaders) and the political elites. These different elites should not overlap too much, but keep a critical distance, operating with different dynamics and criteria, to maintain checks and balances in society.

In many authoritarian fake 'democracies', we encounter a strong overlap between political and business elites, and in some cases organised crime is even involved. This is a clear sign of a corrupt political system.

Plutocratic tendencies also threaten democracy. Where 'money talks', business interests undermine the idea of democratic civil equality. In many countries, the vast sums now used to fund political campaigns mean that only billionaires are able to run for office or parliamentary seats. This fundamentally erodes representative democracy, which should guarantee the participation of the non-elites and the non-wealthy in the political process.

Pluralism in general, including the respect of minorities, is an important feature of healthy democracies. It stimulates the democratic quality and integrity of political parties and politicians, and guarantees self-correction in case of failure and corruption.

The Demos Democracy Index

Let there be no misunderstanding. There are simplified definitions of democracy, originating in the works of Schumpeter or Robert Dahl. A system of alternating ruling elites ('polyarchy') classifies a country as a democracy if the political elites are nominated through multiparty electoral systems. This is democracy as procedural machinery and method.

There are also more detailed definitions of modern democracies, which include socio-cultural conditions, such as 'everyday democracy'. According to this sort of definition, democracies must be rooted in a culture in which democratic values and practices shape not just the formal sphere of politics, but the informal spheres of everyday life.

In the words of the Demos report: 'Everyday democracy is therefore not only the reflection of the healthiness of political institutions, but also the observed vibrancy of public engagement in the informal realms of civil society, the degree

of social and political capital and attitudes, values and opinions that inform popular engagement in both the public and private domains.’

The Demos EU Democracy Index has been developed along these lines. This Index was compiled using indicators from the World Bank’s Worldwide Governance Indicators, the Cingranelli-Richards (CIRI) Human Rights Database, and data from the European Values Study (EVS). The Demos Index is based on Five Dimensions. 1) Electoral and procedural democracy; 2) Fundamental rights and freedoms; 3) Tolerance of minorities; 4) Active citizenship; 5) Political and social capital.

The Demos EU Democracy Index shows what democracy is all about and to what extent democracy is under substantial strain. It also looks at what should be done about it by the European Commission as enforcer of European values and rights. The report is to a lesser extent an explanatory account of why democratic decline, democratic exhaustion and democratic corruption take place. Which socio-economic, cultural trends and changes have come into play here? Which causes can be diagnosed behind the picture of democratic gloom? Who is to blame, if anyone?

Abundant literature exists on this, including analyses about the pan-European revolt of modern right-wing populism, which has been taking place for nearly two decades, since the rise of Haider’s FPÖ-party in Austria. This new kind of populism – anti-establishment, anti-elite, anti-representative democracy, anti-migration, anti-EU – is a strong alarm signal and a symbol of what is happening in and to our democracies.

The pan-European populist revolt: A representation shortcut between elites and non-elites

Western Europe is in the grip of a political identity crisis. The disruptive effects of globalization and individualized lifestyles, the permanent retrenchment of the welfare state and the development of a ‘media audience democracy’ are accompanied by fundamental changes in the political party system: the increasing significance of the floating voter, i.e. the unprecedented rise in electoral volatility, and the spectacular jump in the political arena of neo-populist entrepreneurial movements.

The traditional mass parties that have ruled the region at least since the end of the Second World War have lost members, voters, élan, and their monopoly on ideas. Because they are the pillars of both the party-oriented parliamentary system and the welfare state, their slow but steady decline affects European societies as a whole. Due to changes in labour, family and cultural life styles, the Christian Democratic (conservative) and Social Democratic pillars of civil society are eroding away, leaving behind ‘people’s parties’ with shrinking numbers of people. This erosion of political representation eats away at the foundations of the European welfare states and European party democracies.

The second ingredient of the European crisis is what might be called the paradox of Europe’s Holocaust trauma. Europeans still seem unable to cope with the question of ethnic diversity. Intellectual discourse has for too long been characterized by a species of political correctness that praises multiculturalism and ‘The Foreigner’ as enriching for society while turning a blind eye to the de facto segregation and marginalization of many new immigrants and the stress they place on the welfare system in many nations. Also the potential cultural conflict between Europe’s liberal-permissive societies and orthodox Islam was denied. The established democratic parties reacted to the rise of extreme right, racist parties with a ‘cordon sanitaire’, but made the mistake of also putting a ‘cordon sanitaire’ around the issues these parties campaign on, i.e. the downsides of mass migration: problems of integration and segregation; high unemployment and crime rates; ‘multicultural discontent’, especially within the constituencies of the people’s parties: ‘feeling a stranger in one’s own country’.

These problems did much to provoke a populist-xenophobic backlash. Here, Europe is facing two dilemmas: 1) how to maintain its ‘communitarian’ welfare states under conditions of permanent immigration; 2) to what extent will the integration patterns in Europe be determined by multiculturalism or integrationalism?

A third ingredient of the crisis is widespread unease over the process of European integration. What could be a proud achievement of cosmopolitan cooperation between rival nation states has become, instead, a cause of increasing insecurity and national alienation. This discontent with the European Union was propelled considerably by the impact of the Big Bang-enlargement – the arrival of many new Central and Eastern European member states to the EU and the contested negotiations for Turkish membership – and by the effects of the neo-

liberal and technocratic make-up of the EU, which could be viewed as a negative outcome of integration: the rise of a Brussels ‘market state’, run by elite experts.

The fourth component of the European malaise is the fact that much of the discontent was channelled through the rise of right-wing or even extremist-radical right populist movements. And in Europe, unlike the American historical tradition, populism is more or less associated with fascism and Nazism, the pathologies of the ‘voice of the masses’. This in itself adds up to a sense of crisis: the opening up of the historical scars of the 20th century.

The representation problem of the traditional political party system; the discontent with ill-managed mass migration; the growing unease with the European integration process (not a shield against globalisation, but instead the transmitter and ‘visible face’ of globalisation): these all fuel the political and electoral potential of (right wing) populist movements, which exploit feelings of anxiety, fear and discontent while constructing a narrative of social and moral decline.

In the process of adaptation to the New Global World Order, there has been a fundamental breakdown of communication and trust between elites and the general population. The pressures of adaptation to the new globalized world are particularly directed towards those who do not fit in to the new international knowledge-based economy, the unskilled and the low-skilled. The overall discourse of adaptation and competitive adjustment has a strong bias against the lower middle class and non-academic professionals. This bias is one of the root causes for populist resentment and revolt. Policies and political elites are selling and producing insecurity and uncertainty, instead of ensuring security and stable leadership in a world of flux.

Populism can be defined as a particular style of politics, referring to ‘the people’ as a false homogeneous entity against a ‘corrupt elite’, and it is in this sense that the neo-populist citizen’s revolt in Europe must be understood. This revolt is rooted in the perception that people feel ‘betrayed’ by the ruling elites. They feel, as transnational public opinion research is revealing, not represented in, but victimized by, the great transformation of our contemporary societies, in particular by the processes of globalization/Europeanization, post-industrialization and multiculturalization. Populism can be read as a warning signal that problems of transformation are not being dealt with effectively, or that the linkages between citizens and governing elites are malfunctioning.

The Policy Network’s report, ‘Democratic Stress, the Populist Signal and Extremist Threat. A Call for a New Mainstream Statecraft and Contact Democracy’ (Anthony Painter, 2013) which was supported by my own Wiardi Beckman Foundation, notes that:

“The rise of the populist radical right is one of the most significant features of western democracies in the last quarter of a century. As a “challenger brand” within democracy but against liberal democracy, this suggests that the system may be under some “stress”.”

Populism is a democratic argument that seeks to change the way democracy functions. It is a threat within democracy to the culture and norms of liberal democracy as it functions. In other words, right wing populism does not seek to replace democracy; it seeks to change it. (...) It is not about being ‘popular’ as the term is commonly (mis)used in the media or politics. Margaret Canovan distinguishes between the ‘redemptive’ and ‘pragmatic’ sides of democracy. Populism reaches more for the former – a pure and unbounded ‘will of the people’. Populism is expressive and emotive; it rejects the institutional checks and balances of liberal democracy. The political mainstream is ultimately about pragmatism, balance and institutional interplay. The rise of the populist radical right is a ‘signal’ of the failure of mainstream democracy to meet the needs and desires of citizens perturbed by social, cultural, economic and political change.

The mission for social democracy

Social democratic parties will have to show a far greater capacity for reinvention in order to sustain their political relevance. They have to reconnect with the contemporary *Zeitgeist* and provide convincing answers to the most pressing questions of our times: how to ensure that capitalism works for the many not the few; how to secure recovery and prosperity in a changing world economy beset by global imbalances; how to ensure finance works to spur growth and innovation; how to spread life chances more evenly and counter the marginalization and exclusion of certain groups; how to reign in the polarization in the

labour market; and how to cope with demographic change and migration – to name just a few.

While our parties at the end of the nineteenth century aimed to balance industrial and traditional views on labour and happiness, the contemporary social democratic leadership far too uncritically hailed the new, and forgot about traditional life and values. It failed to develop and communicate ‘just’ reform policies and thus alienated itself from the constituencies it traditionally represented. By becoming part of the mainstream discourse about change and reform and not distinguishing itself at least by an amendment to the mainstream course of change, social-democracy has blurred the left/right-divide and opened up space for the (false) populist cleavage between the Establishment and the People.

Europe faces a dangerous populist revolt against both the neoliberal business community and progressive academic professionals. The revolt of populism is ‘produced’ by the economic and cultural elites. Their TINA-project is creating fear and resentment under non-elites. Their deterministic image of a future world of globalization, open borders, free flows of people, lifelong-learning in the knowledge-based society is a nightmare world for non-elites. This widening gap between the political and policy elites and large sectors of the population in the continental European welfare states has led to massive unease in many Western countries. Trust in institutions and politics is at a record low, there is a crisis of confidence and a crisis of political representation.

In the elite narrative, sizable parts of the middle and working class are being confronted with economic and psychological degradation. Theirs is no longer a future. They feel alienated, dispossessed and downgraded, because the society in which they felt comfortable, in which they had their respected place and which has been part of their social identity is being pushed aside by new realities. They consider social democracy as part of that ‘modernization’ that is eroding old comforts and old securities. Social democracy in far too many countries has lost touch with these sentiments and worries. It has become a full part of that ‘brave new world’ of the bright, well-educated, entrepreneurial and highly mobile.

As a consequence of these trends, society has lost its ‘*sense de la politique*’ (Rosanvallon). One could say that the essential progressive idea of ‘positive freedom’ (Isaiah Berlin) is in crisis: the belief in a better society or a better personal life through politics, the state or collective action, has been eroded in many

segments in society, including parts of the younger generations. The participatory republic of citizens has turned into a ‘spectator’s democracy’. This *audience democracy* (Bernard Manin & Jos de Beus) consists of consumers with weak party identification and a deep distrust towards politics and their representatives. The logic of image-driven media and campaigning is marginalizing the politics of deliberation, open discourse and compromise.

Are we trying to re-animate a political movement in denial, or does social-democracy still contain the magic wand to reunite fragmenting and polarizing societies? The historical compromise or alliance between the labour movement and the cultural elites, between the working class and the professional middle classes around the project of the welfare state has been put under strain because of changes in lifestyle, value orientations, labour market patterns, social mobility, and due to ill-conceived austerity policies. In programmatic terms, there is a fresh need to rethink the concept of solidarity. Society is also challenged by cultural trends and changes. Individualization (‘bowling alone’), cultural diversification and pluralism (‘multiculturalism’; the explosion of lifestyles and identities) and growing fragmentation (‘broken society’?) call for a new social democratic model of bridging and bonding, for contemporary forms of social cohesion and community.

Renew but maintain, against all American and Asian odds, European welfare societies under conditions of mass migration and globalization. Compete on the basis of human well-being and welfare against the narrow neoliberal concept of economic growth. Let European social democracy remain the cornerstone of a modernized European social market model and develop an awareness of cultural and identity politics. The widespread discontent and unhappiness in affluent welfare democracies are to a serious extent about community, social cohesion, security: post-materialist problems of a social-psychological nature.

Restore the divide between left and right in politics, in order to fight the dangerous populist cleavage between the establishment and (false entity of) the people. We must be tough on populism and tough on the causes of populism. That’s the only way to protect and improve democracy, and to avoid the ‘Autumn of Democracy’.

3

Democracy out-of-place*The disruptive demos*

BIHTER SOMERSAN

‘Democracy is not the choice between different offers, but the power to act.’

JACQUES RANCIÈRE

Introduction: The crisis of representation

The European Union (EU) declared 2013 the European Year of Citizens, not only to celebrate the 20th anniversary of EU citizenship, but also as an expression of the socio-political imperative to create social cohesion among citizens who distance themselves from the EU project as a whole. The global economic and financial crisis exacerbated the ‘democratic deficit’, which is now the greatest problem facing the EU. Despite all efforts by the EU institutions, actors and their policies to address this deficit in words and in practice, scepticism towards (EU) democracy is growing. A new agenda has been forced on EU leaders from below as democracy is called into question, and new European and global social movements emerge. Attempts to increase the inclusion of EU citizens within participatory and representative political structures, by promoting ‘active citizenship’ and ‘active democracy’ through strategies such as the European Citizen’s Initiative, as a remedy for democracy’s sui generis shortcomings, is also evident in political theory. In terms of system theory, dividing democratic legitimization into output (as policy outcomes *for* the people) and input (as participation *by* the people) was clearly not enough. The gap has been filled by a third normative criterion for the evaluation of the effectiveness and responsiveness of EU governance, namely *throughput*. It is suggested that, ‘throughput legitimacy [...] is judged in terms of the efficacy, accountability and transparency of EU’s governance processes along

with their inclusiveness and openness to consultation *with* the people' (Schmidt, 2013: 2). Hence, more interaction-oriented approaches (Bonde, 2011), seeking and suggesting institutional and constructive throughput processes which encompass 'the accountability of those engaged in making the decisions, the transparency of the information and the inclusiveness and openness to civil society' (Schmidt, 2013: 5-7) have been implemented to open up the 'black box' of EU governance. The conceptual distinction between a 'politics of ideas' (representing citizens' interests) and a 'politics of presence' (different interest groups being physically present in assemblies) further emphasized how liberal democracies disregard the needs of those who are excluded from the democratic process (see Phillips, 1994). While exploring a new balance between accountability and autonomy, the question still remains as to whether the presence of disadvantaged and marginalized groups in elected assemblies will ensure their fair and equal representation.

However, these perspectives neither succeed in putting forward new models for the democratization of the political process itself – which rests upon exclusion and the neglect of collective representation of difference per se – nor do they grasp the overarching erosion of confidence in electoral representative democracy and the blunt fact that quantities of people simply don't want to be 'represented' anymore. Marking the limits of liberal representative democracy and the obvious clash between ideas and experience, the emphasis shifts to a 'free public' opposed to a 'politics of mandates'. The global challenges to 'democracy' dubbed by scholars as 'Post-Democracy' (Crouch, 2005) or 'Counter-Democracy' (Rosanvallon, 2008) exemplify the irreconcilable disparity between the demands of citizens and the limited capacity and strategies of elected politicians. The disenchantment with party politics further reinforces the imminent need to move democratic thinking beyond electoral accountability to the fact that democracy must also address the need to control the elected government and to configure new contested political spaces.

The new global movements that have emerged since 2011 confirm in their scope, demands, action, repertoire and their experience of creating new political spaces and locations, an overall rejection of all politics, policies and acts against the people, against nature, and against freedom, equality and justice. In this sense the 'crisis of democracy' seems far beyond the reach of theoretical, functionalist and technocratic attempts to 'tackle' this crisis and moreover hints at a need to

acknowledge this unique formation of a disruptive demos and to identify the dislocation of democracy. These various forms of democracy, as a lived and shared experience and new ways of social coexistence 'outside' of political representation and institutional politics, are embodied in diverse forums, initiatives, collectives and assemblies throughout the global collective movements.

My article is concerned with a critical, emancipatory and radicalized approach to democracy, by dismantling its categorical concepts within a political and theoretical framework 'that is committed to non-domination'. Starting from this primary reference point, I will first compile a critical and emancipatory framework of democracy, initially drawing on radical democratic approaches that underline the contested dimensions of pluralist and participatory democracy, hence producing a 'conflictual consensus'. Marking the limits of this constitutional concept, I will refer, secondly, to more 'radicalized' approaches to democracy, that distance themselves from such an ontological statism and envision a concept of democracy which comprises a 'democratization of all areas of everyday life'. Based on these critical reflections, I will discuss thirdly the agency and contingencies of new global movements, claiming 'real democracy' far beyond participatory and deliberative inclusion in decision-making processes, as forms and expressions of enacting de facto freedom, 'rather than asking for it'. I suggest then, that this locus holds the potential to provide a compelling new perception, discourse and experience of democracy.

Drafting a radicalized framework of democracy

Democracy as a hegemonic project and conflictual consensus

Democracy according to its etymological and political definition is a system in which people rule themselves, 'that the whole rather than a part or an Other is politically sovereign', and thus lacks specificity and appears as an 'unfinished principle' (Brown, 2010). The term itself does not specify, 'what powers must be shared for the people's rule to be practiced, how this rule is to be organized, nor by which institutions or supplemental conditions it is enabled or secured' (Brown, 2010, para. 3). As it is evident that people do not rule themselves, democratic theory had to come up with a lot of frameworks, some to maintain and promote

the rule of the few, and others to unmask the illusion of the rule of the many.

Radical and feminist critiques of modern liberal democracy have revealed that not only the rule of the people was basically the rule of men (Kreisky, Lang & Sauer, 2001; Phillips, 1998; Sauer, 2004; Somersan, 2011), but also that pluralist approaches and participatory forms of democracy sustained domination and fostered inequality. Although participatory models of democracy aim to secure the sovereignty of the whole, they nevertheless consist of ‘structural selectivities’ (Jessop, 2001), which are based upon hierarchical forms of exclusion and contested power relations. Hence the production of consensus inherent in democratic processes is regarded as a struggle for hegemony, a continuous process resting on conflictual everyday negotiations, through which policies and new hegemonies are generated (see Demirovic, 1997; Gramsci, 1971). Within these consensus-finding processes ‘civil society’ emerges mostly as a reinforcement of certain dominant hegemonic blocs (see Brand, Demirovic, Görg & Hirsch, 2001). Thus democracy is not just deliberative and rational participation in decision-making, nor is it limited to a form of governing or constitutional framework as the mainstream theories of liberal democracy suggest. Democracy is rather a field of power relations and social practices (Brown, 1995: 174), which permanently reinstate subordination and a coercive consent that masks and sustains certain forms and practices of domination (Ranciere, 2011; Badiou, 2011).

Chantal Mouffe’s (2012) concept of ‘agonism’ suggested a way out of this inscribed dilemma of democracy, firstly by defining conflict, the distinction that is based on ‘we-they’, as structurally inherent in the foundation of all kinds of collective identities. Hence, the task for democratic politics would be to provide the formal institutions and practices where these antagonisms can be fought out. Through these institutions the conflicts could be ‘sublimated’ and transformed into ‘agonism’ (Mouffe, 2012: 632), in which democracy combined with value pluralism is conceived as a tool to facilitate the articulation of differences, disagreement and conflict. The foundation for such an articulation is envisioned as a wide consensus around the principles of pluralist democracy and political spaces, on which such differences will be contested.

Mouffe’s radical democratic concept, despite affirming the conflictual dimension of consent and the moment of constitutive action, is still limited by a formal constitutional framework, which links and hence confines democracy per

se to the state, generating an ontological statism. This picture further envisions political regimes and their regional blocs as internally homogeneous, without questioning, if, and to what degree these internal relations are democratic. In that sense, as long as these antagonisms are fought out via legitimate political channels, the violation of certain group’s interests is legitimized, reinforcing an ‘asymmetric compromise’ (Demirovic, 2013a: 212). As such Mouffe’s agonistic vision of democracy is limited by the ‘liberal’ perception of democracy, not aimed to ‘create a completely different kind of society’ (Conway & Singh, 2011: 692), but in which ‘democracy is defined as a sphere of the “general”, where the conflictual process of the enactment and constitution of this “general” is per se regarded in positive terms’, ignoring the ‘societal conditions that necessitate such a conflictual action in the first place’ (Demirovic, 2013a: 212).

From this perspective, Adrian Little (2010) has also addressed the inability of radical democrats to question the ‘sanctity’ of democracy and acknowledge its ‘constitutive failure’ and the impossibility of engendering a completely inclusive democratic process, given the exclusions that are structurally inherent in its operation (Little, 2010: 985). Radical democrats have so far made profound contributions to a critique of liberalism, but refrained from delivering a substantial critique on the nature of democracy, which appears to be an ‘uninhabitable identification’ for many political theorists (Little, 2010: 983). As a consequence a sort of ‘fetishism’ surrounds democracy hindering the recognition of democracy’s inherent flaws and devaluing any attempts to formulate alternatives in theory and praxis.

Radicalizing democracy

If neither the attempts to democratize political institutions and processes, nor the claims of the agonistics about the totality of the ‘general’ and the attempts to put this into practice are able to offer ‘real’ democracy, where do we turn? In Badiou’s words, it is about ‘dispelling the aura of democracy’, questioning the ‘untouchable emblem’ of democracy as ‘the only way to make truth out of the world we’re living in’ (Badiou, 2011: 6f.). Badiou (2011) draws on Plato to show how the concept of democracy as an ‘emblem’, one which is only reserved for

'democrats', thus containing no 'reality', no real world, nor real truth, promotes an individualistic 'pleasure seeking' social order (Badiou, 2011: 7f.), which has to be reinvented. It is about 'setting collective existence free of the grip of this organization', an organization where 'democracy equals monetary abstraction', freeing politics from the subordination to power, manifesting it as 'a force in the breast of the assembled and active people, driving the State and its laws to extinction' (Badiou, 2011: 14). Badiou points to a reinvented social order as an 'aristocracy for everybody', by which he is referring to the literal meaning of democracy as 'the power of the people over their own existence', 'politics immanent in the people' (Badiou, 2011: 15). What Badiou undertakes, namely the deconstruction of the terminology and of the nature of democracy by questioning its essence, emerges as a necessary prerequisite to generate a critical and radicalized understanding of democracy.

So where do we go from here? Far from establishing democratic socialism, trapped within a reinforced capitalist order and occupied by a 'left melancholy' (Brown, 1999), which constantly reinstates 'democracy as an empty signifier' (Brown, 2010), the road ahead seems hazy. The sphere of formal institutional politics can obviously do no more to present a new rhetoric, a new discourse, and a new concept of democracy. It is trapped in its 'own' crisis, clearly unable to convince 'the people' of its good will. 'We won't pay for your crisis' the sovereign answered, so who is the 'we' here and whose crisis is this really?

Alex Demirovic (2013) emphasizes that there have always been cycles of crises of democracy in history, which are determined by the compromises between social classes, but the particularity of the current one is that it is related to the development of a finance-dominated accumulation regime, as an outcome of continuous deregulation and privatization of public property (Demirovic, 2012, para. 13). Hence a new form of an exceptional state and state practices is generated, departing from well-established authoritarian statism, constituting a new form of 'governmentalized austerity state', which is ruled by 'crisis management' by financial 'experts' who are not answerable to parliament and furthermore, all have close connections to the financial industry (Demirovic, 2013a: 196f.). In short: Negotiations and decisions that have profound effects on the everyday lives of people and populations are enacted 'outside of the framework of democratic procedures and publicly controlled responsibilities' (Demirovic, 2012: para. 16).

What happens if people and even parliaments are de facto disabled from 'participating' in decisions that concern their everyday lives, their wages, their ecological environment, their prospects of 'living in dignity'? In the context of global movements ranging from Occupy New York, to Blockupy Frankfurt, from the 15 M Movement in Spain to the student revolts in the UK and Greece, from the Tent Movement in Israel to the Gezi Park Protests in Turkey, all of which are enacted within 'formal democracies', there is a hint that in many areas 'democracy' has reached its limits (Della Porta, 2013). This rising 'myth' of enacting freedom, the obvious 'politics immanent in the people', the formation of alternative political spaces and voices of the people have to be taken into account, as a prerequisite for emancipatory reflections on democracy and a transformation of existing social order. Otherwise democracy will remain an 'empty signifier', as long as it is structurally linked to the state level and fails to recognize 'that all are equal, in the sense of deciding equally about the coordinates of social coexistence' (Demirovic, 2013a: 214).

The global social movements have been evaluated as being largely irrelevant in terms of their impact on mainstream politics. If anything, they have given rise to fears of a return to right- and left-wing extremism, which have been seen as partly valid following the results of the European Parliament elections in 2014. Žižek (2013) denounced this 'myth of non-representative direct self-organization', describing it as 'the last trap, the deepest illusion that should fall, that is most difficult to renounce' (Žižek, 2013, para. 8). He emphasized that these forms of self-government of freely associated people, who would 'not know what they want', were not able to generate an overall emancipatory transformation of society without a leader and a political elite (Žižek, 2013, para. 8).

As a timely answer to Žižek's aphorisms, Marina Sitrin and Dario Azzellini (2014) have contributed with their recent book to an in-depth understanding of 'real democracy' as a new, 'horizontal' and 'recuperated' lived experience, presenting their research and looking at active participation in social movements in Greece, Spain, and the United States, further tracing the experiences of democracy within these new global movements to Argentina and Venezuela. Conducting in-depth interviews and focusing on the unique articulations and feelings of activists around the globe, Sitrin and Azzellini demonstrate the creation of alternative political spaces, various forms of direct democracy and

new ways of social coexistence, as new ‘laboratories’ of democracy, opening up a grand vessel of a new collective identity and shared experience, which provides valuable insights for the emancipation of the existing social order. Their comparative research, giving space to the emotions, goals, hopes and visions of the activists, without any theoretical framing of their inimitable voices, mirrors the sincerity and euphoria of the global movements’ participants and makes the work of Sitrin and Azzellini profoundly valuable. Further, the scope and content of their comparative research carries the promising potential to weaken the mainstream political voices which consistently downplay the influence of social movements.

Before further reflecting on the global movements as new vessels for the imminent reshaping of democracy, there is a need to develop a theoretical and practical framework, as a prerequisite for the ‘radicalization’ and ‘emancipation’ of democratic discourse and democracy itself. As such, this critical conception should comprise the following: *First*, the questioning of democracy in its essence, through recognizing the constitutive failure at its heart and thereby removing its political and theoretical sanctity; further realizing that an identification of its inherent flaws is not an inhabitable position, neither for political theorists, nor for political actors, but rather a prerequisite to be able to formulate alternatives. *Second*, the recognition that the democratization of the economy and labour relations, the unmasking of the merging of corporate and state power, and the dismantling of a truly ‘undemocratic’ austerity regime (which is operating in parallel with the formal democratic-parliamentary state) is essential for future democratic policies. *Third*, a sincere political acknowledgement of the global movements, taking the voices of the people, their goals, hopes and desires to create alternative forms of social coexistence into account. *Fourth* and lastly, realizing that democracy is not only linked to the state level and recognizing that a devaluation of these movements, namely as anti-political or apolitical, will be a total misjudgment of their ‘alternative political’ importance for future political settings and articulations. Drawing on such a critical and radicalized framework of democracy, I will now turn to explore the contingencies of global social movements and discuss their impact on ‘democracy’.

Who is afraid of democracy?

The people ‘on the streets’ have clearly shown that their belief in solidarity, equality and freedom; their mutual respect for, and acknowledgement of alternative lifestyles, genders, sexualities, and ethnicities; the priority they give to ecology and nature; their resistance against devastating capital accumulation and consumerism; and the democratization of labour relations and fiscal policies are not on the agenda of the ‘democrats’. What the protesting crowds are mutually generating is a new collective ‘we’, who sympathize, support, and participate in the ‘resistance’ throughout the globe. In the light of different economic, political, social and cultural contexts, and different constitutional frameworks out of which the various new movements have emerged, this global consistency, this new collective ‘we’ is rather unconventional. Looking at these new global movements from a critical, emancipatory perspective, they appear as vast fields of ‘self-government of freely associated people’, offering alternative ways of ‘living together’, making themselves visible to governments, policy-makers and ‘experts’ who take and enact decisions regarding their everyday lives despite them. Henry Giroux (2011) offers a coherent understanding of what is taking place:

‘[...] these new social movements have called the larger neoliberal Zeitgeist into question. Specific issues have given rise to broader considerations. As a result, the totality of neoliberal and totalitarian societies has begun to fragment and weaken, offering a space for a broad alliance of individuals and groups who are seeking not only political reform but also meaningful and pervasive ideological and structural changes.’ (Giroux, 2011: 331)

This global contestatory practice, passion and spontaneity, this ‘oppositional performative action’ (see Drexler, 2007) not only disrupts the ‘proper’ political sphere, but moves it to new places, settings and locations, and further comprises new modes and models of ‘living democracy’, whereas examining these expressions could provide a compelling new discourse and rhetoric of democracy.

What emerges as ‘new’ about these global movements is conceptualized by Sitrin and Azzellini (2014) regarding the specific features of the ‘new-new movements’. Considering the movements in Latin America in the 1990’s and early

2000's as the first wave of anti-representational movements, they frame the new global mobilizations today as a second wave of rejecting representative democracy and generating new forms of direct democracy, where the needs and demands of the people are alike (Sitrin & Azzelini, 2014: 14). The global movements of today and their conceptual categories share several characteristics in common: they recognize 'rapture', a 'breaking from past hierarchical ways of relating', and 'horizontality', a process of creating new forms of horizontal relationships, 'a flat plane on which to communicate', as a tool for real democracy (Sitrin, 2014: 248-249). As non-hierarchical ways of relating had always been one of the primary characteristics and principles of 'new social movements', such as the feminist movement (as long as new social movements remain autonomous and resist the process of NGO'ization), the 'newness' of these contemporary movements as a global phenomenon is moreover manifested in the other two conceptual categories Sitrin and Azzelini define. These are namely 'recuperation' and ways of engendering new lived forms of 'democracy' through the establishment of new autonomous 'territories' in public spaces (Sitrin & Azzelini, 2014: 10-11; see also Razsa & Kurnik, 2012).

'Recuperation', meaning that 'people take back what is theirs', demonstrates the established practice of all autonomous movements to not engage with the state and act in a sphere outside of and other than the state, creating new places of social coexistence, where people pose no demands on the state, but rather create their own alternative solutions for their specific needs and conflicts (Sitrin, 2014: 250). Experiences from Greece, Spain and the United States illustrate how the occupations of large public spaces, such as parks and plazas shift to neighbourhoods, where people self-organize in barter networks, initiatives and assemblies to take back basic necessities, such as electricity, health care or their homes (Sitrin, 2014). Conclusive examples of popular power, where the collective and organized actions of people affect and change municipal and governmental policies are the following: The enforcement of one day a week free healthcare in most municipalities of Greece, after protests against the charge of five euros for every (once free) examination by a doctor, achieved through the occupation by local residents of the cashier's stations of hospitals (with the agreement and solidarity of the hospital staff); locksmiths in Spain who refused to replace the locks of foreclosed homes and voted collectively as a union against it, whereby

the federal government in Spain discussed legislation for a two-year freeze on all foreclosures; the defence of foreclosed homes in the United States, through 'eviction defence groups', occupying people's homes, disturbing and hindering court auctions, whereby the enforced rescheduling of court dates kept families in their homes for many more months (Sitrin, 2014: 251-254).

What is so inspiring in all these collective actions is the marked solidarity between 'official' representatives of public institutions and the protesters, who support each other for the enforcement of specific goals, and moreover for the consolidation of a more equal and just social coexistence. These actions cannot be regarded as mere 'civil disobedience', but rather have to be construed as a new form of a 'disruptive' demos from different global locations and cultures, acting collectively outside of representative political spaces for common goals, refusing any unjust and top-down decisions and policies regarding their everyday life, and generating emancipatory new networks of solidarity and coexistence throughout the world.

The fear of 'the demos' regarding its unpredictability and force hinders mainstream political discourse from recognizing social movements' historical impact on the emancipation of society as a whole. On the subject of the European Union, there is also the need to see the emancipatory force behind these 'societies in movement', since they hold the potential to improve the transparency and public accountability of European governance, thus increasing the EU's democratic quality (see Della Porta & Caiani, 2009). Moreover, collective actions which are considered as disruption or disobedience may also serve the defence of democracy, in particular when 'value-oriented citizens' who support democratic mechanisms implement such practices of disruption, as a way to control the degeneration of authority into authoritarianism (see Passini & Morselli, 2011).

Della Porta and Andretta (2002) have shown using the example of spontaneous citizens' committees in Florence how such committees find allies in local government and bureaucracy, and exert joint power to block projects decided 'at the centre' which are against the interests of the local population and against the environment (Della Porta & Andretta, 2002: 262). They further identify a correlation between the proliferation of collective action, pointing to a rise of new collective identities, and the crisis of traditional political institutions. In that sense, the crisis of representation manifests along two axes: first, as a

crisis of ‘identification’, indicating the growing incapability of political parties to create ‘high’ collective identities and to generate a thorough analysis of the causes of overall dissatisfaction and possible solutions, which further subverts the parties’ traditional roles as mediators; and second, as a crisis of ‘efficiency’ which manifests through the continual postponement of setting and implementing shared objectives (Della Porta & Andretta, 2002: 262-263). Since contemporary collective movements have begun to take over a mediation role from the political parties, ‘alongside the electoral arena and the channels of democratic representation, the policy arena is another very important area for protest, with its channels and rules that go beyond representational democracy’ (Della Porta & Andretta, 2002: 263).

These considerations reveal further the distinctiveness of the new movements, in the sense that they no longer act within a framework of ‘contentious politics’ by engendering a collective political struggle which makes demands and organizes around a claim, targeting the state and the government for its implementation (Sitrin, 2014; see also Giroux, 2011). On the contrary, rather than pursuing political reform, the new movements generate their own alternative social order and social relations. They are finding solutions for their common issues by themselves, albeit not shying away from seeking allies within the institutional political arena as well, to be able to implement their emancipatory visions of social coexistence into wider structures of society. Hence, as a result of these ‘horizontal’ relations and increasing solidarity between representatives in administrations and movement participants and/or committees, there is a gradual opening up on the side of institutional politics to these new empirical forms of democratic social order, whereby the new movements’ agents hold the potential to generate an increasing impact on decision-making processes.

The challenging quest for EU governance, as well as worldwide governance, would be then to tap the full potential of these newly opened spaces of ‘flat communicative relations’, to be amongst the initiators of the launching of a ‘real’ democratic process.

Concluding reflections drawing on the case of Turkey

In what I have shown, it became evident that vast fields of political theory failed to provide a comprehensive analysis and effective suggestions for a dismantling of the impasse of democracy so far. The failure of party politics and representational political structures to mediate between the needs of the people and the implementation of mandatory, efficient policies is also apparent. This recognition is a valuable prerequisite for engendering a new framework for new understandings on theoretical and on political-practical grounds. Hence, political theory which doesn’t link democracy merely to the state level and which attempts to question the very nature of democracy by further advocating an overall democratization of the social order, has shifted its attention to the emerging new forms of ‘democratic life’. These new practices are enacted and experienced by vast numbers of freely associated people, who apparently stopped participating in the existing structures of social order and started to create their own. The most consistent characteristic of new global movements which stands out is the defence and occupation of public spaces against capital accumulation and the destruction of nature. Within these places, they create their own ‘cosmos’ of coexistence, based on shared knowledge, a living culture, vast networks of solidarity, providing of basic services, and engendering equal, non-hierarchical relations. Since almost all occupations of public spaces have faced violent eviction by police forces, the new movements were generally declared dead, not recognizing their shift to other ‘places’ of social coexistence, such as their neighbourhoods (see Sitrin, 2014).

In the case of Turkey and the Gezi Park occupation in June 2013, the same consistent patterns emerged, as after the brutally enforced eviction of Gezi Park in Istanbul and other occupied places in Turkey, the ‘places’ of agency shifted to ‘park forums’. People all over Turkey are coming together in various green places and parks in their own neighbourhoods once a week, where they implement direct democratic practices to decide equally about political, economic, social, cultural and environmental issues which affect their daily lives. Hence, because the popular public places, squares and streets seem empty now, it doesn’t mean that the movements are dead; moreover this ‘displaced’ democracy had continued to evolve, spreading to various locations in Turkey, as well as in other parts of the world.

In the light of Turkey's current shift towards an autocratic regime and its further distancing from basic democratic values and EU accession, the ideals and practices that were generated by the people who participated at the Gezi Park protests throughout the country appear to be an emancipatory counterattack against the decline of democratic values as a whole. Claudia Roth had summarized this perspective bluntly, as she (shocked and traumatized from the police violence she personally was a victim of at Gezi Park) stated: 'These people here gathered in Gezi Park, these are the people we want to include in the EU' (Jacobsen, 2013: para. 4). Although Roth was harshly criticized by various political wings and accused of acting like a 'demonstration-tourist', she was nevertheless perceptive enough to recognize and articulate that something new and different was taking place, and that it had to be taken into account politically.

This recognition that something new is taking place is a political-practical prerequisite for the formulation of any future policies that would meet the peoples' hopes and desires for a totally reinvented social order, and more importantly, that would take into account their actual embodiment of a new social order, as a lived experience. The traditional approach of mainstream politics to such unorganized forms of social coexistence (besides downplaying them, or regarding them as politically naive) is to frame these collective actions generally as a disruption of the proper political space, as a kind of 'civil disobedience' against the political system and authority, against which the state's security forces are willingly mobilized. However, the concept of 'pro-social disobedience' suggests that 'disobedience remains constructive and pro-social as long as it is enacted for the sake of every social group – mainly in terms of human rights. In that sense, pro-social disobedience is linked to a deep sense of responsibility towards others, and towards both ingroup and outgroups' (Passini & Morselli, 2011: 264-265). To take such an approach into account would generate a system where 'pro-social disobedience' would be ensured and legitimized by the democratic system, as a check and balance against the dangers of its own authoritarianism and potential injustice.

Given the fact that not only Turkey's political course but most political-legal systems in the world are far from considering such perspectives as efficient democratic tools for future policies, what remains for the mainstream political arena is to recognize at least the need to open up a whole new discourse on democracy,

one which is not based on 'representational' grounds but one which is 'involved' with the people on the streets and their ways of social coexistence. For the case of Turkey, the government missed its unprecedented chance to transform the emancipatory and alternative 'political outlets' of Gezi-Park into efficient policies that would hold the potential to democratize Turkey as a whole. This case is not different for the EU, nor for other systems of governance in the world, who do not engage with these new alternative forms of a social order, which are abundantly generated throughout the world. The quest for institutional political actors then is not to be genuinely 'representative' anymore, but moreover to be genuinely 'involved'.

4

Remapping democracy in the EU*The euro crisis and the EP elections*

THEOFANIS EXADAKTYLOS

Introduction: Perceptions of representative democracy

Democracy is a highly contested concept not only in political science but also across different societies. It has many definitions and is perceived differently in different political, social and economic contexts. Defining democracy in one way or another can seem a futile task, especially as societies develop and new events come into play that change our perceptions of representation, transparency, accountability, institutional design and government responsibility. Even within the member states of the European Union there is such diversity in the democratic models applied that we cannot talk about a single European model of democracy.

The main question in political science and in the study of public policy and administration is not only the way democracies come about, but also the kind of impact institutional engineering has on the outlook of a democratic regime and what rules bind the wider system of governance. According to an old definition by Schumpeter 'The democratic method is that institutional arrangement for arriving at political decisions in which individuals acquire the power to decide by means of competitive struggle for the people's vote' (Schumpeter, 1947). Schumpeter was more procedural than substantial in his definition of the democratic method and he referred to the organization of the democratic regime and the ways representation, accountability and legitimacy must be assured. Nonetheless, beyond the procedural elements of democracy, modern societies have an obligation to be concerned with the goals and effectiveness of the democratic method, safeguarding the ways of doing things within a democratic context.

We need to differentiate, therefore, between ‘narrow’ and ‘broad’ perceptions and definitions of democracy. When we speak of narrow perceptions of democracy we are usually referring to the presence or absence of electoral rules, in other words whether it is enough to argue that representation comes through elections and maybe a bit more. In this way, our assessment of democracy is reduced to a simple list of boxes to be ticked.

It is important to move beyond assessing democracy merely by means of a box-ticking exercise. Our assessment criteria should reflect the ways democracy works on the ground. Hence, we need broader definitions of democracy: in other words perceptions that go beyond the electoral element and speak about the quality of the democratic output. In this more substantive way, we can argue that a crisis in representative democracy does not only have to do with (recently low) voter turnout in local, regional, national and European elections within the EU member states, but rather with the civic engagement of the citizenry at large in the policy and decision-making processes within the state and the international environment.

The issue of engagement sits at the heart of the perceived crisis of representative democracy. What we have come to identify as engagement starts from a loss of political trust by the general public towards our formal democratic institutions: the government, the political parties, the political system at large, the processes, the judiciary and other more traditional forms of representation. There are marked differences across the various EU member states but that is the overall assessment. At the same time across the EU we have experienced an increase in the presence of more grass-roots informal ways of doing things, ways of enhancing representation that have acquired a more institutionalized form within the democratic processes. These include, for example, the development of local community projects for social intervention in deprived areas, the emergence of new social movements that begin to take up some of the roles of the state in a more voluntary way amongst other forms of more direct democratic processes. Broader perceptions therefore, need to incorporate the provision of constitutional guarantees and controls of the exercise of the executive power, without excluding processes of democratic fermentation from the citizens’ base. Most importantly, and this also emerged in the latest European Parliament election, there has been a solidification in the support of non-democratic parties and

political figures across the EU, albeit expressed differently in different countries. Some of these political forces are indeed dangerous in terms of their political ideology. They are far from being a threat to our democracies – yet, they signal that there is a problem.

In this sense, a mature democracy comprises institutions that guarantee the citizens’ ability to formulate their preferences, signify and weigh them. Effectively, these are two sides of the same coin developing in a mature democracy: the role of the *demos* – in other words, the rights and obligations emanating from popular power; and the role of the constitution – in other words, the safeguard of those rights and obligations that form the cradle of the democratic principle. In an ideal democracy, there should be a perfect balance between the two roles to enhance the rights and opportunities for citizens and increase actual participation in political life. Essentially, a mature representative democracy ensures incorporation of the citizens; representation of organized interests; and a fully-functional and meaningful opposition.

Questions on representative democracy

The main issue here has been the demise of interest in the existing representative democratic institutions and whether in fact, there is a crisis of representative democracy or the crisis is only an illusion or an intuitive perception. To that degree, there are five main questions to be answered by our political, social and economic elites in light of the aftermath of the euro crisis and based on the lessons drawn from the recent European Parliament election of May 2014:

1. Right-wing and left-wing populism as well as the return of extreme nationalism have made their presence felt in national parliaments as well as within European institutions. Does the rise of right-wing and left-wing populism and extreme nationalism, as well as Euroscepticism truly reflect a crisis of representative democracy?
2. The rhetoric of the financial crisis has completely undermined national recovery efforts and has led citizens to believe that governments can no longer tackle deep economic crises. Hence, is the crisis of representative democracy directly linked to the advent of the global financial crisis?

3. The financial crisis has called into question the very existence of consolidated, mature democratic regimes like Greece or Spain. What lessons can be drawn about tackling such issues for the countries in Europe that still have fragile democracies and unresolved social and ethnic tensions and perhaps form part of our near neighborhood, such as Ukraine?
4. Following from that question, the sixty-odd years of European stability achieved through further economic and political integration has created a sociopolitical environment that allows social and economic development as well as peaceful cooperation. Hence, the crisis within European institutions begs the question of whether the axiom that European Union membership guarantees political, economic and social stability still holds in the aftermath of the crisis.
5. How does the new institutional architecture of the European Union help sustain a momentum for further integration and further enlargement in its effort to increase a) legitimacy, b) accountability, c) transparency and d) civic engagement and participation in the forums of representative democracy? Can it successfully transfer those values to the new member states on the one hand and the candidate countries on the other or does it need to rethink its strategy?

The objectives of this book are particularly important in this perceived crisis of representative democracy within the European Union and outside it, not simply because we need to question the actual perceptions of this crisis, but also the emotional responses that it generates in the general public, such as fear, hope, anger and pride.

At the same time, the policy focus of member states' governments has shifted due to this perceived crisis. Member states are currently more interested in tackling the emerging social issues, focusing on economic and social welfare (and its retrenchment), maintaining disciplined budgets and fostering a domestic dialogue for resolving financial conflict. In other words, this crisis has led to more inward looking societies across Europe. In turn, this has implications for the European Union's role in global politics and subsequently in its effective leverage in the democratization and consolidation of democracy on its doorstep, namely South Eastern Europe and the near abroad.

This shift of focus and a more inward-looking European Union can potentially jeopardize previous incentives for democratic consolidation in candidate countries, as the Enlargement process has stalled. This change of perspective can be partly attributed to the rise of both right and left wing populism and extreme nationalism in certain cases. The development of the crisis in the EU has also exposed the many institutional flaws that have turned the EU from being the only game in town – as was the case for the big bang enlargement countries – into a not so lucrative prospect for non-members. It is particularly important to promote ways of enhancing the impact of enlargement policy that go beyond the strict transformative power that the enlargement criteria and conditionality carry. The alternative ways should focus more on enhancing social solidarity, diversity and equality not only in the candidate countries but also within the current member states. Rhetoric regarding migration influx across the EU from other member states is counter-productive to such efforts and the EU needs to emphasize that the free movement of people is a fundamental principle of the *modus operandi* within the EU. Hence, European leaders should aim to develop policies narrower in scope and targeted on specific actions and population groups within the candidate countries and the current member states.

Remapping political trust in EU policy-making

Representative democracy has turned into a negotiation between the government, public and private stakeholders and the citizens at large. In times of austerity, these negotiations become asymmetric between the three sides since information and compliance is imposed from the government in a top-down fashion (Exadaktylos & Zahariadis, 2014). It is not unusual for governments to make decisions on spending and welfare cuts in a high-handed way without appropriate consultation with the targeted populations involved. When the pie shrinks in a recession, society can be viewed 'as a zero-sum game between conflicting groups' (Rothstein & Uslaner, 2005: 46). It is then that policymaking becomes controversial and implementation of reforms becomes harder since affected parties find little reason to cooperate. That of course, leads to more resistance. The main challenge comes from the justification of austerity and the level of tolerance

by larger segments of the citizens to bear the burden of the austerity measures. Therefore, a higher level of trust can help assuage that divide.

Political trust has a role to play in oiling the wheels of cooperation between those who decide, the ways forward and the policy targets. This is not to say that cooperation cannot be achieved without trust (e.g., Cook, Hardin & Levi, 2005) but it becomes easier. Yet, since political trust underpins all policymaking processes, lower trust decreases the administrative capacity of a government and the ability to trace problems to their roots, leading to further failures. The recent inability of national governments to provide a clear direction for the scope and purpose of reforms usually leads to a blame-shifting strategy that tends to make the European Union the scapegoat for all evils (Vasilopoulou, Halikiopoulou & Exadaktylos, 2014). Since the financial crisis began, and due to the over-inflation of the problem in some member states by the media (Capelos & Exadaktylos, 2014), the public discourse has been shaped in such a way that the European Union can be linked to pretty much everything that takes place on the ground on domestic politics.

What conditions build greater political trust in policy-making and how does trust affect policy implementation success? Institutional rational choice theory (Ostrom, 1990) argues that trust will rise through three mechanisms: a) by increasing information and clarity of goals; b) through compliance in terms of corrective action and enforcement rules; and c) through repeated interactions over time that increase reputations and trustworthiness.

Nonetheless, Eurobarometer data in South Eastern Europe (and increasingly in Northern Europe) shows an overall decline of trust in political institutions, be they executive, legislative or judiciary.¹ It is interesting to observe that political trust has altogether diminished in Greece for the government and was (practically) non-existent for political parties at the height of the crisis in 2010. As for the courts, the exposed failure to implement the law or hold political figures accountable and responsible for the country's predicament can be the reason behind the drop in trust.

In the case of Greece, despite the constant negotiations between social groups

¹ Latest Eurobarometer surveys of the Spring wave (no. 81) of 2014 are available on the Eurostat website (ec.europa.eu/public_opinion/archives/eb_arch_en.htm). For issues of trust, see the national breakdown in Questions A9.1-A9.6 of the Annexes.

and the government, the levels of trust seem to decrease as political agents are captured by the social and professional coteries, and government actors keep changing the rules of the game paying more attention to re-election opportunities rather than real political impact. At the same time, a climate of suspicion exists between social groups and the government leading to the repudiation of the political system and effectively to further non-compliance and implementation failure, as well as 'spiral of cynicism and disillusionment' (Capella & Jamieson, 1997) as the state struggled to regain the trust of its citizens.

Certainly the enormity of proposed changes in the case of Greece, following the bailout agreements with the EU and the IMF, have made implementation more difficult, while the unwillingness or inability of the government to frame the issues in ways that generate trust lessened its ability to convince target populations that reforms would pay off. Success in policy-making depends largely (though not exclusively) on the ability of politicians to generate trust by living up to the political consequences of their actions. Even in times of extreme austerity, the norms of protecting 'special' or electorally pivotal social and professional groups persist. That can lead to institutional layering rather than reform (Zahariadis & Exadaktylos, 2014), which can have adverse implications for policy-making as it becomes a patchwork of fixes rather than a fully integrated solution.

The depth of the financial crisis has pushed certain countries to sign agreements on economic policy conditionality that, beyond austerity, have enormous social and political implications, including imposing a significant strain on basic functions of the state like health and education. Large sections of these countries' populations have been severely disadvantaged and the political dimension of these social problems has found an expression through mass demonstrations and the emergence of populism across the board. Countries like Greece have turned into 'populist democracies' (Pappas, 2013). This concept is instructive for the purposes of this book as it helps understand how populism can penetrate political and social strata and become a master political narrative. 'If populism is the main justification upon which the system rests and crisis opens up political opportunities for smaller actors in the system, then we may expect that a populist master narrative is likely to be observed across the party system' (Vasilopoulou, Halikiopoulou & Exadaktylos, 2014). Populist rhetoric is more likely to be expressed in the form of blame-shifting and exclusivity. Of course, this increases

the inward-looking orientation and can lead countries to engage in navel-gazing exercises rather than seeing the bigger picture that calls for enhanced cooperation and deeper, bolder integration.

Remapping the role of the European Union: have we come full circle?

Across the European Union, national governments have repeatedly failed to fulfill their promises in handling citizens' hopes and expectations and to become honest brokers among negotiating parties in times of austerity, according to the findings of the Eurobarometer surveys across 28 member states. Moreover, citizens remain unclear as to their share of the burden for the financial crisis in a democratic context. This gap can only be bridged if trust is infused among the citizenry. Without a doubt, this is not a short-term solution but it involves a set of enduring commitments which may not come easy during austerity and in times of social crisis. It hence requires good coordination, clear and simple messages, agreement at the top level and full transparency in decision-making.

Nonetheless, the question remaining is whether we have gone far enough into the learning process from this crisis about the future of representative democracy in Europe. My argument here is that we have learned too little too late: the failures of the past couple of years in terms of institutional intervention to safeguard a future collapse within the European Union have not yet been established as the springboard for moving European integration forward. This has of course clear implications for how the EU is perceived in candidate countries and more importantly, how the expansion of European integration to include more members is perceived in incumbent member states. Unfortunately, the criterion of the 'capacity of the Union to absorb new members' has not been clearly defined; and it is perhaps a difficult one to measure and quantify.

The applied remedy to the current crisis – in other words, that of harsh austerity – has potentially played a pivotal role in the perceptions of representative democracy. It has not always produced the miraculous progress heralded by its advocates, especially for some of the countries of the South. Interviewing people on the ground in Greece as part of this project has revealed to our team that the crisis has deepened socially and politically, despite some anemic signs of economic

recovery. Certainly, there is a generally accepted time lag between economy and society, but the traumas created this time for representative democracy may take a longer time to heal and have been more painful. This was quite evident in the outcome of the European Parliament elections of 2014 in most countries heavily stricken by the crisis and austerity that have brought to the forefront even seriously anti-democratic parties. Yet, once a country has embarked on the austerity path, there is no way back and also no way out. There is no option other than to keep walking on that path. Any reversal of policies at this stage would be detrimental to the efforts of citizens of both more affluent and less affluent societies in Europe and halfway house measures could in fact intensify the effects of recession and prolong economic underperformance leading to the perseverance of social and political trenches.

Nonetheless, member states have taken the path of austerity which champions not only severe rolling back of the welfare state in a horizontal fashion, but also the implementation of public administration reforms in truly short periods of time. The new reformed institutions that come out of this process are often put together in haste, without any particular consultation mechanisms and potentially without the right regulatory frameworks for operation. At the same time, these institutions seem to be thoroughly disconnected not only from the reality on the ground at the national level but also horizontally due to intermittent funding across the different policy sectors. An example here is the Greek local government reforms that took place at the same time as the bailout agreements came through (Leontitsis, 2012). The absence of a regulatory framework, institutional continuity and funding has led to serious failures at the national level of the implementation of austerity measures; it has undermined the success of new institutional structures and has raised questions about the legitimacy of those measures.

At the same time, the European Union experiences a similar institutional discontinuity. Leaving aside the original institutional architecture of the single currency as an impaired monetary union without a political and fiscal component, the new institutions and corrective mechanisms that have been put in place at the European level do not seem to be convincing enough. In parallel, the old institutional architecture of the Union has repeatedly stumbled across a number of rigidities in the instrumental competencies of its institutions and in the decision-making processes. Since 2009, the European Union has repeatedly failed

to convince markets and citizens alike that there is a solution to the crisis. The general sluggishness by the Council to agree on certain principles, the sloth of the Eurogroup meetings and the involvement of external institutions (such as the IMF, to name but one of those new institutional players) in the process have placed the citizens of Europe in front of a situation where any effort to understand what is included in every institutional job description becomes an achievement. At the same time, the confusion caused with the Spitzenkandidaten and the election of the President of the European Commission, following the European Parliament elections of 2014, can only but increase the levels of mistrust of European Union institutions by the European polity.

This dire combination of institutional chaos at both national and European level has shaken up the political trust of the public altogether and the citizens' confidence in the established structures has brought whole political systems to a halt, social relations into convulsion and the interactions between citizens and the state facing a complete overhaul. There are currently no institutions that can infuse a sense of certainty or security in citizens, the middle classes have been pulverized and voters are turning to radicalism, left and right, trying to hold on to a glimpse of hope. The support for radical elements (left and right) in recent electoral contests in the most affected countries and in the EP elections of May 2014, but also the rise of stereotypes across Europe and the stigmatization of certain nationalities, reveals that people are not afraid of the unknown any more.

Remapping the impact on representative democracy in Europe

There is a strong need to understand the implications of these institutional changes and the persistent low levels of trust and civic participation in Europe both at the national and supranational level. The European Union has not truly been able to reconfigure the institutional structures that it has in place and evaluate whether they can still serve the purposes they were created for. It is possible that the EU has gone too far without significant reform of the institutional framework that governs European integration. Nonetheless, the integration framework in place has been adopted with a view to shifting responsibility for failure to future governments and is advocating a short-term consensus only. Instead of tackling

the problems head on, the EU demonstrated that it cannot abide a limit but it effectively turns it into a barrier, which it then tries to circumvent – no matter if it stumbles on it again in the future.

The final question regards the vision for Europe. In April 2003, the Accession Treaty of the new member states was signed with a strong momentum for successfully incorporating the East and West of Europe into one overarching framework, ending the divisions across Europe from the remnants of the Second World War and the Cold War. There was happiness and delight that finally, Europe had managed to bridge some of the gaps across societies.

The outcome of this crisis has been that European integration has now lost its orientation; it has become a lackluster process with no vision. Popular discourse suggests that it also lacks leadership. The forbidden word of 'federalism' has been pulled out of the time-capsule, in an effort to remind the political and social elites of what the European integration enterprise was initially about, according to the founding fathers of the Communities. Mainstream political discourses seem to agree that greater integration should be the way forward; new supranational structures should be constructed; and, more monitoring of member-state decisions should come into place. Yet, these discourses are missing the pivotal point of accepting the finality of the process itself. European integration is in a state of trance, where political decisions fall victims of markets and economic governance architectures. Europe is at a stage where its political leaders are afraid of bold moves—not for the sake of saving the European dream, but more due to looming national nightmares and diminishing chances of re-election—and its citizens have lost the fragile notion of a polity that they had started to develop (see again Eurobarometer results). The federalist vision for Europe is there, but seems to be liminal and occasionally flickers dangerously. And that poses risks about the inclusion of new member states, in other words for further enlargement.

The main challenges ahead for representative democracy in light of the financial crisis remain the appearance of a number of new phenomena across Europe. The breakdown of the established political order in the countries of the South raises questions about the quality of representative democracy in Europe. The rise of grass-roots movements and the overarching social unrest raises questions about the legitimacy and representativeness of the current institutions and procedures within European representative democratic systems. Finally, the rise of

the extreme right and of the radical left, in combination with the re-emergence of stereotypes highlight an explosive social mix that questions the fundamental principles of democratic representation and European integration.

The EU has learned that the current institutional architecture of European governance falls short of expectations. It has also learned that there is (as has always been the case) a certain capability gap as to what the European Union can achieve with its current institutional arrangements – its limits have been stretched out and continue to do so to date. The political elites of the EU need to reflect on the ways that the integration process can take off again in a meaningful way, representative democracy can be enhanced, and enlargement can regain a certain momentum. Yet, the safe assumption is that Europe has come out of previous crises stronger rather than weaker – and in my opinion, will emerge stronger this time too.

Political culture, legitimacy and functionality

5

Political culture in Europe*Crisis of representative democracy*

MARKO VUJAČIĆ

In this paper, I will consider the relationship between political culture in Europe and the crisis of representative democracy. I will look into the causes of the crisis, its effect on the dominant political culture(s) in Europe and try to suggest what social democrats can do about it. My underlying argument is that the economic crisis of 2008 only scratched the surface of the European political landscape to reveal a much deeper crisis – the one of representative democracy. I will try to show that the political culture in Europe has changed as a consequence of this crisis.

Such an assumption raises a few fundamental questions: firstly, can we even talk about a single political culture in Europe, or in the European Union (EU) for that matter? Rather, we should talk about different processes that affect countries and their respective democratic systems, and hence, their individual political cultures. Secondly, do we witness the same challenges to democratic governance in what George W. Bush labelled as ‘new’ Europe, the region composed mainly of the countries that joined the EU between 2004 and 2013 and the Balkans, as in the ‘old’ Europe composed of Western type liberal democracies? Alternatively, many would argue that this division along East-West lines is fairly outdated, and that we should rather contemplate the North-South split in Europe. Subsequently, do we have the same types of processes in these groupings of countries? How can we explain the fact that similar conditions, even if we manage to isolate them, did not cause similar outcomes in the aftermath of the crisis? Finally, could we attribute these different outcomes to different political cultures?

The notion of political culture

The International Encyclopaedia of the Social Sciences defines political culture as ‘the set of attitudes, beliefs and sentiments’ which give order and meaning to a political process and which provide the underlying assumptions and rules that govern behaviour in the political system. It encompasses both the political ideals and operating norms of a polity. Political culture is thus the manifestation in aggregate form of the psychological and subjective dimensions of politics. A political culture is the product of both the collective history of a political system and the life histories of the members of the system and thus it is rooted equally in public events and private experience.¹ Daniel Elazar (1996) defines it as ‘the particular pattern of orientation to political action in which each political system is imbedded.’ To put it in more simple terms, political culture refers to ‘attitudes, values, beliefs, and orientations that individuals in a society hold regarding their political system’ (Elazar, 1996). Both definitions thus attribute to political culture some subjective elements, the ones that originate from the way people act in a political system or feel about politics, and objective elements, that include a time dimension of politics, historical heritage, the origins and duration of certain institutions, forms of government, or founding documents (e.g. parliament, monarchist or republican traditions, constitution) et cetera.

Definitions clearly offer a variety of factors that may affect the formation of particular political cultures. Any attempted typology of political culture so far (for instance, Elazar’s typology on modern, individual and traditional political culture) was necessarily limited, as it is hard to determine with accuracy the type of factors and causes that affect the creation and/or change the existing patterns of political culture. We could go far back in the history of political ideas and political philosophy to find arguments that connected various natural, super-natural, societal phenomena, with the type of political regime that emerged. Just remember the famous Montesquieu’s theory from the *Persian Letters*, and further elaborated in *The Spirit of Laws*, that the type of climate affects the personality that develops and consequently, the type of political regime that emerges. This ‘reductionist approach’ (Fowler, 2012) separated societies throughout the world

into two opposing poles: everything Western was progressive, moral, and civilized. Conversely, the East was exotic, immoral, politically apathetic, intellectually regressive, and uncivilized. The warm climate of the East was an environment in which the development of despotism was innate. Emanuel Rota extends Montesquieu’s notion to other social theorists of the French Enlightenment (to include Voltaire and Rousseau) and concludes that according to them ‘Northern people have to work because nature does not give much; Southern people don’t have to work because nature is generous there. Only necessity makes people work, whereas abundance makes them lazy. Lazy people are prone to despotism, hardworking people, instead, are good for the rule of law. Abundance leads to despotism, scarcity of resources leads to good citizens’ (Rota, 2008). Similarly, Max Weber has tried to prove in a comprehensive manner that the protestant ethic affected the rise of capitalism. Matti Peltonen gives evidence that most economic and social historians throughout the twentieth century have criticized Weber’s Thesis (Peltonen, 2008). Weber’s thesis ‘appears to be a social misconstruction’ (Hamilton, 1996). ‘At best, Weber’s thesis remains a hypothesis’ (Hamilton, 1996). It is possible that an opposite causal direction was at work – that the rise of capitalism stimulated the appearance of Protestantism (Hamilton, 1996). These theories are interesting for us today, as they were to some extent exploited in the recent European economic crisis. Much public debate was framed that way during the recent crises, for example making a point of a presumed laziness of Greeks and a superior work ethic of Germans, notwithstanding the clear fallacies of such claims.

Political values and behaviour are influenced by various factors; most importantly, perhaps, by durable cultural traditions (Putnam, 1993; Huntington, 1996; Inglehart, 1988). A useful starting point for classifying countries is thus the distinction between civilizations drawn by Huntington (1996). He postulates a historical cultural borderline within Europe that divides the western Christian peoples from the Muslim and Orthodox inhabitants.

In order to test and provide evidence for my main assumption – that the political culture in Europe has changed as a consequence of the crisis of representative democracy – I will look at several phenomena that are indicative of the assumed change:

1 International Encyclopedia of the Social Sciences, New York: Macmillan, 1968, Vol. 12: 218.

1. The growth of popularity of the existing far-right and far-left parties;
2. The emergence of new political parties and political movements: right-wing or left-wing extremists, nationalists and populists, liberal reformists, anti-establishment parties;
3. The rise of social movements and street protests throughout the continent.

One could argue that all these phenomena can be attributed to the outbreak of the economic crisis in Europe. But that would be rather a misconception: in order to make such a causal claim, we would need to go back in time and investigate the past economic crises in European history. For example, the Great Depression of 1929 gave birth to the right wing extremism that cost the European order dearly. However, the oil shock crisis of the 1970s that caused considerable economic hardship for ordinary people did not produce the worrying increase in extremism that we witness in Europe today. Similarly, while the Great Depression caused a major change in the established party systems, especially in Germany and Italy, the oil shock crisis did not create a real challenge for the established party systems in European countries, nor did it cause major public and social unrest. On the other hand, the social movements of the 1960s posed a substantial challenge to the established system, although there was no major economic crisis.

Clearly it would be hard to create a direct causal connection between the economic crisis and the changes in the patterns of political culture that we witness today. We could, however, claim that the economic crisis revealed some structural deficiencies in the system of democratic governance in all of these examples, which brought about changes in people's attitudes, values, beliefs, orientations and actions *vis-a-vis* the government.

One must also be mindful of the differences in political systems in Europe. As already noted above, not all of them experienced the same changes as a consequence of similar challenges. One basic distinction is the one between the Eastern and Western countries of Europe. Some of the variables that affected the types of political culture can be traced back to durable cultural traditions, such as attitudes towards strong leaders – authoritarian leaders vs. democratic governance or the use of violence as a political means. Similarly, there can be a different understanding of who bears the responsibility for a person's life – is it

the individual or the state? According to Chapman and Shapiro (1993), the ethos of the community is the subject of one of the most important democracy theory debates in recent decades. One dimension addresses the fundamental question of *who bears the principal responsibility for shaping and determining a person's life* – the individual or the state (in as much as the state represents a specific form of community)? The other dimension is equally fundamental, that is, the *relations between individuals*: the performance-driven competition between individuals in the various marketplaces versus cooperation and solidarity in dealing with one another (Chapman & Shapiro, 1993).

The differences between European countries in these respects result in diverging political cultures: libertarian (self-responsibility combined with competition between individuals), liberal (state responsibility with competition between individuals), republican (self-responsibility with cooperation and solidarity between individuals) or socialist (state responsibility with cooperation and solidarity between individuals). The countries in these two parts of Europe – East and West – represent different types of democratic community (Fuchs & Klingemann, 2006). For example, the countries of Western Europe have developed liberal/republican types of political culture, while those of Eastern Europe are more likely to develop socialist/liberal types. These authors invoke Huntington's argument about the cultural dividing lines within Europe, and recognize its validity 'to a certain extent' (Fuchs & Klingemann, 2006). According to this analysis, 'every eastward enlargement poses integration problems and increases the difficulty of constituting a European demos.' (Fuchs & Klingemann, 2006). In Western Europe, therefore, in terms of the dividing lines we outlined, the patterns of political culture are rather different than in Central and Eastern Europe.

Regardless of the effects of the economic crisis, and bearing in mind the differences between various types of political cultures throughout Europe, we are witnessing a wider trend in Europe – a decay and crisis of representative democracy, and the emergence of new patterns of political culture. I will offer three arguments that indicate such changes in political culture:

- » The founding assumption of democracy – that people, through the delegation of powers, are able to govern themselves – is under pressure in the West, while it was never fully consolidated in the East;

- » The old party system with typically one mainstream social democratic and one conservative party is broken in the West, while it was never fully developed in the East;
- » Social movements and protests are the expressions of a changed understanding of politics.

The vanished consensus of democracy

Most of the literature, articles, news analysis, blogs, that tackled the issues of democracy in the aftermath of the economic crisis suggest that something serious and far-reaching is going on with democracy. This is also the starting assumption of this paper. One of the most common contentions in this respect is that the old consensus of representative democracy is gone. In order to prove the point, Philip Coggan (2013) introduces the differentiation between the two dominant models of citizens' participation in democratic governance in the past. He explains that Athenian democracy was based on the mass participation of all citizens; they exercised democracy through direct decision making at town meetings. He adds that for small city states it made sense. However, this model lost its relevance after the emergence of modern nation states, which introduced representative democracy. Its basic precondition is that people are capable of electing a government to represent them (Coggan, 2013).

In a post-nation and post-modern state, however, we have witnessed the slow but steady development of a third model – the delegation of the once sovereign prerogatives of government to technocrats and experts. Many decisions nowadays are conferred to the bodies, agencies, central banks, international courts, where voters have no direct or even indirect say. It was a 'double delegation' of powers, as Coggan (2013) points out. He stresses that it may be all for good reasons and justifiable, as governing a modern society is complex. But, it strikes at the heart of the democratic idea – that voters (or at least their elected representatives) are competent to represent themselves (Coggan, 2013).

It is exactly such a double delegation that the European Union is based on: J. H. H. Weiler (2011) explains that democracy was not part of 'the original DNA of European integration' and that 'it still feels like a foreign implant' (Weiler, 2011).

With the collapse of the original *raison d'être*, the 'political messianism' related to the purpose of preservation of peace in Europe, according to Weiler (2011), we are witnessing the alienation and detachment of people from the European Union. And the formal rule of law, as Weiler (2011) argues, only serves to augment the alienation. In his view, the 'formalist, positivist, and Kelsenian models are no longer accepted as representing meaningful and normatively acceptable forms of the rule of law, if not respectful of two conditions: rootedness in a democratic process of law-making and respectful of fundamental human rights.' While the later has been progressively developing in the European Court of Justice's jurisprudence since 1969, there has been no similar jurisprudence in the 'decisional processes of the Union'. In that respect, Weiler concludes, 'the Court is complicit in the status quo'. That is the nature of problems that cannot be easily fixed and which are a reflection of what has become part of a deep-seated political culture (Weiler, 2011).

Furthermore, double delegation also reduces the sense of democratic accountability. Coggan (2013) argues that with politicians, we can 'throw the bums out' when they displease us: 'But if the most powerful people in the world are central bankers such as Ben Bernanke, Mario Draghi or Mark Carney, how do we dismiss them? We must rely on our elected leaders to do so. But this is far from easy. Central bankers are given long terms of office to guarantee their independence' (Coggan, 2013). In effect, this means that citizens are unable to control the processes that affect their daily lives.

The second important component of an old consensus is that democratic government will create prosperity. This is the basic trust that elected representatives will deliver on promises of economic and social well-being. This implicit bargain, explains Coggan, has been broken. Across the Western world, voting turnout has been falling steadily for 40 years; political party membership has also been in decline. The lack of grassroots participation in democracy creates a challenge for Western states as they face a period of sluggish growth in the wake of the debt crisis (Coggan, 2013).

Furthermore, as René Cuperus (2011) argues, a fundamental breakdown of trust and communication between elites and the general population in contemporary European society must be located at more levels than just welfare state reform (Cuperus, 2011). He explains that 'the magic of the post-war period seems

to be all used up: the post-war ideal of European unification, the post-war welfare state model and the post-Holocaust tolerance for the foreigner', and concludes that globalization, immigration, European integration are producing 'a gap of trust and representation between elites and the population at large around questions of cultural and national identity' (Cuperus, 2011).

In essence, the growth of expert politics – namely, the delegation of ever more policy areas to agencies and expert bodies, or alternatively to bureaucratic institutions of governance such as the European Commission, broke one pillar of the old consensus. The confidence that governments can deliver on prosperity represented the second pillar. Provided that they managed to do so, political parties and the people in general refrained from seriously challenging the method – the transfer of powers to expert bodies. This has changed with the 2008 financial crisis, which was followed by the economic crisis and the crisis of the euro. Not only did it show that the basic link of democracy, between the government and governed, was ultimately broken, it also gave birth to a completely new phenomenon in political culture: the rise of new, anti-establishment political movements and parties, as well as the emergence of erratic but genuine social movements across the continent.

The old party system under pressure

The failure of traditional parties that dominated the political scene of post-war Western Europe to address the challenges of post-modern and post-national states brought about major changes in the established party system. There are several indicators of this change:

- » The growth in popularity of the existing parties of the extreme right and left;
- » The emergence of new parties of the extreme right and left, populists and nationalists;
- » The emergence of anti-establishment political movements.

In Italy, it was the Five Star Movement of comedian Beppe Grillo, in Germany it was the Pirates party, and more recently the Alternative for Germany, Syriza and Golden Dawn entered the stage in Greece, Austria experienced the case of

the controversial billionaire who returned from Canada and managed to win seats in the local elections, and with the emergence of NEOS – a new liberal party – Hungarian voters experimented with a 'Politics can be different' movement. Recent European parliamentary elections brought victories for the United Kingdom Independence Party (UKIP) in the UK and for the National Front in France. Seán Hanley (2013) underlines the dramatic eruption of new parties led by charismatic anti-politicians promising to fight corruption, renew politics and empower citizens. He points out the potential for a new type of anti-establishment politics in Europe – loosely organized, tech savvy and fierce in its demands to change the way in which politics is done, but lacking the anti-capitalism or racism that would make them easily discarded as traditional outsider parties of the far-left or far-right (Hanley, 2013). René Cuperus (2011) also talks about 'the triumph of the floating voter, i.e. the unprecedented rise of electoral volatility, and the spectacular jump in the political arena of neo-populist entrepreneurial movements' (Cuperus, 2011).

There have been many attempts to explain and classify this new type of anti-establishment politics. Some authors speak of 'new/centrist populism' (Pop-Eleches, 2010), 'centrist populism' (Učeň, 2007) or 'liberal populism' (Mudde, 2007), while others have pointed out their anti-political appeal, like Bågenholm and Heinö (2010) who called them 'anti-corruption parties', Demker (2008) who speaks of 'virtue parties' and Hartlieb (2013), who stresses organizational and programmatic aspects and names them 'anti-elite cyberparties'. Seán Hanley and Allan Sikk (2013) conceptualize these parties as anti-establishment reform parties and attribute three core features to them: 1) a politics of mainstream reformism 2) usually framed in terms their anti-establishment appeal to voters; and 3) genuine organizational newness.

Here, we should again differentiate between the West and the countries of Eastern Europe. While these phenomena can be easily traced in the West, the new political parties and movements we see there are not as new in the East. Hanley and Sikk (2013) suggest that 'we need to refocus on relationship(s) between hard times, corruption and the travails of established parties', because 'any attempt to find broad mono-causal explanations for the rise of new anti-establishment parties in CEE – and by extension in Europe generally – is misconceived' (Hanley & Sikk, 2013). Furthermore, they argue that in CEE the parties that emerged after

the fall of communism failed to establish strong organizations and forge strong ties with voters, and thus, that the anti-establishment reform parties more often emerge in economic good times than bad. This is the fundamental difference with the West, as their analysis shows that it was party system stability that has been more favourable for the emergence of these parties, than party system fluidity as in the East (Hanley & Sikk, 2013).

Several causes may be identified that explain the formation of such new parties and movements in Western Europe. Coggan (2013) notes that at times when economies were growing fast, the big-tent parties were able to make a clear offer to voters: state-funded health care, government-funded pensions, etc. Today, he argues, governments 'seem unable to stop factories shifting jobs to Asia or immigrants flooding in', and this is the reason why 'voters find the big parties less appealing' (Coggan, 2013). Hanley and Sikk (2013) argue it was the *changes* in perceived corruption that mattered more than *levels* of perceived corruption. The rise of corruption in the countries with generally lower levels of corruption effectively mobilized voters behind anti-establishment reformers (Hanley & Sikk, 2013). René Cuperus (2011) invokes the argument of Hans Peter Kriesi et al. who argued that 'the current process of globalization or denationalization' led to 'the formation of a new structural conflict in Western European countries, opposing those who benefit from this process against those who tend to lose in the course of events.' Such opposition between the globalization 'winners' and 'losers' resulted 'in a new cleavage that has transformed the basic national political space.' Kriesi and others argue that 'those parties that most successfully appeal to the interests and fears of the "losers" of globalization' became 'the driving forces of the current transformation of the Western European party systems' (Kriesi et al, in: Cuperus, 2011). Finally, René Cuperus (2011) also makes a strong case that the triumph of no alternative (TINA) is 'creating fear and resentment under non-elites. The deterministic image of a future world of globalization, open borders, free flows of people, lifelong-learning in the knowledge-based society is a nightmare world for non-elites' (Cuperus, 2011).

In addition to these rather structural arguments, some authors draw attention to the lack of ideas or ideologies in the old parties. Peter Mair (2011) argues that 'without a strong ideology, there's little reason why big parties should hold together' and also that ideologies tend to move from one block to another. Some

clear examples include France's President Nicolas Sarkozy who was wooing National Front supporters by making hard-line noises on Islam and crime. Angela Merkel's U-turn on nuclear power in Germany was prompted in part by fears that her Christian Democrats risked losing more votes to the Greens (Mair, 2011, in: *The Economist*). Bruno Cautrès argues that 'voting has become more a matter of consumer choice than of ideological fealty. The cosy consensus that so often marked post-war politics is gone. People are no longer spending 20 years in a party, a union or even a job... They don't like organizations to speak for them; they want to speak for themselves' (Cautrès, 2011, in: *The Economist*).

To summarize the argument, several characteristics of the phenomenon of new parties and movements are relevant to the discussion on the changed political culture in the aftermath of the crisis: Firstly, new parties and movements present themselves as anti-establishment and anti-corruption parties, the only ones who challenge the broken system and offer an alternative. Secondly, people who vote for these parties are actually casting a protest vote, a group of voters who would otherwise either cast a blank vote, or would not go to the polls at all. In the general elections of 2012 in Serbia, the movement for the blank vote reached 4.3 per cent of the total casted votes. A similar initiative existed at the time of the local elections in Bosnia-Herzegovina in 2012. These movements called on voters to draw cartoons, action heroes, or write down additional names on a voting ballot, and thus make the ballot irregular. The protest voters have posted thousands of photos of their ballots on social networks. Thirdly, new parties and movements are considered outcasts and outsiders for decades, similar to the extreme right and left wing parties in Europe. Now, the fact that they are perceived like that has worked directly to their advantage: 'By positioning themselves as outsiders, they excluded themselves from the mainstream, which they anyhow revile or mock as emblems of a corrupt and elite establishment that has failed the people' (Allan Cowell, 2013, in: the *New York Times*). Finally, in most cases, these parties and movements are not ready to assume power, but they are already putting heavy pressure on the established political parties: 'Even without formal political power, or perhaps because they flourish outside the traditional salons of influence, they exert a disproportionate pull on national political life, to the detriment of larger and more established parties. Alternative for Germany took some 430,000 votes from the liberal Free

Democrat Party, Ms. Merkel's most recent coalition partner, contributing to its exit from Parliament for the first time in over six decades' (Allan Cowell, 2013, in: the *New York Times*).

Social movements around Europe and political culture

The third phenomenon that supports the argument of the changed political culture in Europe is the emergence of the fragmented and elusive, but also vocal and vibrant protests across Europe – from Malmö to Lisbon and from London to Istanbul. Although not a new phenomenon in itself in Europe, the protests started filling the news with the emergence of the 'Occupy Wall Street' movement in the USA, which promptly spread around the globe.

The original idea of the protesters was to send a message protesting at perceived economic inequalities and injustices. However, the demands soon spilled over to other issues, such as anti-austerity and anti-dictatorship, corruption, or to the protests of populists and nationalists, the riots in immigrant communities but also anti-immigration protests, to protests against government proposals, laws, actions and measures often labelled as neo-liberal. Some authors illustrate the rise of protest using terms such as 'global unrest' (Vinthagen, 2010), 'revolutionary fervour' (Said, 2013) or 'global street' (Sassen, 2011).

Several characteristics common to all protests challenge the traditional perceptions of politics and the dominant political cultures in Europe: firstly, it is the return of essentially Schmittian paradigm of a friend and foe, 'us' *versus* 'them' (Schmitt, 1996). The protesters clearly tried to identify the main villain, usually the government and their prime ministers, or big multinational companies and their CEOs, and picked symbolic places to stage the protests – Wall Street, government buildings or the main city square. Secondly, the protests are increasingly a global learning exercise: the strategies are being replicated and the experiences shared – the most common was the occupation of the main central city squares (Tahrir, Taksim, Maidan). Thirdly, the protesters typically used non-violent methods. This can be attributed to the growing global awareness of the theories of non-violent struggles, but also of their success. In the case of armed resistance, governments find it easier to justify repressive actions and to attract the undecided part of the

population to their side. On the other hand, the brutal crackdown on unarmed participants in the resistance movement usually increases sympathy for the opponents of the government, which is called the 'backfire effect' (Martin & Gray, 2007). In the past, attacks on unarmed protesters were sometimes the spark that caused sporadic protests to burst into social mobilization on a large scale. The effectiveness of methods of non-violent struggle is also confirmed by comparative quantitative studies (Chenoweth & Stephan, 2011). Fourthly, the protests are typically staged without a clear or charismatic leader. It is not to suggest that the leaders are completely excluded, as the case of Vitali Klitschko of Ukraine demonstrates, but that the leaders are unable to fully control the protests. Protesters often stage actions regardless of the leader's instructions. They have a will of their own, and they want to make sure their voice is heard.

Together with the emergence of new parties and movements, the social unrest and related social protest movements add to the equation of the changed perception of politics, of politicians, and the need for applying different techniques to confronting a perceived adversary often pictured as the dominant establishment – traditional parties or governments. These contemporary movements pose a challenge to national but also supra-national political elites. The flavour of poor governance is omnipresent at all levels. It affects the state of democracy, but also the dominant political culture.

Towards a conclusion: What can social-democrats do about it?

In this paper, I tried to identify the main phenomena that indicate changes in political culture throughout Europe. Naturally, these changes do not affect all countries or their respective political cultures in the same way. However, wherever these phenomena took place – and there is hardly a country in Europe where none of these phenomena occurred – they represented a reaction to structural challenges that affected their societies and countries. Those who feel unrepresented, whose voice is not heard, those who vote for the parties that come from the far-left or far-right of the political spectrum, those prone to 'populism', those who protest, typically originate from the ranks of the lower paid, disadvantaged by age, social conditions, frustrated by poor education and employment oppor-

tunities, or unprivileged. Social-democrats throughout Europe largely failed to represent them.

Social-democrats must work on bridging the gap of double delegation through a deep and comprehensive structural intervention, at the national and EU levels. On one hand, they must strive to find a way to reduce and control the power of bankers, central bank governors, financial gurus, lobbies and multinational conglomerates that generate new products, innovations and technologies completely alienated from the citizens, as well as distant and inaccessible governmental and regulatory agencies. Social-democrats must do more to make citizens subjects and participants instead of alienated objects of a policy process, of the decisions of bureaucrats, technocrats and their agencies, or multi-national companies. They must empower citizens to be able to make informed decisions, understand and engage in policy processes, work on a democratization of production, for example by stimulating and obliging public and private companies to share knowledge gained through production and investments in research and technology.

Social-democrats should open their party offices and meetings to dissenting and critical voices, embrace the voices from the streets, avoid dismissing protesters and their demands as populist only because they are putting things in a simpler perspective, introduce mechanisms for a more direct participation of members in party decision making and utilize modern technologies for a more democratic party governance. Citizens must feel again that social-democrats can make their voices heard.

Finally, social-democrats must not strive to preserve or restore old patterns of either political culture(s) or representative democracy, but must be able to adjust, evolve, and take the lead in changing patterns of social behaviour and social structure. To put it in rather simplistic terms, democratic representation cannot survive in its present form. The issue of democratic representation became a far more complex issue with the emergence of expert politics, with distant technocrats that define and implement regulatory policies which affect the daily lives of people, combined with mass multinational and transnational production and unprecedented technological development and innovations.

Back in 1963 former federal Yugoslavia introduced a constitution with a federal parliament consisting of five chambers: besides the General-Politics Chamber, there were four additional chambers – for Economics, for Education and Cul-

ture, for Social Welfare and Healthcare, and the chamber for Workers – each with its own jurisdiction and role in decision making. The idea behind it was to provide direct representation for citizens in different social dimensions of their lives. Yugoslavia did fail as a state; however, the reason for that could hardly be found in the structure of the federal parliament. Perhaps the idea of multiple representations was too avant-garde for a country that did not even guarantee a multi-party system or democratic elections, but it may nevertheless provide food for thought in conceptualizing and developing new avenues of democratic representation. They will most certainly be more fragmented, less uniformed, decentralized, and tailor-made for individual municipalities or towns, regions, member states or the EU itself.

6

EU integration and enlargement

The danger of (changed) narratives

MAJA NENADOVIĆ

In January 2014, members of the Hungarian far right wing party Jobbik were busy burning the EU flag in protest, urging the country to exit the Union. The latest cause of their dissatisfaction? Implementation of the property law that from May would allow foreigners to own agricultural land in the country. In Jobbik's view, Hungary is 'being turned over to foreigners'. In the same month, Hungary – alongside nine other European Union member states – celebrated the anniversary of its membership. A decade earlier, the rhetoric surrounding the largest single expansion of the European Union was far more positive. Widely celebrated as a 'return to Europe', the enlargement signified a triumph of difficult reforms that earned these countries the status of membership. Moving away from the dysfunctional legacy of authoritarianism and communism, the countries of Central and Eastern Europe embraced democracy alongside (the positive rhetoric of) European common values.

The European economic crisis is the single largest cause of the growing disenchantment with the process of European integration, to the point that talk of EU enlargement has practically fallen off the agenda. How the situation has taken a turn for the worse in the past decade will be illustrated in this article by focusing on the changing narratives surrounding the European Union integration and enlargement processes. The next section will explore the nexus between historical revisionism, political rhetoric and narratives that lie at the heart of the problematic shift in present day Europe. These key concepts will be illustrated through prominent examples from the popular political discourse of the past few years. The article will conclude by exploring the dynamic theme of 'us versus them' and the implications it holds for the future and quality of democracy in the European Union.

Mapping out the disenchantment

Humans are storytelling animals,¹ and they make sense of the world by reflecting on the events around them and constructing narratives about various phenomena. These stories are passed onto next generations through (oral) history and in this process they become a part of our identity, how we see ourselves and relations with others through time. This process of perception, interpretation and reproduction that constitutes the social construction of reality plays an essential role in our social identity formation. However, since ‘Narratives... are a version of reality whose acceptability is governed by convention and “narrative necessity” rather than by empirical verification...’, it is important to map them out, study how they transform over time and how they impact our (social) identity. In the scope of a decade, the optimism and enthusiasm that reflected the genuine motivation and that drove the enlargement process in the European Union has all but vanished. The next paragraph will explore how the narrative on European Union integration and enlargement has changed in the course of the decade. In other words, in what way does this loss of faith and political will exhibit itself in the rhetoric used by political elites? Next, the article will identify evidence of the Europe-wide surge in populism, nationalism and radical sentiments. Special attention will be paid to the question of historical revisionism and the role it plays in the changing European narratives.

As Frank Schimmelfenning explains, ‘in a community environment, politics is a struggle over legitimacy, and this struggle is fought out with rhetorical arguments.’ Political elites use rhetoric to present their ideas and policies as legitimate, and to persuade the audience to support them, inducing political cooperation in process. The European Commissioner for Enlargement, Gunter Verheugen, gave a speech on ‘Enlargement: Speed and Quality’ in The Hague in 1999 with the following proclamation:

‘The East and the West that are no longer separated by the Iron curtain. That curtain was symbolized by the Berlin Wall that fell, now almost

exactly ten years ago. This was an emotional experience. We do not want to have walls in Europe anymore.’ (Verheugen, 1999)

This theme of the reunification of Europe and of the triumph of democracy over communism continued to mark the discourse of EU enlargement until its largest expansion in 2004. Following the accession of Romania and Bulgaria in 2007, however, the mood shifted, as many analysts argued that the two had been allowed to accede prematurely. Some even stated that Bulgaria and Romania’s EU membership ‘damaged the credibility in the enlargement.’ The European Commissioner for Enlargement Olli Rehn was also more measured in his optimism when he gave his assessment of EU enlargement in 2009:

‘Overall, EU enlargement... has brought about peaceful democratic change and extended the area of freedom and prosperity to almost 500 million people. [However]... we need to take into account the EU’s integration capacity. But there is simply no reason to break off our successful policy of stabilization of South Eastern Europe... Let’s not play with fire. We should not take any sabbatical from our invaluable work for peace and progress that serves the fundamental interest of Europe and the Europeans. We don’t have to move at the speed of the Eurostar, but we need to keep on moving. The journey itself is at least as important as its destination.’ (Rehn, 2009)

His successor Štefan Füle, during his hearing at the European Parliament in 2010, was already on a full scale defensive of EU enlargement, as he announced his plans ‘to address the problem of enlargement fatigue within the EU by encouraging politicians from the 27 member states to explain the benefits of that process to people in their countries.’ Finally, in 2010 on the occasion of leaving the Commission, the former Commissioner Gunter Verheugen scathingly stated in an interview, ‘the EU has no vision of where we are heading.’

Parallel to the growing disenchantment with the EU enlargement process, Europe has been experiencing a rise in populism, nationalism and right wing radicalism. Jamie Bartlett of the Demos think tank has tracked the rise of populism in Europe in the past year, and in the report published in 2011 they mapped out

¹ One of the first scholars to explore the concept of narration and its relation to identity formation was Walter R. Fisher, for e.g. in: *Human Communication as Narration: Toward a Philosophy of Reason, Value, and Action*. Columbia: University of South Carolina Press, 1989.

the digital footprint of populist movements in 12 European countries. Thanks to the accessibility of the social media technology, as well as the option of anonymity it provides for its users, the extremists have been able to organize and promote their views in unprecedented ways. However, these attitudes have not remained strictly in cyberspace alone: in several countries, most prominent of which are Hungary, Greece, Denmark, France and the Netherlands – far right politicians have entered the mainstream. As Spoerri and Joksić put it:

‘The problem is particularly acute across continental Europe, where far-right xenophobia is no longer a platform perpetuated by a fringe minority, but is an increasingly vocal part of the prevailing discourse. Indeed, in European countries large and small alike, far-right parties are winning votes, entering parliaments, and in some cases, forming governments.’ (Spoerri & Joksić, 2012)

The implication of the presence of right wing populist politicians in parliaments across Europe is that the same parties have also competed in the European Parliament elections, thus strengthening the Eurosceptic voice. Geert Wilders, Marine Le Pen and Nigel Farage are some of the prominent voices of the ‘anti-EU alliance’ in Brussels. Their attitudes, policies and rhetoric all translate into obstructionist elements in both the processes of EU integration and enlargement. However, it would be wrong to view these attitudes as exclusively belonging to the members of the far right. There have been instances of hate speech by members of the governing mainstream: Zsolt Bayer, a prominent journalist, one of the founding members of the Hungarian governing party FIDESZ and a friend of the Prime Minister Orban caused uproar by making the following statement in the national newspaper Magyar Hirlap last year:

‘A significant part of the Roma are unfit for coexistence. They are not fit to live among people. These Roma are animals, and they behave like animals. When they meet with resistance, they commit murder. They are incapable of human communication. Inarticulate sounds pour out of their bestial skulls. At the same time, these Gypsies understand how to exploit the “achievements” of the idiotic Western world. But one must

retaliate rather than tolerate. These animals shouldn’t be allowed to exist. In no way. That needs to be solved – immediately and regardless of the method.’ (Bayer, 2013)

The Romaphobia in Hungary has been coupled with prominent anti-Semitic statements by right wing political elites, similar to the xenophobic, islamophobic and anti-immigrant rhetoric of their counterparts in Greece, the Netherlands and France.

A parallel development to the rise of nationalism and populism in Europe has been the tendency of ruling elites towards historical revisionism. In Hungary alone, Jewish organizations have consistently urged against the ‘watered down’ teaching of the Holocaust in schools and its presentation in public discourse. However, in November 2013, the Hungarian Nazi-era leader Miklos Horthy was honoured with a statue to commemorate him in the very centre of the capital, on Freedom square, thus reinstating and celebrating his previously condemned role in Hungarian history. An additional and arguably more worrisome example of historical revisionism is the overall Russian foreign policy, embodied in its behaviour vis-a-vis Ukraine in 2014. Russia’s own changed historical narratives, as well as efforts to (re)write history under Putin’s direction pose a direct threat to Europe (Krastev, 2014). One would expect or hope that the Hungarian and Russian examples of historical revisionisms would incentivize the European Union to form a unified and determined stance and actions to counter these dangerous trends. However, this unified position – both rhetorically and in practice – is still lacking.

Us versus Them

The divisive discourse of the European political elites could best be described by the rhetoric used at the onset of the Eurozone economic crisis. Denoting the countries that were the largest debtors and most hit by the crisis using the acronym PIGS (Portugal, Ireland, Greece, Spain), elites, academics, journalists and analysts alike perpetuated the image of ‘lazy South’ versus ‘hardworking North’. Though some journalists have tried to dispel the myths of the crisis originating

in the South, or attributable to the ‘laziness’ of some of European nations, the narrative generally contributed to the atmosphere of accusations and growing resentment between different countries in Europe (Andreou, 2012).

The European Union’s media department did not help in its effort to further the enlargement cause. The video produced and promoted in 2012 titled, ‘So Similar, So Different’ featured the ‘surprisingly gorgeous, vibrant and exciting South East Europe.’² Aside from a generally stereotyping tone, the video clip seeks to affirm the status of the candidate countries through the prism of comparison to the old, established EU members. Perhaps it was an unintended consequence, but the promotional clip further entrenches the ‘us versus them’ dichotomy. Furthermore, another EU enlargement promotional clip produced in 2012, ‘The more we are the stronger we are’ got openly criticized for racism which led to its being pulled off air (Watt, 2014). The short film featuring a European woman successfully fighting immigrant male attackers was meant to attract young Europeans to learn more about the EU enlargement policy, but the anti-racist outcry it elicited demonstrated its impact was quite the opposite.³

The inability of the European Union political elites to communicate with citizens about (enlargement) policies, as well as the lack of consensus on and shared vision of the future of integration has led to discussions on the democratic deficit within this polity. Leadership is at a critical point currently, because if it fails to reach a shared vision, and if it fails to communicate this to the citizens in a persuasive and genuine manner, then the democratic deficit is likely to deepen. For starters, it would be useful if the political elites stopped referring to the European Union as a ‘project’ because this rhetoric may pose the danger of breeding a ‘project mentality’, the notion that there is a clear beginning, middle and an end and that the various phases and stages can be measured correctly following objectively verifiable indicators. The process of EU integration does not fit this neat model and when faced with these unmanaged, inflated expectations, the outlook for the status quo will always be bleak.

2 European Union Commission, Enlargement department, ‘So Similar, So Different,’ video clip, available at: www.youtube.com/watch?v=R_jRjPl9iRQ (Accessed: 4 February 2014)

3 A similar, high-budget promotional video fiasco was the clip seeking to promote women in science. ‘Science – It’s a Girl Thing!’, available at: www.youtube.com/watch?v=go32MPtSjFA (Accessed: 4 February 2014) was eventually also taken offline due to criticisms of being openly sexist.

Concluding Remarks

Words matter, and European political elites ought to pay greater attention to the messages that they are sending through their rhetoric. Angela Merkel’s proclamation that multiculturalism in Germany had ‘utterly failed’ did nothing to improve the country’s (or the Union’s) strained discussions on immigration policy (Weaver, 2010). Instead, it only added fuel to the rising right wing parties who were already gathering support by clamouring on this issue. Dutch politician Marnix Norder’s warning against a ‘tsunami of Eastern European workers’ similarly reinforces the narrative of ‘us versus them’, evoking fear in the process. The panicked discourse in the UK after the immigration ban for Romanians and Bulgarians had been lifted revealed the extent of prejudice and stereotypes that exist against these Eastern European EU member states. This scapegoating blame game generates narratives that at the end of the day deal a devastating blow to the perception of common European identity, norms and values. Mired in the atmosphere of rising right wing populism and historical revisionism, European integration and enlargement – dual processes that ought to strengthen and reinforce one another, and not run at odds – are at a critical juncture.

In February 2014, the south of Europe got shaken up by a series of protests throughout Bosnia-Herzegovina. The protests were rooted in the struggle for social justice and alleviation of poverty that is the reality for an increasing number of citizens of this impoverished, post-conflict country in which decades of international administration did little to introduce efficiency and accountability into governance structures. Primarily criticizing local politicians for being corrupt and self-interested, the protests are a manifestation of what academics, analysts and foreign officials in the country had been warning about for several years now. The European Union Special Representative (EUSR) role in the country has been largely passive, and the EUSR, alongside the Organization for Security and Cooperation in Europe (OSCE) and the Office of the High Representative (OHR) have in the past decade essentially been busy with ‘expressing concern about the situation in Bosnia-Herzegovina.’ This kind of empty rhetoric did little to reassure the citizens of (aspiring) EU candidate countries from the Western Balkans about the EU’s political will or ability to serve as the catalyst for democratic reforms and a genuine promise of a better future. Without legitimacy and

credibility, both of which can only be earned through effective action and not proclamations ‘expressing concern’, the European Union’s conditionality and democratic ‘pull’ – together with the enlargement plans – can be at best shelved, and at worst abandoned altogether.

At a time of economic crisis and instability, and overarching political uncertainty – nationalism and populism are the cheapest, most effective political mobilization tools. However, the danger in present day Europe is not so much that the radicals will take over – but that the radicalized discourse will become the new norm, adopted even by the mainstream, moderate parties and individuals. European Commissioner Viviane Reding’s recent statement made at a conference on freedom of movement in Europe illustrates this danger perfectly:

‘Let me name the problem – the problem are the Roma people – the 10-12 million European citizens who live almost everywhere, not only in Bulgaria and Romania, most of them living in horrid poverty conditions... Let’s be honest, this is our problem.’ (Reding, 2014)

Let us be clear. So long as we perceive, name, and treat (a group of) people as a ‘problem’, these ‘problems’ will require ‘solutions.’ And if this rhetoric does not bring a chilling echo of history into our minds, it is safe to say that Europe’s ‘Never again!’ was a lesson we have not yet fully absorbed.

7

Rising euroscepticism and potential EU responses

TAMÁS BOROS

Introduction: euroscepticism as a crisis of democracy

Among the numerous symptoms of the crisis of European democracy, one of the most striking is the surge of Euroscepticism on the continent. The change in the EU-optimism that prevailed in the early years of the new millennium is also connected of course to the emergence of the global economic crisis and the subsequent euro crisis. While until 2008 roughly 40 per cent of European citizens considered that, on the whole, the Union was going in the right direction, this ratio began dropping radically from 2010 on, reaching its nadir in autumn 2011. At that point a mere 19 per cent of Europeans felt that the Union was on the right track, while 55 per cent of respondents had a pessimistic outlook. According to Eurobarometer’s survey, the gap began narrowing by spring 2014, but even so a mere 25 per cent of the population agree with the way the Union is led.

Yet the surge of Euroscepticism does not affect the EU’s member states equally. It is fairly apparent that the ratio of sceptics is lower in the Central and Eastern European and Baltic countries that have joined the Union since 2004 than in the western countries that are still reeling from the economic crisis. While in Bulgaria, Croatia, Latvia, Lithuania, Poland, Estonia, Malta, Hungary, Romania and – as the only two western countries – in Ireland and the Netherlands, a plurality of citizens are optimistic about the course of the Union, in Belgium, Greece, France and Portugal those who are sharply critical of the EU’s direction constitute an absolute majority among respondents.

What best illustrates the dramatic shift underway is that only five years earlier, before the 2009 European Parliament elections, there was not a single country in the European Union where the critical voices were in the majority.

In fact, today's greatest pessimists hail from the ranks of countries where support for the Union had been highest in 2009 (Belgium, Greece, Luxemburg and Sweden).

It is important, however, to distinguish Euroscepticism from anti-Europeanism. A significant portion of the masses that criticise the Union's course are not necessarily opposed to the existence of the European Union or their respective countries' Union membership. Support for soft Euroscepticism easily falls within the scope of the European democratic consensus – many Eurosceptic voters' and parties' primary objective is precisely to reduce the Union's democratic deficit. At the same time, objectives involving the disintegration of the Union or ensuring the country's exit therefrom can unequivocally be seen as a sign that the given voters or parties seek to disintegrate the European consensus, which is why it is worth investigating to what degree hard Eurosceptics are present in European society and whether they really pose a risk for the unity of the continent.

Public opinion surveys conducted in the 28 EU countries showed that there are currently two member states, namely Slovenia and the United Kingdom, where those who want to leave the Union are in a majority. In two others, in Cyprus and Italy, those favouring membership and those opposed to it are neck and neck. As for the Union overall, 31 per cent of the entire population agree that their respective countries would be better off leaving the EU, while 56 per cent consider retaining membership more beneficial. The growth of Euroscepticism therefore primarily denotes a significant surge in criticism of the Union's institutions, which – for now – does not imply that the majority calls into question whether the Union should continue to exist.

The different types of Euroscepticism

Euroscepticism has grown in recent years both in terms of support within society and with regard to the various different types of Euroscepticism in society. Thus it is timely to review and renew the analytical categories of Euroscepticism put forward by Taggart-Szczerbiak, who distinguish between 'hard' and 'soft' versions of opponents/critics. We propose to divide the Eurosceptical

citizens of the EU member states into three categories based on their attitudes towards the EU.

Euroscepticism based on social considerations: This type of Euroscepticism may stem from the increasing prevalence of precarious personal financial circumstances, a problem that has chiefly emerged – at least in its current dimensions – since the onset of the global economic crisis. Studies of parties that have adopted Eurosceptic stances have pointed out that there is no linear relation between a predilection for opposition to the EU and rising poverty rates. Even if we acknowledge and accept this, it is nevertheless safe to assume that there are a growing number of regions in the EU where the number of impoverished communities has radically risen, and that in the affected Eastern and Mediterranean countries the EU is (also) being blamed for this situation. The increasing social tensions and the widening cohesion 'gap' between richer and poorer member states have fuelled voices that are critical of the EU. Though this negative identity has not translated into a distinct Eurosceptic political course, since 2008 this particular line of Euroscepticism has increasingly emerged as influential. Among other things, this is also supported by the fact that there is a strong correlation between individuals' own financial situation and respondents' rejection of the Union: European citizens who occupy spots on the lower rungs of the social ladder tend to reject the Union in far higher numbers than the wealthier strata. Overall, significant Eurosceptic groups with such a background exist in Cyprus, Greece, Portugal, Italy, Spain and Slovenia.

Norm-based Euroscepticism: In the course of its activities spanning several decades, the EU has sought to convey norms with growing intensity. Though a commitment to shared norms is an essential part of an integration-based identity, it creates an increasing conflict between the member states and, primarily, the European Commission. This form of Euroscepticism does not chiefly focus on whether the EU performs well enough in terms of public policy. Instead, this type of opposition to the EU is primarily inspired by the desire to protect post-material norms. Since Euroscepticism is far more prevalent among Europeans who are 55 years old, or more than among younger age groups, it stands to reason that a continually changing Europe and growing levels of uncertainty drive a segment of elderly voters towards norms-based Eurosceptic groups. There are sizeable social groups in the United Kingdom and the Czech Republic who are opposed to the

EU because of norms that they wish to protect; the number of people who share this view is also on the rise in France, Denmark and Hungary.

Rational Euroscepticism: A rationality based critical attitude towards the EU is characterised by high levels of information and a sophisticated and differentiated knowledge of how European institutions operate. Those in this category are fully capable of assessing what benefits/drawbacks their member state will experience from various levels of integration. Voters with such an attitude are also keenly aware of what type of social and economic risks the commitments stemming from membership imply for their member state. The basis for such an anti-EU attitude is therefore primarily a specific assessment, though subjective elements tend to be at the forefront of this assessment. Over the past few years, this form of Euroscepticism has gained strength primarily in Germany, Austria and Sweden.

The conclusion from the above is that different types of Euroscepticism are on the rise. Which particular type might be embraced by any given individual will vary according to the respective person's member state, social group and life circumstances. Politics has also responded to these processes in various ways. Eurosceptic and anti-EU forces have now grown differently in strength depending on the answers that politics provided to the issues they brought to the fore. At the same time, as the next chapters will show, there is really no linear relationship between voters' perception of the European Union overall and the social support for Eurosceptic parties.

The political representation of Euroscepticism

Though the representatives of anti-EU forces are dispersed in various parliamentary groups and among the independents in the EP, it is nevertheless possible to ascertain that there were over 140 soft or hard Eurosceptic MEPs in Strasbourg between 2009 and 2014. The fact that more than one fifth of all MEPs are Eurosceptic ought to be a warning sign for those who wish to deepen integration, but a detailed look at the data probably provided less cause for anxiety in 2009. Back then only five of all the parties that had delegated representatives to the EP called for their respective countries' immediate withdrawal from the integration process, while another five formulated demands that were practically tantamount

to a strategy of immediate withdrawal. On the whole, there were only 33 MEPs who actively sought to disintegrate the Union.¹

In 2014 the situation changed radically, however. As compared to 2009, the number of MEPs representing Eurosceptic parties has grown by a ratio of one and a half, to 207 representatives. Of these, 71 were expressly anti-EU MEPs. In other words, 28 per cent of the new Parliament is composed of Eurosceptics while 9 per cent is anti-EU. There has been a marked increase not only in the number of such MEPs but also in the number of parties that embrace such an ideology. Twelve expressly anti-EU parties are represented in Strasbourg, and there are 35 others that view the Union critically in its current form (see Table 1).

A notion that is frequently voiced in the context of analyses of the EP election results is that voters make different choices in a 'low stakes' proportional election than during national parliamentary elections, and hence presumably the outcome showing a surge in the support of Eurosceptic parties in the May election is less relevant. Yet what appears to contradict this is the fact that in six of the 11 EU countries that have also held national legislative elections over the past few years (Austria, the Czech Republic, Greece, Hungary, Italy and Slovakia) the Eurosceptic parties received more votes in the national than in the EP elections, while in five (Belgium, France, the Netherlands, Germany and Lithuania) they performed better in the European elections. Over the past two years eleven Eurosceptic parties experienced a decline in public support, while 12 have become more popular. The French, Dutch and Lithuanian Eurosceptic parties have seen their numbers improve most, while the Hungarian Jobbik party is the greatest loser over this period with its drop of 5.6 per cent. In other words the thesis which posits that Eurosceptic parties generally perform better during EP elections than in 'high stakes' parliamentary elections does not stand up to scrutiny. This also shows that the surge of Eurosceptic parties is by no means the result of a singular burst of success.

1 In this study the author has focused exclusively on parties that are not members of the traditional pro-integration European party families. Hence the analysis does not extend to member parties of the European People's Party, the Party of European Socialists, the European Liberals and Democrats and the European Green Party. The author is of course aware that there may well be Eurosceptic parties even in the ranks of these generally pro-European formations – thus the Hungarian governing party and EPP member, Fidesz-KDNP, is also generally considered a Eurosceptic party – but nevertheless, these political forces are considered part of the mainstream, and thus investigating them won't give us much insight into understanding the surge in the new type of Euroscepticism.

Table 1 Eurosceptic Members of the European Parliament (2014-)²

Country	Party	Parliamentary Group	Results (%) (2014)	Number of seats (2014)
Austria	Freedom Party of Austria (Freiheitliche Partei Österreichs)	NA	19.72%	4
Belgium	Flemish Interest (Vlaams Belang)	NA	4.14%	1
Bulgaria	Bulgaria Without Censorship (Bulgaria bez Cenzura)	ECR	10.66%	2
Croatia	Patriotic Coalition (Croatian Party of Rights dr. Ante Starčević – Hrvatska stranka prava dr. Ante Starčević)	ECR	(41.42%)*	1
Cyprus	Progressive Party of Working People (Anorthotiko Komma Ergazomenou Laou)	GUE-NGL	26.98%	2
Czech Republic	Party of Free Citizens (Strana svobodných občanů)	EFD	5.24%	1
Czech Republic	Communist Party of Bohemia and Moravia (Komunistická strana Čech a Moravy)	GUE-NGL	10.98%	3
Czech Republic	Civic Democratic Party (Občanská demokratická strana)	ECR	7.67%	2
Denmark	People's Movement against the EU (Folkebevægelsen mod EU)	GUE-NGL	8.00%	1
Denmark	Danish People's Party (Dansk Folkeparti)	ECR	26.60%	4
Finland	Left Alliance (Vasemmistoliitto)	GUE-NGL	9.30%	1
Finland	Finns Party (Perussuomalaiset)	ECR	12.90%	2
France	National Front (Front National)	NA	24.86%	23
France	Left Front (Front de Gauche)	GUE-NGL	6.33%	3
Germany	The Left (Die Linke)	GUE-NGL	7.40%	7
Germany	National Democratic Party of Germany (Nationaldemokratische Partei Deutschlands)	NA	1.00%	1
Germany	Alternative for Germany (Alternative für Deutschland)	ECR	7.10%	7
Greece	Coalition of the Radical Left (Synaspismós Rizospastikís Aristerás)	GUE-NGL	26.60%	6
Greece	Golden Dawn (Chrysi Aygi)	NA	9.38%	3
Greece	Communist Party of Greece (Kommounistiko Komma Elladas)	NA	6.07%	2

Country	Party	Parliamentary Group	Results (%) (2014)	Number of seats (2014)
Greece	Independent Greeks (Anexartitoi Ellines)	ECR	3.47%	1
Hungary	Movement for A Better Hungary (JOBBIK)	NA	14.67%	3
Ireland	Sinn Féin	GUE-NGL	19.50%	3
Italy	Northern League (Lega Nord)	NA	6.16%	5
Italy	Five Star Movement (Movimento a 5 Stelle)	EFD	21.16%	17
Italy	The Other Europe (L'Altra Europa – Con Tsipras)	GUE-NGL	4.03%	3
Latvia	National Alliance [Nacionāla Apvienība (TB/LNNK+VL)]	ECR	14.25%	1
Lithuania	Order and Justice (Tvarka ir teisingumas)	EFD	14.25%	2
Poland	Law and Justice (Prawo i Sprawiedliwość)	ECR	31.78%	19
Poland	Congress of the New Right (Kongres Nowej Prawicy)	NA	7.15%	4
Portugal	Democratic Unitarian Coalition (Coligação Democrática Unitária)	GUE-NGL	12.69%	3
Portugal	Left Bloc (Bloco de Esquerda)	GUE-NGL	4.56%	1
Slovakia	The New Majority (Nová väčšina – dohoda)	ECR	6.83%	1
Slovakia	Ordinary People and Independent Personalities (Obyčajní Ľudia a nezávislé osobnosti)	ECR	7.46%	1
Spain	Plural Left [La Izquierda Plural (Izquierda Unida)]	GUE-NGL	(9.99%)*	5
Spain	For Social Democracy (Por la Democracia Social)	GUE-NGL	7.97%	5
Sweden	Sweden Democrats (Sverigedemokraterna)	EFD	9.70%	2
Sweden	Left Party (Vänsterpartiet)	GUE-NGL	6.30%	1
The Netherlands	Party for Freedom (Partij voor de Vrijheid)	NA	13.32%	4
The Netherlands	Socialist Party (Socialistische Partij)	GUE-NGL	9.60%	2
The Netherlands	Christian Union (ChristenUnie/SGP)	ECR	7.67%	1
The Netherlands	Reformed Political Party (SGP)	ECR	(7.67%)*	1
United Kingdom	UK Independence Party	EFD	26.77%	24

Country	Party	Parliamentary Group	Results (%) (2014)	Number of seats (2014)
United Kingdom	Sinn Féin	GUE/NGL	0.66%	1
United Kingdom	Conservative Party	ECR	23.31%	19
United Kingdom	Democratic Unionist Party	NA	0.54%	1
United Kingdom	Ulster Conservatives and Unionists – New Force	ECR	0.35%	1

* member of a party alliance

The strength of Eurosceptic parties that have entered the European Parliament is a good indication of the diversity of Euroscepticism. In Cyprus and Greece the rise in the opposition to integration has clearly resulted from the impact of the crisis. But even in such wealthy welfare states as Austria, Denmark, Finland, France and the Netherlands at least every fifth citizen voted for critics of the Union. If we look at the share of those citizens who are dissatisfied with the course of the European Union in each member state, then we find that there is no linear relationship between the level of dissatisfaction and the electoral strength of Eurosceptic forces (see Table 2). In the countries where a traditional type of Euroscepticism prevails (United Kingdom and Poland) the support of Eurosceptic parties tends to be much higher than the ratio of those in society who are dissatisfied with the Union overall. However, with a few exceptions, in the European countries the share of those who are dissatisfied with the Union tends to exceed the actual electoral support of Eurosceptic parties by a ratio of 1.5-2.

Euroscepticism has therefore spread from being a rather isolated phenomenon to one that extends to the whole of Europe. The underlying reasons vary and manifest themselves differently, but on the whole this trend unequivocally shows that without an adequate reaction/response by the institutions of the European Union and the pro-European politicians in the member states this trend cannot be reversed. Indeed, looking at the existing levels of dissatisfaction, Eurosceptic parties may well find that there is still more potential in playing the

‘Eurosceptic card’, which might lead to an escalation of this process. That is why in the following section we will review how the pro-integration political forces and institutions might react to this trend.

Table 2 The electoral support of Eurosceptic parties and the share of those who are dissatisfied with the EU

	Country	Support for Eurosceptic and anti-EU parties (May 2014) ³	Dissatisfaction with the European Union (Spring 2014) ⁴
1.	United Kingdom	51.63%	36%
2.	Greece	45.52%	60%
3.	Poland	38.93%	20%
4.	Denmark	34.60%	38%
5.	Italy	31.35%	40%
6.	France	31.19%	55%
7.	The Netherlands	30.59%	31%
8.	Cyprus	26.98%	42%
9.	Czech Republic	23.89%	36%
10.	Finland	22.20%	38%
11.	Austria	19.72%	47%
12.	Ireland	19.50%	25%
13.	Portugal	17.25%	49%
14.	Sweden	16.00%	49%
15.	Germany	15.50%	38%
16.	Hungary	14.67%	25%
17.	Slovakia	14.29%	40%
18.	Latvia	14.25%	21%
19.	Lithuania	14.25%	13%
20.	Bulgaria	10.66%	14%
21.	Spain	7.97%	44%
22.	Belgium	4.14%	44%
24.	Croatia	0.00%	25%
23.	Estonia	0.00%	17%

2 Source: ‘Who are the New Critics of the European Union?’ [Policy Solutions] (2014). Retrieved from: www.policysolutions.hu/userfiles/elemzesek/Euroszepticismus%20az%20EU-ban%20%C3%A9s%20Magyarorsz%C3%A1gon.pdf

	Country	Support for Eurosceptic and anti-EU parties (May 2014) ³	Dissatisfaction with the European Union (Spring 2014) ⁴
25.	Luxemburg	0.00%	43%
26.	Malta	0.00%	12%
27.	Romania	0.00%	23%
28.	Slovenia	0.00%	29%

Euroscepticism and European Union institutions

Learning about different types of Euroscepticism and the Union-related debates ongoing in individual member states can help formulate the key responses that may be employed against Euroscepticism at the European level. In the following, we will delineate what these messages might be.

A Europe of many ideologies

Ever since its founding the European Union has been mainly lead by what is essentially a grand coalition consisting of the centre-right People's Party and the Party of European Socialists, the parliamentary group of social democratic parties. They jointly adopt legislative proposals in the European Parliament, elect their respective candidates in turn to the presidency of the European Parliament, and co-operate in the European Commission. For quite a while this model of consensual democracy was efficient, but over time it has led to a substantial rise in its greatest negative externality, namely populist Eurosceptic parties. Since voters cannot distinguish between the mainstream right-wing idea of Europe and the mainstream left-wing conception thereof – there are no right- or left-wing measures at the Union level, after all, only those taken by the grand coalition – when they are dissatisfied with the Union they do not blame one side or the other but the entire mainstream political elite. As a matter of course, many voters reject

³ Own calculation

⁴ Standard Eurobarometer 81 [European Commission], 2014: 88. Retrieved from: ec.europa.eu/public_opinion/archives/eb/eb81/eb81_anx_en.pdf

both the centre-left and the centre-right and end up supporting populist/radical forces that are outside the grand coalition. To successfully tackle Euroscepticism, therefore, it is of pre-eminent importance to manifest differences between the mainstream left and the mainstream right at the EU's institutional level, to foster political competition between them and to make all this visible to voters. If the grand coalition consensus continues to prevail in selecting the presidents of the European Commission and the European Parliament, as well as the leaders of other institutions, or in the adoption of EU-level legislation, then European civil disobedience will not stay within the democratic boundaries but migrate towards supporting the radicals.

Transparent Europe

When voters think of how the European institutional system operates, they often have the mental image of a sluggish bureaucratic black box devoid of transparency, even though in many respects 'governance' at the community level functions considerably more efficiently than implementation at the member state level. As the scope of community competencies expands, it would be increasingly unfair to charge the European Commission with only asserting the primacy of bureaucratic considerations. On most public policy issues – be it consumer protection, justice policy co-operation or environmental issues – it can be clearly shown that EU-level protection of citizens is at least as important as member states' own separate efforts in this area.

Another benefit of community-level policy implementation is that corruption is discernibly lower than at the level of individual member states' public administration. Corruption is a serious problem in most EU member states, especially so in the Eastern European region. Thus on this topic the European Union can be presented to voters in a favourable light and, moreover, it is by no means an unrealistic expectation that community-level solutions be adopted to tackle corruption, which would affect the quality of government at the member state level.

A Europe where solidarity prevails

Even though all development projects realized with European Union funds must be accompanied by a mandatory communications element, the majority of people – especially in the less developed countries – are not aware how much development, jobs and opportunities we owe to our EU membership. There is a dearth of data available to the net recipient countries to show just how much the European Union subsidises less developed member states and regions. There ought to be an effort to ensure that citizens are aware of the EU's role in economic stimulus, job creation and economic development, especially in the countries most afflicted by the economic crisis. Moreover, with respect to this issue it is easy to show that the Union's openness has prevailed to this very day, that integration is capable of revising the previous member state bargains, thereby providing substantial relief to the smaller and new member states. The European Union might be able to make voters understand that a multi-speed progress in integration does not imply a repudiation of solidarity. Making subsidy payments contingent on strict economic conditions is necessary because political and economic risks have risen the world over – Europe can only extricate itself from the crisis if member states adhere to their previous voluntary undertakings.

That is why it may be worthwhile to use campaigns to raise awareness about what share of total development expenditures in a given member state were funded by Union subsidies, how many jobs the EU created and what important investments were financed by community funding. It would be an interesting novelty if the communication efforts also encompassed a discussion of what the European Union has given its member states at the level of legal norms. It would be advisable to emphasise provisions that have previously proven popular – maybe even through focus group surveys – in the given member states.

Europe as crisis manager

Ever since the economic crisis erupted the European Union has been identified with significant fiscal austerity measures. To balance this impression, it would be important to show how much the European Union has done since 2008 to

manage the crisis in individual member states. Its contributions to economic development would be among its main achievements in this area. These would show that rather than depriving member states of something, the Union actively helps them attain their economic policy objectives. It is important for the European Commission not to appear in a 'punitive' role, and to show that the EU rewards countries that perform well, emphasising the achievements of member states. The European parties could contribute to this process by offering their own assessments of member states' performance and react to instances of misleading communication.

A Europe engaged in politics

The real identities of EU institutions and their leaders are stuck in an idiosyncratic model that made sense in the previous century, when the European Community was a mere economic association. Today, however, the European Union is also a political organisation, which has proclaimed its own values, boasts foreign policy instruments and a budget, and a system of regulations that affects citizens' everyday life. The member state politicians who disagree with the Union's current measures do not subject Brussels to professional criticism but to a political attack. The EU's leaders have either failed to respond to these political attacks or they have done so in a bureaucratic language and with the corresponding instruments. Hence in the fight between the Eurosceptics and the EU institutions the leaders of the latter conduct their fighting efforts by – metaphorically speaking – hiding under a paper shield to protect themselves from mortar fire. As long as the Union's leaders are incapable of providing political answers – in fact to counterattack if need be with political and diplomatic instruments – to the illegitimate and politically-motivated criticisms, it will be impossible to halt the rising tide of Euroscepticism.

8

Political parties, populism and EU enlargement*The dilemma of legitimacy*

GORDAN GEORGIEV

'Heaven can wait, and hell is too far to go.
Somewhere between what you need and what you know.'

(Excerpt from the song 'Heaven can wait' by CHARLOTTE GAINSBOURG
feat. BECK)

Introduction

The dark cloud of the so-called 'crisis of representative democracy' has swept over Europe. The notion is, however, vague, and subject to various interpretations. But vague concepts could be much more helpful to 'describe' the deficiencies and seemingly inexplicable processes in the EU countries as well as in countries that aspire to join the EU. The fear spread by the mainstream politicians and mainstream analysts seems to be justified: The newcomers invented the populist method. Some of the older members refurbished their policy and accepted it whole-heartedly themselves. It has no ideology and no prospect of substantial societal change, and is characterised instead by a powerful 'cocktail' of grandiose promises, Bolshevik-like day-to-day economics and poisonous doses of nationalism. This cocktail seems to work, at least it often wins elections. People, voters, don't seem to mind too much: in a world disenchanted with traditional, or may be, past values, it's easier to succumb to the sirens of populism than to follow a more difficult and more responsible path to a better future.

Defining populism is not an easy task. It is certainly a patchwork; a compound of mixed ideologies, vast but loose promises of a better economic future, often coupled with nationalism and xenophobia. Adapting Raymond Aron's

famous definition of democracy, we could say that today's populism is 'opium to the people'. Populism is easily recognizable, but very difficult to define. Maybe the most picturesque description of today's populism could be found in the above quoted song of Charlotte Gainsbourg: 'Heaven can wait, and hell is too far to go. Somewhere between what you need and what you know.' (Charlotte Gainsbourg feat. Beck). Populism does not deliver 'Heaven on Earth', but it seems a better alternative than anything else on offer today. Disappointed by the non-delivery of democratic and economic benefits promised by the traditional political parties, many voters like to believe that 'hell is too far to go', in the sense that someone else in the future will pay for their potentially short-sighted political and economic choices. Populist parties and their voters 'don't want to know' about the disastrous long term effects of nationalism and xenophobia or about economic failures due to countries' credit-dependency. 'No responsibility', is the hidden motto of populist politicians. Finally, populist voters know exactly 'what they need' and they are getting it with the virtual promises of populist politicians: immediate economic benefits, the resolution of immigration issues, less Europe and so on.

Political legitimacy in European countries

How deep is the rift?

The *raison d'être* of representative democracy is not its representativeness, but rather its legitimacy. Legitimacy (or more often the perception of legitimacy) was the driving factor behind the popularity of representative democracy. Representation, however, means nothing if the *subjects* don't feel represented. Once *they* feel subjected, the political system is on the verge of collapse. Populism, in its elaborated form, is the perfect 'killer' of the system. It attacks the system by using and playing by the rules of the game; it eventually becomes an anti-systemic worm that corrodes the system from within. In an awkward way, populism is legitimising itself through the system, thus filling the *legitimacy gap* of the traditional liberal democracies.

In that sense, when talking about the crisis of representative democracy, it would be more appropriate to talk about the challenges of legitimacy. Populism

is the offspring of the crisis of democracy as we knew it, in a similar (although probably less dramatic) way as Nazism and Fascism were children of the deficiencies of the pre-World War II democracies in Western Europe.

Today, nobody seems surprised that state institutions and political parties are regarded as illegitimate by an increasing number of citizens, the last EU elections being a grim reminder. National and European officials (examples being David Cameron, François Hollande, Manuel Barroso, Štefan Füle and many others) have acknowledged the problems of the European national and supra-national democratic architecture. They also admit that (right wing) populist parties are filling the illegitimacy gap.

There is an ever deepening rift between the liberal democratic institutions of parliamentary democracy and the logic of global financial capital, the latter being less and less subject to any type of democratic control. Although there are authors who, writing about the EU, argue that technocratic government is actually saving the Euro zone (Krugman, 2014), the latest European Parliament elections and the overall increase in 'No to EU' votes, showed that European citizens tend to dislike the democratic gap thus created, especially after the financial crisis. In that sense, we are not far from Žižek's diagnosis of today's democracy as an 'empty ritual' (Žižek, 2011).

It is probably not an overstatement to argue that the real challenge of today's Europe is not the rise of the radical right and radical left populist parties with their fluid and incoherent but clearly anti-EU agenda. The real issue is the unreformed, bureaucratized, boring mainstream Europe that does not have any idea how to pursue the European project (idealistically carved in 1957). Some roots of the problems lie in the corroded party infrastructure of the big social democratic and conservative political parties across Europe. They have proved to be opportunistic at every single moment, metaphorically chanting the song 'Heaven can wait, and hell is too far to go...'. With their opportunism, they sacrificed, and probably completely ruined, the single most important ideological achievement of post World War II Europe: that of the welfare state and liberal democracy through solidarity.

Krugman again, argues that on the supra-national level, there exists sort of a cross-national 'elite cohesion' between the mainstream political parties in Europe.

‘The European elite remains deeply committed to the project (i.e. the European Union), and, so far, no government has been willing to break ranks. But the cost of this elite cohesion is a growing distance between governments and the governed. By closing ranks, the elite has in effect ensured that there are no moderate voices dissenting from policy orthodoxy. And this lack of moderate dissent has empowered groups like the National Front in France, whose top candidate for the European Parliament denounces a “technocratic elite serving the American and European financial oligarchy”... And the European elite’s habit of disguising ideology as expertise, of pretending that what it wants to do is what must be done, has created a deficit of legitimacy. The elite’s influence rests on the presumption of superior expertise; when those claims of expertise are proved hollow, it has nothing to fall back on.’ (Krugman, 2014)

After the somewhat shock results of the European Parliament elections in May 2014, when parties and coalitions that took an anti European stance during the campaign got a relatively large number of votes, it is interesting to see how European officials and prime ministers are trying to convince their colleagues and other Europhiles of the necessity of cohesive pro-European policies, of the need to unite against the Euro-sceptic tide while demanding deeper and more democratic reforms. In short, the crucial debate unfolding at the moment is how to make the European Union more legitimate for its citizens.

The best example of how wrong or ‘wrong-tracked’ these exigencies could be, comes from former EU Enlargement Commissioner Štefan Füle: ‘Today, all nationalisms in Europe, nurtured by the economic instability, will turn us towards ourselves. Is this the right answer of the Union which aims at securing better aspirations to the peoples that are still waiting outside the European doors? If we want a secure and economically strong Europe, we should not lose in mind our most important goal: together we are stronger and we can do better’ (Füle, 2014). This statement shows that top European officials still tend to sweep the problems under the carpet (‘nationalism nurtured by the economic instability’), and that, to a lesser extent, they are using the enlargement process as a policy *sui generis* without seeming to notice that this very process is used and abused

by right wing populist movements as one of the major pretexts for wanting to destroy the European Union altogether.

Euro-sceptics from all over the ideological spectrum have proved in the past that they struggle to run national governments on the basis of their officially proclaimed agendas: Either they gradually change the agendas accepting reality and the impossibility of achieving their goals or they simply ruin their societies and political systems, basically raising high hopes and delivering virtually nothing to their citizens. However, the fact remains that Euro-scepticism, nurtured by nationalism, populism, anti-immigration policies or communist dreams is the by-product (although apparently with a huge impact on the future of the EU) of citizens’ disillusionment with the ‘Eurocrats’ and the opportunistic mainstream national governments across Europe.

In the (potential) candidate countries populism is often linked to Euroscepticism. Political slogans like ‘The EU will soon fall apart’, ‘The EU economy is lagging behind’, ‘EU’s double standards show tolerance towards illiberal and corrupted countries like Hungary, Romania, Bulgaria’, ‘We should turn to Russia, China, India...’ and so on are commonly used by populist leaders across the Balkans and Turkey.

To put it in a simple way: Viktor Orbán’s Hungary of today could have never complied with the Copenhagen criteria and thus could not have entered the European Union. Today’s Macedonia is blocked by Greece because of the name issue and in the meantime (due to the undemocratic policies of the current populist government) fails to comply with the political criteria. As a result it has spent six years as a candidate country in the EU’s waiting room. The comparison is telling: Orbán’s Hungary is tolerated in the EU (by the tacit agreement of virtually all right-wing governments and political parties) while a candidate country like Macedonia is doomed to wait. These comparisons, although rudimentary, unfortunately prove all Eurosceptics in the applicant countries right.

What is even more worrying is the lack of enthusiasm of the political elites in the EU capitals. The wave of populism, in which the voters’ demands surpass the visions of the ‘enlightened’ leaders, appears to have become a critical turning point for the future of the European Union as we know it. In this uneven race, European democratic institutions might have become more transparent, but popular confidence is still at an all time low. The European Union today is

confronted with the paradox that it cannot survive as an elite project but neither can it survive as a democratic project. The non-existence of a European *demos* is the main challenge for the future of the EU (Krastev, 2014). This democratic contradiction is particularly confusing for the political elites in the candidate countries given that in the present circumstances the EU enlargement project is by no means ready to deliver results. The outcome of the European Parliament elections make the situation even more complicated.

Where do political parties fit in this landscape?

In democracies the political parties are the intermediaries between citizens, civil society and the institutions of government. In theory that is the reason why political parties have to guarantee their members the necessary internal democratic rights, which make it possible for them to articulate the values and promote the interests of the citizens who identify themselves with a given party. At the same time, political parties are a major tool of democratic systems as they appropriate the resources of governance with their access to the institutions of government. Therefore they need a certain hierarchy, centralisation of decision making, appropriate rules and effective leadership that will ensure that they possess the capacity to govern.

Internal party democracy reflects the balance between open democracy and centralization, between the freedom of action of party members and the observance of some degree of subordination. If this balance is disturbed by unlimited freedom of action of party members, this could make room for long-lasting conflicts, thus bringing a given party to a state of paralysis. On the other hand, too little democracy can stimulate authoritarian and oligarchic tendencies that may dampen party activity – something Michels talked about as early as the beginning of last century.

Measuring the level of democracy in political parties is methodologically problematic, possibly even contradictory. Historically, political parties (from Latin ‘pars, partis’: part or faction of something, most often understood as ‘part of the society or part of the political spectrum in a given society’) struggled to build their identity distinct from other parties or groups. They insisted that they

(the parties) were (and are) the only and supreme representatives of certain beliefs, ideologies and interests. In connection with that, political parties often had to be very tough on ‘renegades’ from their own camp in order to preserve the ‘truth’ and the monolithic nature of their organization.

Virtually all political parties function along these principles. The character and quality of internal party democracy (IPD) depend on the level of democracy in the country, the state of the political culture in society, the history of political competition, the role of civil society and the media. It is obvious that in a democratically developed society it will be very difficult for a big and relevant political party to nurture autocratic tendencies, to maintain undemocratic internal procedures and to be dominated by an omnipotent party leader unaccountable to other organs of the party.

Political parties, as intermediaries between citizens and the state are in a way (or should be) a substratum of representative democracy. This is, however, not the case: the level of citizens’ abstention and disillusionment with politics and political parties has plunged traditional party organization into a deep crisis. Because of a lack of legitimate political actors and given the crisis of representative democracy, political parties are the greatest harbingers of populism.

Populist parties, or popular movements as they often choose to call themselves, rarely come into power in liberal democracies. Or, to put it more accurately, once they come to power they are immediately confronted with reality and find it difficult to implement their pre-electoral promises. Simply, they either move towards the mainstream, or, if they do follow their political programme, lead their countries to long term disastrous policy outcomes. There are a number of populist parties whose leaders claim that they do not want to be part of (coalition) governments (Syriza in Greece). This is really paradoxical, as political parties’ principal task is to obtain power in order to be able to implement their programmes. But this paradox is in a way ‘understandable’ bearing in mind the nature of the populist parties. These catch-all movements generally propose political solutions that are virtually impossible to realize once in power.

Political functionaries are a necessary evil for the populists since the direct link between the leader and the people is fundamental to their approach. Populists permanently express their disgust of politics, of elites and intellectuals. Because of the legitimacy crisis in modern societies and with help from populist movements,

the whole *old* concept of an elite ruling the non-enlightened masses has fallen apart. In that sense, political parties function as umbrellas, as movements. They have not formed classical parties but open-ended institutions where virtually anybody can become anything: Boyko Borisov, the populist Bulgarian Prime Minister, is an ex-body guard; Macedonia's current populist Prime Minister was one of the worst students in economy and is now portrayed as economic visionary; Serbia's current PM comes from the murkiest and most despised radical right political milieu, to name but a few.

In order to illustrate a possible negative scenario for countries where populism is rife, we will give a brief analysis of the Macedonian case. The country has been ruled by a forceful populist government for more than seven years. It is a typical example of a populist political party that has successfully managed to stay in power despite the harsh political, economic and social conditions that have been directly caused by the government's policies. This kind of 'ideal type' (in the Weberian sense) could be defined as *Bolshevik right-wing populism* (BRP).

Bolshevik, because the state apparatus is obsessed with controlling not only virtually all societal processes but also citizen's lives, thereby installing strong authoritarian practices. It is characterized by strong state interventionism in the economy, something resembling the former Soviet type of economy.

BRP is radical right-wing populism, because it almost overtly gets its inspiration from the theories of 'blut und boden'; it is intolerant of everything and everybody that is 'outside of our proper nation' (foreign enemies, domestic traitors, the corrupted European Union, Greeks, Albanians, Bulgarians, gays and lesbians...). At the same time, and without any credible arguments, BRP is injecting poisonous doses of nationalism, exceptionalism and superiority into the 'Macedonian race', thus putting all others into an unfavourable light. Finally, BRP is populist because the government operates as a marketing agency, bribing virtually all major media in the country with funds from the taxpayers.

The Macedonian case is exemplary, showing how far a populist regime can go and the negative consequences that ensue once they have a grip on power. Using the Macedonian pattern, it is easier to detect the relatively milder forms of populism currently present in Serbia, Montenegro, Bosnia and Herzegovina and to a lesser extent in Albania.

Conclusion

Today, more than ever before there is a growing tendency to perceive traditional political parties as lacking legitimacy. The crisis of the traditional political parties and thus of representative democracy stems directly from the crisis of legitimacy. Populism was born in large part as a reaction to this legitimacy gap. How can this be curbed? What are the remedies? Is there a rational and political answer to this rising tide of populism?

The European Union and its institutions are unfortunately still being perceived by a large portion of its own and of the applicant countries' population as distant and barely representative political bodies. The legitimacy or illegitimacy of political elites originates mainly from the domestic political context. The crisis of representative democracy is primarily felt at the national level and only then, *in extenso*, at a European level. Populism, often coupled with Euroscepticism, should be tackled primarily at a national level by devising more responsible and more straight-forward policies which are in line with the European project. The on-going political 'flirtation' of the traditional political elites with unpopular policies is only further compromising the European project.

Similarly, in the EU aspirant countries, rising populism, which is even more harmful given these countries' illiberal tendencies, could be restrained if there were a more straight-forward approach by the European Union, especially the European Commission. Adhering more forcefully to the Copenhagen criteria (which in large part address democracy and rule of law), along with a clearly outlined short-term EU membership perspective, could be the first steps in the right direction.

Focusing on South East Europe

9

Searching for the right approach*EU enlargement and judicial reforms in the Western Balkans*

DENIS PRESHOVA

Introduction

The transformation of the former communist regimes of Central and Eastern Europe and their accession to the European Union are often said to be the strongest proof of the success of the political or democratic conditionality of the enlargement process and policy. The main incentive for this type of conditionality and the establishment and improvement of democratic standards in these states has been future membership of the EU as a tangible but long-term goal. This assertion cannot be taken for granted, however, as certain problems surfaced once these countries got their seats around the table. The cases of Bulgaria and Romania but also Hungary are very illustrative in this sense, notably on issues such as a dependent judiciary, corruption or a regression in constitutionalism and democracy. It is important therefore not to jump to conclusions and judge by the initial success of the enlargement policy alone. There needs to be a more careful look at the instruments and tools that are employed by the European Commission in this process and to what extent they could ensure that reforms in candidate countries are irreversible. This is particularly telling if one looks at the issues and policy areas which are at the core EU enlargement policy, such as the judiciary and judicial reforms in prospective member states (Commission, 2012).

The judiciary has turned out to be one of the crucial pillars of every democracy, influencing so many aspects of it by ensuring and safeguarding the rule of law. Therefore, judicial reforms have a direct influence on the larger project of strengthening democracy in the Western Balkans. Experience and practice so far

confirm that this has been the reason why the EU has continuously put emphasis on judicial reforms, particularly in the case of former socialist countries.

To what extent has the EU changed its approach to the issue of judicial reforms in the Western Balkans (WB) in comparison with the previous enlargement cycles in order to accomplish sustainable and irreversible reforms? It will be argued here that while the EU has been, to some extent, successful in making progress as regards judicial capacity, at the same time it has not been able to produce clear results in terms of greater impartiality and through that overall judicial quality. In relying on 'best practices', or more recently on a single model approach and on mainly institutional reforms, the European Union has not been able to properly focus on the appropriate contextualization of judicial reforms that would provide opportunities for much better results in the ongoing reforms in the EU aspirant countries of the Western Balkans.

In order to tackle this general issue this paper will be focused on the role of judicial councils as one of the main features of the European Commission's approach towards judicial reforms. The paper will be divided into three sections that will try to outline the shortcomings of the judicial reforms as promoted by the EU as well as make suggestions for improvements in the EU's attitude towards judicial reforms. The first part will discuss the general approach that the EU has recently taken in its enlargement policy, particularly seen against the background of the completed accession process of CEE countries, and what implications such reforms have had and whether there are lessons to be learned. The second part will focus in particular on a key issue for the judicial reforms in the Western Balkans which concerns institutional reforms such as the introduction of judicial councils to increase judicial autonomy and self-government and the weaknesses of this policy. The third part will try to formulate suggestions and recommendations that should be taken into consideration by EU policy makers. These should help the European Commission to gain a clearer picture of judicial reforms and point out the way in which the EU can improve results in this area. Eventually, a new approach to judicial reforms in the Western Balkans should help further advance the democratic capacities of the states in this region.

Judicial reforms in the CEE countries

An independent and efficient judiciary is an essential pillar of every developed democracy. Furthermore, national courts are perhaps the best allies that the Court of Justice of the European Union and other institutions of the EU have at the national level for the implementation and application of EU law. In this sense the judiciaries influence every single aspect of European integration, legal, political and economic. European integration cannot be expected to work properly without an independent and efficient judiciary that will contribute along with the judiciary of other member states and of the EU itself to the creation of a common judicial space in Europe. It is mainly for these reasons that they form one of the crucial components of the well known political Copenhagen criteria and are now also part of Article 49 TEU, in conjunction with Article 2 TEU, under the heading of the rule of law. It not surprising therefore that the European Commission has paid particular attention to judicial reforms. At the same time this issue has been one of the most difficult to tackle and in some cases has been a stumbling block for progress in the accession process or a very problematic issue after the accession.

The European Union basically started to deal with the issues of judicial reforms as part of the enlargement policy only in the late 1990s and early 2000s as it began to prepare for the 'big bang' enlargement with the ten countries from Central and East Europe in 2004 and 2007 respectively (Seiber-Fohr, 2009). The judiciary is an area that is part of the political criteria for membership but the EU actually lacks a coherent *aquis*, which resulted in a process of learning by doing especially in the initial period of the fifth enlargement round (Dozhilkova, 2007: 311). Furthermore, while judicial independence was set as one of the top priorities, the EU still does not have any document that sets out a clear definition of what this means. Therefore the EU has to rely heavily on Council of Europe documents (Council of Europe, 2010; Müller, 2009) when pushing for judicial reforms (OSCE, 2010).¹ During this initial period, moreover, there was no single model available. The EU put the emphasis on institution building and institutional reforms in the realm of the judiciary which later provided the

¹ There are several important contradictions between these recommendations as well as the ones of the CoE that could be rather confusing for policy-makers in candidate countries.

'European standards' of judicial independence and reforms (Stefan & Ghinea, 2011: 8-9). These steps however have not proven to necessarily lead to further strengthening of judicial independence in all the CEE countries or have not been implemented by all of them.

Bearing in mind the above, even though one cannot clearly discern a single model applied to CEE countries, there are certain general patterns as applied in the cases of Bulgaria, Romania and the countries of the Western Balkans. They eventually served as the basis for the creation of at least some sort of a model.

The European Union has focused extensively on building judicial capacity particularly through institution building, the establishment of judicial councils and reforms of the legislative framework, as well as other measures to improve capacity with an increase in the number of judicial staff, judicial training, tenure length or salaries. The aim was to achieve a higher level of judicial autonomy as one of the primary goals along with improving the efficiency of the judiciary. However the flipside of this coin is judicial impartiality (so-called) as manifested by the absence of politicization and corruption especially as regards judicial recruitment and promotion. This in turn leads us to the problem of judicial accountability particularly given the isolation of the judiciary from other branches of the state power (Kühn, 2012: 603) which unfortunately has not been the primary concern of the EU. These particular deficiencies have led to a questioning of the credibility of the overall reforms (Mendelski, 2012: 24-5).

Perhaps such a policy is justifiable if one wants to eradicate the communist legacy of almost total subordination to and dependence of the judiciary on the executive or actually the communist party. It is nevertheless questionable to go in a totally opposite direction without taking into consideration the historical, political and legal context in which these reforms are introduced. The characteristics of these countries cannot be generalized only in terms of their undemocratic past or identified with other European countries having a similar past, for example Spain. The specific, subordinated, status of the judiciary in socialist times, the particular legal and political culture and the judicial mentality that has been shared from one generation to another, are just some of the numerous circumstances that must be taken into consideration before any model is designed. It could not reasonably be expected that the very same people in the judiciary, that were raised and trained under the previous regime would be able to lead the

changes in their respective countries (Piana, 2009: 822-3).² Institutional inertia, be it external, from other branches, or internal, from within the judiciary, has been a great obstacle on this path.

Additionally, the endemic legal formalism that was, and to a large extent still is, present among judges in these countries, and the overall legal and political culture (Kühn, 2011) served as a good cloak in avoiding accountability. It leaves plenty of space for political influencing and has caused an enduring lack of public trust in the judiciary, more or less, all over the new member states (Piana, 2008: 185, Seibert-Fohr, 2012: 1346). The direction taken with these reforms should link legal changes to the necessary social changes connected to the overall judicial and political culture in society as well as to the citizen's perception of the judiciary in order to achieve any long term results. If not we are going to face a situation in which 'the adoption of reforms introducing completely new rules without a parallel process of transformation of culture risks to be useless or, even worse, to produce adverse effects' (Dicosola, 2011).

Surveys show how judges assess the EU's influence on particular areas of the judiciary and where the EU's input is most important. Thus it is very indicative that judges from these countries have mainly identified the EU's influence in two areas: the organization of the judicial systems and judicial education (Piana, 2008: 184).

Judicial councils as a synonym for judicial independence

Turning to the organization of judicial systems as promoted by the EU and in order to illustrate the arguments made above, the establishment of judicial councils in future EU member states is taken as an example. Judicial councils have been at the core of the EU's emphasis on judicial capacity and independence, yet this approach undermines accountability and almost ignores judicial quality.

Judicial councils are bodies within the judiciary that are given the role of guaranteeing the independence of the judiciary and judges and are the embodiment of judicial autonomy and judicial self-governance. They are meant to have

² The Czech Republic was perhaps the only case where a timely lustration helped resolve some of these issues.

exclusive power over the appointment and dismissal of judges, their disciplinary responsibility and the evaluation of their work. Therefore, the majority of members of judicial councils should come from the judiciary, if possible directly elected from their own ranks while the other members are nominated by the political branches but are supposed to be legal experts. In this way judicial councils are often rather detached from the executive and legislative branches and thus represent the highest possible level of judicial autonomy and are synonyms for judicial self-governance.

Ironically there is no one single model in the 'old' EU member states themselves. While some countries have very strong judicial councils (Spain, France and Italy) others either have judicial councils dealing only with judicial management and administration (Sweden, Ireland and Denmark) or have no such institution at all (Austria, Germany, the UK). It is indicative that, depending on the specific area of the judiciary, the EU has used different examples on which to base its policy for the newcomers. The Spanish and French experiences in judicial training and their models of judicial councils were used – the Spanish council being the closest to the ideal set out by the Council of Europe, whereas through twinning projects the experience in the area of judicial management of Austria and Germany was tapped (Piana, 2009: 829).

This patchwork approach eventually led to a differentiated outcome among the CEE countries. These countries of course became aware that there is as yet no common EU standard in this area. Therefore some of them were reluctant to accept some of the suggested reform measures. Hence one country has resisted the introduction of a judicial council (the Czech Republic); most of the other countries from this group have introduced either the 'pure' form of judicial council – the one with the highest level of autonomy – and three (Poland, Estonia and Slovakia), have introduced a mixed system of power-sharing between the executive and judicial organs with regard to the judicial administration. However it cannot be said that with this complete judicial independence was established in these countries. Hungary for instance, had perhaps the highest level of judicial self-governance with one of the strongest judicial councils, but severe drawbacks have emerged in the last few years. In contrast the Czech Republic and Poland demonstrated much better results in achieving the goal of judicial independence (Seibert-Fohr, 2012; Piana, 2009).

While most of the CEE countries that joined the EU have done a fairly good job in reforming the judiciary – with the substantial help and efforts of the EU – some of them, Bulgaria and Romania, are still confronting serious challenges (Mendelski, 2012; Coman, Dallara, 2012; Dozhilkova, 2007)³ that are also apparent in most of the candidate countries of the Western Balkans. This raises serious concerns about the approach taken by the EU since it started years ago taking a firmer stance in pushing for 'European standards' as envisioned by the Council of Europe. These same standards are now also being applied in the case of the Western Balkans candidate countries, particularly where judicial councils are concerned.

Judicial councils and judicial reforms in the Western Balkans

Some negative experiences from the previous enlargement cycle have had an impact on the EU. Nevertheless it seems as if lessons have not been completely learnt. In the case of the Western Balkans countries, it is obvious that judicial reforms have been placed at the top of the list of reform priorities within the enlargement policy (Commission, 2011: 5, Commission, 2012: 2, Commission, 2009: 5). The most complicated part of Croatia's EU accession process was the work done in this policy area and it is still under heavy scrutiny by the European Commission.⁴ As a result of the difficulties encountered as well as the negative experiences with Bulgaria and Romania, the European Commission (EC) decided to start tackling these areas from the very beginning of the negotiations. The first two chapters that were opened with Montenegro, chapter 23 and chapter 24, deal directly with the judiciary and its alignment with European standards. Serbia started the accession negotiations with the same two chapters. Thus the EC insists on dealing with the issue of the judiciary first as the reforms required are to be thorough and have to produce concrete results before negotiations can be concluded. This implies a substantial transformation of candidate countries that brings constitutional and institutional changes,

³ Both countries are under the detailed scrutiny of the EU under the post-accession Cooperation and Verification Mechanism (CVM).

⁴ Post-accession monitoring aimed inter-alia at the judiciary was introduced in the accession treaty

reforms in judicial education and drastic alterations to the legal culture and judicial mentality.

But has the general approach been changed; is there another model in place? Not really. The EU has been promoting the establishment of judicial councils throughout the process of eastern enlargement. Moreover, this preference became particularly visible in the case of Western Balkans countries. The cooperation between the European Commission and the Council of Europe, in particular the Venice Commission, has been intensified and there are many examples of mutual references to each other's findings and recommendations (Venice Commission, 2011).

All of the Western Balkan countries have established judicial self-governance through judicial councils as recommended by both the EU and the Council of Europe (Kmezic, 2012). It is the latter that has put a stronger emphasis on this in recent years, insisting on the establishment of strong judicial councils in its member states, something the EU has been openly supporting (Seibert-Fohr, 2012: 1339).

At first glance it seems that there is nothing problematic with such a policy. Without a proper analysis of what these bodies are intended to achieve and whether they have done so, everything seems to be in perfect order. Judicial councils are indeed very important bodies that thanks to their composition are able to include members with different perspectives and experiences in the area of the judiciary. Their institutional design would suggest that they will definitely continue to play a significant role in the future (Garoupa & Ginsburg, 2009: 131). However, in practice judicial councils in this region have been subject to strong influence from either political parties or from private actors or have turned out to be the stronghold of a veto mentality within the judiciary which has given good grounds for the claim that the introduction of strong judicial councils is in its essence 'change without reform' (Podumljak, 2011: 117).

In countries such as those of the Western Balkans with very powerful political parties - 'partitocracies' - where the judiciary is internally weak, and where the public perception of both politicians and judges is not so favorable, there can be serious doubts that providing a high level of autonomy and self-governance to the judiciary is the best possible option. Parau accurately singles out this problem by formulating the basic question about this type of isolation of the judiciary from the rest of the political system and its perception among citizens: 'But if such

grave defects pollute the rest of the polity, what are the odds of finding freak exceptions in judges' (Parau, 2012: 640). Thus what occurs in these countries is either an unwanted empowerment of judicial elites as represented by the judges of the highest courts or the creation of opportunities for applying political pressure on the judiciary by the executive (Gee, 2012: 1343).

Macedonia's judicial reforms (Progress report, 2012: 49-51) show such a tendency very clearly. It was one of the first Western Balkans countries to introduce a big package of judicial reforms through constitutional amendments and legislation in 2005 under the guidance of the EU and the Council of Europe. Even though it implemented almost all the recommendations, judicial independence is still far from being successfully practiced and public trust in the judiciary is low. The ruling parties have completely taken over the control of the judiciary with politically motivated appointments and dismissals.⁵ The former prime minister of the country, who first introduced these reforms in Macedonia, recently declared them to have been rather unsuccessful. The situation in Croatia, Montenegro and Serbia is not altogether different; in the case of Serbia it is even more complicated, following the latest re-appointment of judges (Rakic-Vodinelic, Knezevic-Bojovic & Reljanovic, 2013; Dicosola, 2011). The most important and critical issues for Montenegro and Serbia at present are the role and composition of their respective judicial councils (Screening report, 2012; Venice Commission, 2011; Progress report, 2012b: 49-52).

Judicial councils are not the panacea for the problems concerning judicial independence. Indeed there are convincing arguments to claim that establishing such bodies does not necessarily produce the wanted outcomes, as some examples show, not only from CEE countries or the Western Balkans, but also from Latin America (Garoupa & Ginsburg, 2009: 109, 129). Judicial independence should not be analyzed only in terms of institutional structure but also in terms of implementation and effectiveness in correlation to numerous other factors (Garoupa & Ginsburg, 2009: 127). Oversimplifying the situation at hand might serve the interests of some actors, most frequently international organizations, who promote the establishment of judicial councils, but only in the short term. In the long term it might damage the credibility of these institutions.

⁵ With a case over this issue pending before the ECtHR, *GEROVSKA POPČEVSKA v. the former Yugoslav Republic of Macedonia*, Application no. 48783/07.

By insisting on strong judicial councils the EC is in essence empowering a non-majoritarian institution to govern the judiciary and in this way it is undermining judicial accountability, notably by not taking the actual context of the specific political and legal systems into consideration. By excluding the legislative branch from almost all processes related to the judiciary, this approach is cutting links that legitimize the judiciary. Given that judges hand down their decisions in the name of the people, then those links with the representative bodies of the citizens of the respective countries are a crucial part of their accountability. A higher involvement of parliaments provides them with a democratic voice by bringing them closer to the broader public. Therefore, without such power-sharing there is a clear risk that the EC is basically projecting another form of democratic deficit onto the national level that raises concerns over the credibility of this institution and the EU as a whole. Domestic elites definitely bear a large share of the responsibility, however. Blaming them because the foreseen model is not fully implemented without taking into account the context and the fact that this model is not one truly common to all the member states might compromise the future result of the enlargement policy (Parau, 2012: 665).

This should definitely be of great concern for EU policy-makers as well as political and social groups that believe in the benefits of the EU enlargement process. Thus in the next section of this paper I will present concrete recommendations on how to improve judicial reforms in the Western Balkans.

The path forward – taking judicial independence seriously

The accession process has been a very powerful instrument in the hands of the European Commission in advancing and strengthening democracy in the (potential) candidate countries. Nevertheless, this process is definitely not supposed to be unconditional. On the contrary, it is based on the fulfillment of criteria among which reform of the judiciary is a very important one. Thus in this section, recommendations that could improve the process of judicial reforms in the Western Balkans are presented. The recommendations come close to what has been referred to as a mixed model of power sharing between the judiciary and the political branches or a 'strong but politically accountable judiciary' (Garoupa &

Ginsburg, 2009: 109, 112). The main recommendation is not to perceive the judicial councils as the most important feature of judicial reforms. They are not the ultimate guarantee of successful judicial reforms and for accomplishing judicial independence. Therefore their role and position should not be overemphasized.

There is an evident need to abandon the idea of a rigid model for all potential member states and additionally an even greater need for a thorough contextualization of judicial reforms taking into account the legal, political, historical and social specificities of countries and regions where judicial reforms are introduced under the guidance of the EU.

- » A balance between judicial independence and accountability should be struck. By isolating the judiciary from other political branches through the establishment of strong judicial councils a problem of accountability occurs that could compromise any progress made in regards to judicial independence.
- » In order to avoid the legitimate objections to an unnecessary empowerment of non-majoritarian bodies and given the political party dominance of most of the judicial councils in the Western Balkans, the parliaments should be involved, especially in the appointment procedure, the overview of the work of the judicial councils with discussions about the yearly reports and similar activities.
- » Judicial councils should not have a monopoly of all functions of judicial self-governance. Additional bodies should be established with varying membership in order to decentralize the decision-making power and thus become more resistant to political pressure. Some areas of judicial governance should be shared with both the executive and legislative branches.
- » The appointments should be made by the parliament after the nomination of several candidates by the judicial council. This will make the process more transparent enabling debate on the candidates that will raise awareness among citizens. The possibility of a stalemate in the appointment procedure in the parliament is to be avoided by creating proper procedures to override this type of blocking.
- » Instead of putting so much energy into judicial councils the EC should make more effort to reform judicial culture and the formalism of judges that can obscure accountability.

Conclusion

This paper has presented the approach taken by the European Commission to judicial reforms as part of the accession process of the countries of the Western Balkans and points out the main shortcomings that have been identified continuously since the start of the fifth cycle of enlargement of the EU with the countries of Central and Eastern Europe. It has been argued that there is an evident need to avoid the creation of a single model to be applied to the Western Balkans and instead have a more contextualized approach to judicial reforms. Judicial councils are not the sole solution to the issue of judicial independence and their role should not be overemphasized. The recommendations proposed here are aimed at taking a more balanced approach between total isolation of the judiciary and its subordination to political branches by creating a mixed model of power sharing that could lead to a strong but politically accountable judiciary.

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The levers and traps of the EU's promotion of democracy in the Balkans

CORINA STRATULAT

Ever since the Thessaloniki Summit in 2003, when the member states offered their unequivocal support to the European perspective of the Balkans, the enlargement process has focused on transforming the countries of the region into democracies. Building democratic regimes in the not so long ago war-torn Balkans is an end in itself, reflecting the values enshrined in the Lisbon Treaty and which the European Union has developed through successive rounds of deepening and widening. At the same time, the democratization of the region is a means to an end: the best way to anchor stability in Europe, to ensure that the spectres of Srebrenica will not return – as they had done in Kosovo in 1999 and Skopje in 2001 – and to make the Balkan countries into future ‘good Europeans’, that is constructive EU members, committed to the integration project. But while the win-win quality of the democratic agenda in the Balkans might be hard to write off, the road ahead is fraught with many challenges and political dilemmas about the best strategies to be adopted.

Democratization through European integration

The cornerstones of the EU's democratic conditionality for the region are laudable ambitions: the introduction of free and fair elections, the adoption of popular rights and the protection of these certified freedoms and liberties through an effective rule of law. The Union's understanding of democracy in these particular terms is outlined in the political criteria specified by the Copenhagen European Council in 1993, which all aspirant countries must fulfil before they can hope to

join the 'club'. As in previous rounds of enlargement, these conditions remain the blueprint for accession. However, a combination of anxieties related to institutional, political and economic pressures inside the Union, as well as to daunting regional and country specific issues in the Balkans, have led to a more complex mosaic of EU demands on the Balkan countries, and to a more exacting method of applying the enhanced membership conditionality.

To begin with, in response to security concerns and enduring war legacies in the region, the Union has developed a wide array of peace and political deals (UN Resolution 1244 and the Dayton, Kumanovo, Ohrid, and Belgrade agreements); the Stabilization and Association Process; and the multilateral Stability Pact for Southern Europe – replaced by the Regional Cooperation Council in 2008. These set additional and politically-sensitive conditions – the 'Copenhagen Plus' criteria – with regard to democratic principles, regional cooperation and reconciliation, full cooperation with the International Criminal Tribunal for the Former Yugoslavia (ICTY), refugee return, and the resolution of bilateral stand-offs (such as between Greece and the Former Yugoslav Republic of Macedonia over the name issue) or of statehood dilemmas (most notably the normalization of Serbia-Kosovo relations).

Moreover, 'good governance' criteria – maintenance of the rule of law, an independent judiciary, efficient public administration, the fight against corruption and organized crime, civil society development, and media freedom – have acquired increased salience in the case of the Balkans. Largely based on lessons learned from the Union's eastward expansion¹, the European Commission proposed in 2011 a new and tougher line to the democratization of the region, which was endorsed by the Council. In a nutshell, aspiring countries must now get a head start on rule of law reforms, develop a solid track record of results and adopt inclusive democratic processes (accommodating parliaments, civil society and other relevant stakeholders) to support their national European integration effort.

Croatia was already being held to these higher political standards but the new strategy was endorsed for the first time in a formal manner in the frame-

1 Particularly to Bulgaria and Romania, whose poor showing on justice and anti-corruption reforms prompted the widespread perception that their accessions in 2007 happened prematurely and without adequate preparation. But it was also inspired by democratic backpedaling in other 'newcomers' (like Poland, Slovakia, Hungary, and the Czech Republic). See the 2007 special edition of the *Journal of Democracy*, 'Is East-Central Europe backsliding?', Vol. 13, 3 p. 33-53.

work adopted in June 2012 for negotiations with Montenegro, which foresees that Chapter 23 (on Judiciary and Fundamental Rights) and Chapter 24 (on Justice, Freedom and Security) are opened in the early stages of the talks and closed only at the very end of the process. The same approach was then fully integrated into the EU's negotiations with Serbia, which started in January 2014, and will continue to be observed in all future accession talks with the remaining countries in the Balkans. Moreover, rule of law issues are now also salient in the pre-accession phases, as demonstrated, for example, by the priorities set down in past years with a view to allowing Montenegro and Albania to advance on their respective EU tracks.²

Equally important, the Union has tightened its oversight and refined its 'enforcement toolkit', becoming more rigorous in the way it applies its improved political conditionality. New mechanisms were introduced, for instance: opening, intermediary, equilibrium and closing benchmarks; safeguard clauses to extend monitoring; more routing procedures to suspend negotiations; early screening processes and the strict requirement for the Balkan countries to demonstrate that they are able to implement the policies adopted.

Taking stock of democratic progress

Over the past decade since Thessaloniki, the prospect of European integration and its affixed conditionality have undoubtedly helped to spread peace in the Balkans. The consequences of the breakup of Yugoslavia still haunt the region and destabilizing events have occurred, but they have been sporadic and mostly non-violent. In 2006 Serbia and Montenegro went through a 'velvet divorce'. In 2008 Kosovo declared its independence from Serbia, and despite the still unresolved statehood of both, the two sides reached a historic political agreement in April of 2013 to normalize relations, under the auspices of EU facilitation.

Equally important, the integration process has acted as catalyst for sweeping

2 For example, in December 2011, the European Council indicated that Montenegro would receive the green light to open action talks with the EU if it produces results in the fight against corruption and organized crime. In a similar vein, in October 2011, the Commission recommended that Albania be granted candidate status if it adopts key measures in the areas of judicial and public administration, and if it revises its parliamentary rules of procedure.

internal reforms as the Balkan countries moved from one state to many, reconstructing post-war institutions and societies. As a result of their herculean efforts – in a relatively short period of time – all countries of the region are by now recognized as democratic regimes, and the status of democracy, as the only legitimate and desirable form of government, is uncontested by their political elites and citizens.

Yet for all the good news, the different shades of democracy in practice throughout the region – as captured, for instance, by Freedom House and the Bertelsmann Transformation Index – tarnish the Balkan democracy's balance sheet and call into question the EU's model of 'democracy promotion through integration'. Indeed, even if international indices rely on different definitions, they agree that democracy in the Balkans is still a project *in fieri*.

According to the Freedom House (2013), Croatia, Montenegro, Serbia, and the former Yugoslav Republic of Macedonia are 'semi-consolidated democracies', Albania and Bosnia-Herzegovina are 'transitional governments' or 'hybrid regimes', and Kosovo is a 'semi-consolidated authoritarian regime'. All countries except the former Yugoslav Republic of Macedonia have maintained the same regime label since 2003.³ Likewise, the Bertelsmann Stiftung Transformation Index (2012) indicates that only Croatia and Serbia qualify as 'democracies in consolidation', whereas the other Balkan states may be collectively described as 'defective democracies': they hold relatively free elections but fall short of adequately ensuring political and civil rights or the effective separation of state powers. Here again, the picture is one of relative stability insofar as the democratic status of the countries in the region has remained unchanged since the early 2000s, with the partial exception of Serbia, which moved from defective to consolidating democracy.⁴ Thus, despite continuing to be ruled by elected governments, democratic performance throughout the region has not yet taken on a real positive dynamic.

³ The former Yugoslav Republic of Macedonia advanced from transitional/hybrid government to semi-consolidated democracy.

⁴ However, this improvement may reflect the fact that Serbia is scored without Montenegro since 2008, and then without Kosovo after 2010.

'Sick' governments...

One possible way to make sense of this diversity is to distinguish between formal (procedural) and effective (substantive) democracy. The former certifies the existence of civil and political rights (for instance, free speech, religious liberty and freedom of choice in elections and referenda), while the latter entails the implementation of formal democratic rules and procedures in actual practice. Formal democracy is a necessary but insufficient component of effective democracy. To make democracy effective, political elites must respect and follow the freedoms, rights and procedures granted by law and constitution. And these are effectively respected if decision-makers abide by the rule of law. Elite corruption obstructs people's rights, violates the rule of law and leads to problems in the functioning of democratic regimes.

The rule of law is not in itself a definitional property of democracy; different degrees of law enforcement are also found among autocracies. However, the rule of law is a substantiating quality of democracy's key definitional property, that is, democratic rights, because rights are meaningful only to the extent to which the rule of law enforces them. Conceptualizing effective democracy as the interaction between formal democracy (that is, constitutional freedom) and the integrity of elites (that is, the rule of law), is therefore one potential avenue to understanding why the Balkan democracies do not work well or the same throughout the region.

Drawing on Welzel and Alexander (2008), Table 1 below presents an indicative index of effective democracy. The results are suggestive insofar as they reveal the fact that constitutional rights are more or less in place across the Balkans, and the forerunners in the EU integration process (for instance, Croatia, followed by Montenegro and the former Yugoslav Republic of Macedonia) are more advanced in the adoption of democratic legislation than the laggards (that is, Kosovo or Bosnia-Herzegovina). However, apart from Croatia, in all the other countries of the region, the rule of law is not robust enough to make existing democratic rights effective. Consequently, the Balkan countries exhibit a clear gap between formal and effective democracy: Albania, Kosovo and Bosnia-Herzegovina emerge as the most problematic cases, whereas Croatia fares the best in terms of both formal and substantive criteria of democracy.

Table 1 Effective Democracy Index for the Balkans (2012)

	Democratic Rights Index	Rule of Law Index	Effective Democracy Index
Albania	66.66	0.05	3.66
Bosnia-Herzegovina	58.33	0.5	29.16
Croatia	91.66	0.88	80.66
Kosovo	41.66	0.11	4.58
FYROM	66.66	0.66	43.99
Montenegro	75	0.72	54
Sebia	83.33	0.38	32.33

* The index of effective democracy is at a minimum 0 when either democratic rights or the rule of law are absent and at a maximum of 100 when democratic rights are both fully present as well as made effective by an operational rule of law.

* See methodology in the Appendix, based on Welzel, Christian and Alexander, Amy C. (2008), 'Measuring effective democracy: The human empowerment approach', *World Values Research*, Vol. 1, 1: 1-34.

Deficiencies in the law-abiding behaviour of elites in the Balkans are also echoed in the well-documented opinion and experience of ordinary people in the region. The public in the Balkans place primary responsibility for the high (and at times growing) incidence of corrupt practices in their countries on the national political parties and the judiciary (see Transparency International and Freedom House). Put differently, behind a shell of democratic institutions established in the region, politicians appear in the eyes of most people as self-interested and often also as more responsive to the preferences of the EU than to those of their own electorates. This does not bode well for the concept of democracy as rule *by* and *for* the people.

... and 'unhealthy' societies

At least part of the reason for which Balkan political elites do not seem to respect formally enacted rights and liberties is that they are able to govern without much public scrutiny. People in the region might be increasingly angry and frustrated with their leaders' performance but they have proven unable to press politicians to supply adequate levels of effective democracy.

The weak civil energies in the Balkan region are concretely linked to a lack of adequate resources and institutions, as well as to a popular culture that still lays emphasis on distrust, prejudice, obedience, and 'bread-and-butter' materialistic preoccupations at the expense of self-expression values and aspirations.

The problem of resource scarcity – which deprives people of the means to take and sustain collective action – runs deeper than the current economic crisis. It has to do, *inter alia*, with meagre private and state-budget funding contributions to civil society, which leave civil society organizations (CSOs) in the region largely dependent on assistance from foreign donors. Chief among these is the European Union, which has made a substantial commitment to civil society projects in the Balkans under its Instrument for Pre-accession Assistance (IPA), and it has also developed the Civil Society Facility, which focuses on technical assistance (TASCO), exchanges (People 2 People Programme) and Partnership Actions.

However, the administrative requirements of EU programmes are usually very bureaucratic and difficult to access for all but a handful of organizations. Moreover, the structure of external funding is such that most CSOs are driven by competition (not cooperation) to win projects for which money is available, rather than building up their expertise and identity for the long run.

In addition, while all Balkan countries have by now put in place legal frameworks regulating the creation and operation of CSOs, in practice, formal mechanisms for government-civil society consultations or detailed rules facilitating CSOs' registration and participation in decision making at local or state level are still lacking or poorly implemented, and public awareness of civic rights (such as access to information and financial support for CSOs) remains problematic.

Finally, Balkan societies tend to prioritize security and well-being, while attaching almost no importance to self-expression values (for example: trust, liberal views on self-determination, gender equality, autonomy, and expressive orientations that stress the voice of the people). Research indicates that self-expression values are not only beneficial for the prospect of elite-challenging actions – such as via CSOs – but they also have significant civic consequences in strengthening democratic institutions (Inglehart & Welzel, 2005). This is because self-expression values enable people to identify 'intrinsic' preferences for democracy, prizing it for the freedoms that define it. In contrast, 'instrumental' preferences value democracy as a means to other ends, such as prosperity. If mass demands for

democracy lack substance – as they seem to do in the Balkans – then political elites may supply an equally unsubstantiated democracy, meaning with little or no respect for formally-enacted liberties – which is what transpires across the region.

The politics of pressure

Consequently, at the heart of the unfinished democratization of the region seems to be the broken relationship between citizens and their political representatives. Throughout the Balkans, popular trust in political parties and other democratic institutions is dramatically low; citizens' perceptions of the terms and benefits of EU membership are out of sync with those of political elites, as well as often-times based on insufficient information/awareness; and there is an acute sense that voters can no longer influence the policies of their governments. As Krastev argues, this signals the failure of political representation and the onset of democracy without choices, leading to a situation in which citizens evacuate the zone of engagement with conventional politics (for instance, voting in fewer numbers and committing less to parties both in terms of membership and identification) and in which political parties find themselves exposed to the constant challenge of populist outbidding.

In other words, despite the emphasis laid in recent years by the Commission on the role of civil society, parliaments and inclusive processes – the logic of EU's democracy-building in the region continues to be driven by a strong dose of technocratic thinking: 'Strengthening democratic institutions is seen mostly as a legal and bureaucratic challenge. Policy deliberations [...] are not considered terribly important – the experts already know [...] best' (Krastev, 2002). This allows political leaders to evade democratic debate between different interests and stakeholders in a country, and to hide their own partisan objective(s) behind the smokescreen of legitimacy provided by the consensus-building culture dictated from Brussels. This 'hollowing out' or 'depoliticization' (Mair, 2000) of domestic politics and decision making reinforces the negative perception of European integration as an elite-driven project and makes people unable to hold their politicians accountable or to get involved with the European Union.

At the heart of the solution is then stepping up the politics of pressure, where-

by corrupt governments in the Balkans find themselves more firmly 'sandwiched' between fed-up citizens and an uncompromising Brussels.⁵ On the one hand, this means that the EU should break the taboo and should develop a more systematic approach to democratic party government in the region. Looking more closely at how parties function and interact, and finding ways to better support political party development is crucial in order to prevent the consolidation of power in a few hands, avoid the decision-making process being hijacked by political infighting, and focusing on the gap between citizens and their political representatives. On the other hand, it means that more should be done to strengthen the capacities of civil society actors in the Balkans – both from a financial and legal point of view – so that they can influence the reform agenda and politicize 'Europe' in their domestic political arenas to a greater extent than at present. To this end, the implementation of the IPA II instrument, for example, should be carefully planned and carried out.

Shining a light on the link between governments and people in the Balkans does not only make democratic sense within the region. It is also a unique opportunity to develop solutions for the crisis of democracy inside the Union, where popular disenchantment with politicians and the integration process is just as widespread and disconcerting as in the Balkans. The success of the 'anti' political forces in this year's elections to the European Parliament is only the most recent manifestation of that prevalent dissatisfaction. In this sense, the outstanding democratic 'to-do list' in the Balkan countries is not as foreign and remote to the member states' concerns as one might think. But will the manifold incentives foster the political will to actually do something about our common democratic ills?

Appendix

To measure democratic rights, Freedom House ratings are used for 'civil liberties' (roughly equivalent to autonomous rights and private freedoms) and 'political rights' (corresponding to public freedoms and participatory rights). The scores

5 The 'Brussels sandwich' was coined by Ivan Krastev in 'Europe's Other Legitimacy Crisis' (in: *Open Democracy*, 28 July 2008).

from Freedom House are expert judgements that estimate the scope of given rights in a society on a scale from one to seven, with one indicating the highest and seven the lowest level of freedom (either civil rights or political rights). Following Welzel and Alexander (2008), this scale is reversed so that higher figures indicate a broader scope of freedom rights and the scores are transformed into percentages on a scale from zero (for the complete absence of democratic rights) to 100 (for their full presence). The following formula is used to this end:

$$DRI = (12 - ((PRR + CLR) - 2)) / 12$$

DRI: Democratic Rights Index

PRR: Freedom House political rights rating (1 to 7, 1 is widest political rights)

CLR: Freedom House civil liberties rating (1 to 7, 1 is widest civil liberties)

The resulting scores of the *DRI* for the scope of constitutional freedom in the Balkan states are shown in Table 1.

To measure rule of law, the World Bank's rule of law index is considered to be the most encompassing indicator. By using expert judgements and population surveys, 'this index measures how strictly government agents abide by the rule of law'. In addition, the Control of Corruption Index also provided by the World Bank is used, given that it strongly overlaps with the rule of law indicator. Following Welzel and Alexander (2008), the two indicators are averaged in order to obtain an overall *Rule of Law Index* (*RLI*). Since this index is meant to be used as a substantiating factor to weigh granted democratic rights for how effectively they are enforced, it is transformed into a scale from 0 (weakest rule of law) to 1.0 (strongest rule of law). To tie the World Bank's rule of law scores between a minimum of 0 to a maximum of 1, the following formula is used:

$$RLI = (COS - LOS) / (HOS - LOS)$$

RLI: Rule of Law Index

COS: Country's observed score

LOS: Lowest ever observed score

HOS: Highest ever observed score

The ensuing *RLI* scores for the Balkans are shown in Table 1.

By multiplying the 0-to-100 base *DRI* by the 0-to-1 qualifying *RLI*, the *Effective Democracy Index* (*EDI*) is obtained and shown in Table 1. This produces an *EDI* with a minimum of 0, when democratic rights are missing or minimal rule of law renders them ineffective, and a maximum of 100, when democratic rights and the rule of law are fully in place and functional. A conceptual justification and validity test of this index of effective democracy is provided by Welzel and Alexander (2008).

II

Plenums in Bosnia-Herzegovina

Case study on grass roots experiments in democracy

DANIJEL TADIĆ

Introduction

The trigger for the massive protests in Bosnia-Herzegovina (BiH) that started in February of 2014 was the closure of privatized companies and, consequently, the loss of many jobs. A spontaneous worker's protest reflected widespread discontent with politics, political corruption and the economic situation. In the aftermath of these protests people on the streets started organizing themselves in so-called Plenums (open parliaments of citizens), which proved to be a new instrument for democracy. Citizens of different ages and backgrounds gathered in these plenums, where all participants had the right to talk for two minutes, formulate their demands and send them to cantonal assemblies in the Bosniak-Croat Federation (FBiH), one of the two entities in BiH. This bottom-up platform for change succeeded, among other things, in forcing the government of the Tuzla canton to resign. Independent experts with no political affiliation set up a new government in consultation with the Tuzla Plenum. This paper will further elaborate on the political situation in BiH – partly based on the assessment visit to Sarajevo and Banja Luka we organised in April 2013 – and will try to answer the following questions: to what extent are Plenums a new instrument for democracy? Can they contribute to structural social and political change? Finally, we will discuss the political culture in BiH, the role of the European Union and the constitutional set-up that is based on ethnic division.

Towards 20 years after Dayton

The Dayton Peace Agreement signed in 1995 to end the war in BiH, set out the constitution. It created a complex and inefficient political system based on ethnic division: the country is composed of two political entities; Republika Srpska (RS, 49 per cent of the territory) and the Bosniak-Croat Federation (51 per cent of the territory). In addition, the Federation is divided into ten cantonal units. BiH is a highly decentralized state with a mixture of a parliamentary, presidential and semi-presidential political system. Each political unit has its own governing body, amounting to a total of 700 elected state officials and more than 140 ministers. As a result, the state system represents approximately 60 per cent of the state budget. On top of that, the Office of the High Representative (OHR), the leading civilian peace implementation agency, is working with the institutions of BiH and is the highest authority within the country. With regard to EU integration, the country is lagging behind compared to its neighbours. Whilst all politicians in the country strongly support the country's integration into the EU, they unfortunately rarely act as though they did. The reason for this is twofold. Firstly, some key political leaders are unwilling to reform the constitution, which is not in accordance with EU laws. Secondly, further steps towards EU membership would require strengthening the rule of law and fighting against corruption and organized crime, which could endanger the position of some politicians.

As a consequence of the ethnic divisions set down in the constitution most political parties in BiH compete with each other in stoking or creating nationalism, giving all issues an ethnic slant. Hence, the system is an ideal environment for nationalist parties to manoeuvre. Another consequence of the ethnic divisions is that on the state level and the level of the Federation, it is very difficult to have left-wing or right-wing coalitions that can determine their policies based on their ideologies and values. Parties that are less ethnically coloured always end up in opposition or in a coalition with nationalists. Over the years it has proven impossible, due to a lack of political will, to change the BiH constitution. All three main ethnic groups (Bosniaks, Croats and Serbs) have to agree on the constitutional changes that should improve the functionality of the state and be in accordance with European values. There is little incentive for the nationalist parties, however, to change a constitution that has offered what is for them a

successful political platform. This is where plenums can play a role, by exercising bottom-up pressure on political elites. Before developing this theme, we will discuss the political culture in BiH and the role it plays in democratic transition.

Political culture: lack of trust and accountability

In his work Daniel Elazar describes political culture as 'attitudes, values, beliefs, and orientations that individuals in a society hold regarding their political system' (Elazar, 1996). In examining the political culture in BiH we will mainly focus on attitudes and behaviour in politics. The political culture in Bosnia and Herzegovina is much more about competition and conflict and less about compromise. Compromise is often associated with defeat, and politicians tend instead to look for ways to obstruct each other. If politicians fail to reach a high position and accumulate wealth, they may even be considered unsuccessful. Add to that the fact that many issues are (intentionally) ethnically loaded, and an inefficient political dynamic is created, characterised by a low quality of democratic output. Another aspect of the political culture relates to party leadership and internal party democracy. Leaders of the seven main political parties are the kingmakers in BiH politics and the international actors support this by engaging in direct talks with party leaders behind closed doors. A Member of Parliament we talked to stated that 'leaders of the parties are absolute leaders, the rest of the party is decoration'. Being in their seats for too long and locked up in the constitutional framework, party leaders are much more concerned about their own position, trying to maintain the status quo, instead of fighting for change. Despite the dissatisfaction with politics, the system whereby party members or people close to the party obtain jobs is preserved due to the fact that political parties are one of the best organized interest groups in BiH society.

Polls¹ have shown that citizens of BiH do not trust political parties and institutions. Lack of trust does not only effect domestic politicians, but to a large extent international actors as well. As a consequence of this there is much scepticism over the rhetoric about entrusting politicians with local ownership,

1 [Analitica Centre for Social Reserach pasos.org/wp-content/uploads/2014/02/BosniaH1.jpg](https://www.analitica.org/wp-content/uploads/2014/02/BosniaH1.jpg)

launched in 2006 by the High Representative. There is also a perception that it is largely in the interests of the various international actors to remain in BiH. However, this picture of victimization needs to be nuanced. Contrary to the above-mentioned allegation it is a fact that the international presence is being steadily reduced, both in terms of human and financial capacity. Transferring more responsibilities to BiH politicians will increase their accountability and make it impossible for them to point the finger to international actors when things go wrong.

The above mentioned characteristics of political culture in the BiH (behaviour in politics, internal party democracy, trust and accountability) are part of the bigger picture of its political culture which explains why it is difficult to change it. Namely, political culture is rooted in the historical and cultural political values and behaviour of a society. Changing these values and behaviour takes time and effort by political leaders and political parties, who should set an example by strengthening internal party democracy and fighting political corruption and nepotism. After all, political parties and their leaders are agents of change in the political process and should be in the forefront when it comes to increasing internal party democracy. Civil society, international actors and media are of crucial importance in pressuring political leaders to do so and to hold them accountable. After the February 2014 protests, Plenums emerged as a new actor that held the ruling political elites accountable.

Plenums: a game changer?

Despite pressure from the EU and other international actors, political leaders in BiH have not succeeded in carrying through any concrete (constitutional) reforms. The EU's carrot and stick approach has had no impact on the country so far. Furthermore, the socio-economic situation has deteriorated and corruption continues to be endemic throughout society. Despite the status quo, and the bleak prospects for sustainable change, the political elite was taken by surprise – although all polls in recent years showed popular concern with socio-economic issues and corruption – by the uprising and its characteristics: well organised bottom-up protests and gatherings with concrete demands in which

socio-economic issues dominated. It was deeply shocking for the ruling elite to find that the ethnic divide and rule formula they had used for years had failed. The first reaction of the mainstream political parties to the protests was typical as they tried to discredit the citizen's movement by calling them hooligans and insisting – ironically – on the rule of law.

What do the Plenums demand and what have they achieved? In *The Guardian* Slavoj Žižek argued that the protesters were brought together by a radical demand for justice. He continues by stating that 'we see the demonstrators waving three flags side by side: Bosnian, Serb, Croat, expressing the will to ignore ethnic differences. In short, we are dealing with a rebellion against nationalist elites: the people of Bosnia have finally understood who their true enemy is: not other ethnic groups, but their own leaders who pretend to protect them from others.' In their analysis for the Centre for European Policy Studies (CEPS) Fouéré and Blockmans argue 'what motivated the protesters was precisely to move beyond the ethnic politics to solve the country's critical economic and social situation as well as to decry the unacceptable levels of corruption.' Certainly, a lack of jobs, social and economic injustice, political corruption and the privileges of the ruling elites are at the root of the protests. The fact that these issues have united BiH citizens and outplayed the ethnic card for the time being is of added value as well. However, in order for the Plenums to be really transformative they have to develop a perspective and a positive agenda (Bassuener, 2013). The demands so far have focused on the resignation of the governments (on all levels) and a change of policies. As mentioned in the introduction, successes have been achieved: a number of cantonal and local governments stepped down, while in the Federation a set of anti-corruption laws aimed at establishing special law enforcement bodies to tackle organized crime was finally adopted. However, the initial energy Plenums had has diminished. One of the reasons for this is that they have deliberately chosen not to engage in the political system. Proposals at Plenum gatherings to establish a new political movement and to compete in the October 2014 general elections were strongly disapproved by a vast majority. At the moment it seems unlikely that the Plenums will be able to deliver sustainable change and progress from the sidelines of the political system. It is understandable that BiH citizens have given up on politics and that Plenums, as a result of the protests, are focusing on social justice and social reforms. However, social reforms and political reforms

go hand in hand while for the latter political parties are still a key player. Next to engaging in the political system, the transforming power of Plenums will depend on their ability to coordinate their demands and to mobilize citizens in the other entity, Republika Srpska (RS).

The role of plenums as a new instrument for democracy in BiH is an interesting case that raises some questions: how does this direct form of democracy relate to technocratic democracy when Plenums decide to appoint external experts to lead the government (which was the case in the Tuzla canton)? Can Plenums represent 'the people'? The fact that everybody is welcome and can speak for two minutes is not enough. Not least because it requires active citizenship. Do only these active citizens decide? How does the fact that elected representatives transform Plenums' demands into law affect the quality of the democratic output? Can they, in the end, contribute to a change in the political culture? It is clear that further research is needed on similar instruments for democracy, the way they affect political decision-making and the role of political parties.

Conclusions and recommendations

In Bosnia and Herzegovina, as well as in other countries in Europe, we have experienced an increase in informal grass-roots methods of participation in the (democratic) political process. After the uprising in BiH a new instrument for democracy – Plenums – was established that is at least interesting to analyse as it has influenced the decision making process. Despite the fact that the momentum of the Plenums has passed, a clear message was sent to the political elites: without sustainable social and political change unrest will continue. Furthermore, the uprising and the establishment of Plenums is very important as it is much more likely that change will come as a consequence of bottom-up pressure from citizens and civil society and top-down pressure from the EU and international actors. Combined pressure from BiH citizens, civil society and the EU on the political elite proved successful in obtaining visa free travel for BiH citizens to Schengen countries in 2010. On the one hand, such tangible issues can mobilize the citizens and push the ruling elites out of their status quo comfort zone. On the other hand, international actors should exercise pressure

on local politicians by squeezing the EU financial flows that are so crucial to keeping the country running.

The European Union did change its approach towards BiH and the Western Balkans in the spring of 2014. After focusing on political – and in the case of Bosnia constitutional – reforms, the focus has shifted towards economic reforms and bridging the gap between the Western Balkans and the EU economies. In return for reforming the economy and strengthening the regional coordination of economic policies and reforms, the EU will provide greater financial support to make the countries more attractive for investors. Generally speaking, the new approach has been welcomed by BiH, which hopes to create a better investment environment, improve employment policy (with unemployment rates above 40 per cent) and achieve a certain level of economic development. The new approach rightfully assumes that economic growth and higher standards of living will make it easier to achieve political reforms. However, it will take a lot of time before the BiH economy can flourish. Bottom-up and top-down pressure on the political elite for political reforms should remain a priority.

General elections will be held in Bosnia-Herzegovina on 12 October 2014. By the time this paper is published we will know the results and have read the post-electoral analysis. At the moment it seems unlikely that we will see a revolution in the ballot boxes. Although polls show that the ruling parties will lose, at the same time the nationalist non-reformist parties will continue to dominate the political scene. Unfortunately, the momentum created by the protests and Plenums has not adequately – and probably not after the elections either – been transformed into political power. This is a consequence of a strong aversion among protesters and a large part of BiH society to anything that has to do with politics. In addition, there is a high level of apathy among the electorate. Turnout at elections has decreased from up to 90 per cent after the war, to around 50 per cent in the 2010 elections. On the one hand, it is a shame that the energy of the protests and Plenums has not led to the establishment of a political movement that would participate in the elections. On the other hand, if the elected parties and politicians after the October 2014 elections ignore citizens' demands, Bosnia and Herzegovina might be a step closer to a traditional revolution on the streets.

The February 2014 protesters and Plenums can and should be a trigger for sustainable long-term change in BiH. Citizens and civil society should continue

to pressure the political elites for economic, social and political reforms that will eradicate corruption, improve living standard and the functionality of the state and, with that, democratic output. At the same time the international actors need a more robust approach towards the country. Resources are scarce and the economy is held together by EU money and remittances. EU conditionality should create some results in BiH too, as it did in the neighbouring countries.

I2

Nationalism versus democracy

The case of Serbia

ALEKSANDAR SEKULOVIĆ

Introduction

In considering the relationship between nationalism and democracy, a first observation that could be made is that these are two different normative systems dealing with different social issues and asserting different value systems. Nationalism deals with the glory and grandeur of one's own nation, both in the past and in the present, and its relationships – mostly conflicts – with other, in most cases neighbouring, peoples. Leaving aside theoretical definitions of democracy, one could say that it deals with issues of the internal organization of a society, primarily its political system, as well as methods for political decision-making. Democracy does not deal with the relationship between a society or a nation and other societies or nations, and if it does, the focus of its interests lies in cooperation between them, not conflicts and confrontations.

The fact that nationalism and democracy are two different normative systems leads, as a rule, to their being in opposition to one another. Exceptions to this rule occur in two cases. The first is the case of nationalistic anti-colonial and liberation movements, at least during the phase of the national liberation struggles. During this phase, the widespread democratic participation of the popular masses is a necessary precondition for the success of the struggle. The fact that this involves armed conflict and revolutionary violence does not in any way mean that these are antidemocratic movements. Violence is used in this case to gain freedom, because freedom, as many have said, notably Latin American revolutionaries (Jose Marti, Sandino, Che Guevara), 'is not won with flowers, but bullets'. This key difference between anti-colonial, people's

liberation nationalism, and the expansionist national and predominantly European nationalism should always be kept in mind. As Jean Ziegler said, 'for third-world revolutionary nationalists, violence is not an 'ontological option'... It is primarily the *violence of self-defence*. It is opposed to the violence of aggression, the structural violence of the colonizer, the imperialistic oppressor or its local satraps.'

Nationalism and democracy also seemingly coexist when dictatorial regimes with a nationalist orientation use a democratic façade to cover up their true nature. Examples of this can be found in South European dictatorships, as well as certain Latin American and Islamic regimes that, as a rule, retained a multi-partisan parliamentary system to cover up the absolute rule of a group of oligarchs. Even the dictatorship of the Somoza family in Nicaragua was covered up with a multi-partisan parliamentary system and 'free' elections.

With the exception of these two specific cases of true and pretended coexistence of nationalism and democracy, their relationship has always been antagonistic. Nationalism is, by nature, intolerant and exclusive, and does not accept different attitudes in regards to the so-called 'national question', wherein it believes to hold the absolute truth. 'And whomsoever believes', says Pareto, 'to hold the absolute truth, cannot allow the existence of other truths... Therefore, for those believing only one path is right, all others are wrong.' Thus it is understandable that the conclusion of Zagorka Golubović in her study *Stranputice demokratizacije u postsocijalizmu (Deviations of Democratizations in Postsocialism)* represents a common point of social theory: 'We may, therefore, say that nationalism and democracy are opposed to one another and therefore the occurrence of nationalism during the nineteen-nineties was a significant factor against the democratic transformation of East-European societies.'

There is no better example to confirm this thesis than the case of Serbia, not only during the post-socialist period, but throughout its modern history since 1804. Up until 1918, i.e. the creation of Yugoslavia, Serbian society was torn between resolving the so-called national question and creating a modern, democratic state. In fact, this was the same phenomenon Gyorgy Lukacs pointed out using the example of Germany: 'As early as 1848, the German people found themselves facing the following alternatives: "unification through freedom" or "unification before freedom". The defeat of democracy during the revolution of that year

brought about the supremacy of the second solution, therefore the achievement of freedom was delayed *ad calendas graecas*.'

This dilemma found expression in Serbian society more as an objective given, and less as a subjective experience. It was a dilemma for the small Serbian intellectual elite, while politicians and the popular masses were mostly occupied with creating new, and reviving old national myths. Therefore the outcome of this struggle of ideas within the Serbian elite, the choice between 'the East and the West, between patriarchy and modernity', noted one of the finest experts in recent Serbian history Latinka Parović, was bound to be the dominance of the ideal of national unity and patriarchal collectivism, to the detriment of freedom-seeking ideas and democracy, delayed *ad calendas graecas*. During all key moments, particularly when strong social confrontation and political competition occurred in Serbian society, nationalist stereotypes came to the fore and, in the name of national unity and the defence of the 'endangered' Serbian people, demanded the abandonment of these struggles and the eradication of all political differentiation within the nation. In short, even if we set aside the fact that nationalism was at the heart of European fascism, the experience of Serbian society shows that nationalism is the primary weapon for the suppression of democracy and all forms of political pluralism.

Ever since 1844, with the publication of the renowned 'Nachertanye' by the Minister of Internal Affairs of Serbia Ilija Garašanin, the issue of national unity and the creation of what Svetozar Marković ironically called 'Greater Serbia' became a fundamental social issue and a synthetic expression of the spirit of the times up to 1918. During the Yugoslav period this issue was kept out of the public domain, but was high on the agenda in numerous and very influential nationalist circles, particularly the Serbian Orthodox Church, the Serbian Academy of Sciences, among Serbian writers, etc. A very important role in nurturing the myth of Greater Serbia after World War II was played by political emigrants, comprised mostly of former members of the Chetnik movement of Draža Mihailović who attempted to turn this myth into reality during the war, through armed conflict with the other peoples of Yugoslavia. With the erosion of socialism in Yugoslavia, Serbian nationalism grew from strength to strength. Finally, with the Memorandum of the Serbian Academy of Sciences in 1986, it once again returned to the public stage and ultimately brought with

it the question of creating an ethnically clean state of the Serbian people. What happened afterwards is well known. The flames of the war incited by Serbian nationalism burned away not only Yugoslavia and socialism, but also destroyed all traces of democracy in Serbian society.

Nationalism and democracy diverge in all essential aspects. If democracy seeks brave men who know their rights and fight for them, nationalism, as Rudi Supek says, coerces individuals to behave as members of a horde, and not as citizens of a developed modern nation. If democracy needs individuals open to knowledge, as a condition for a functioning democracy, nationalism prefers those who accept and support a mystical consciousness. 'Nationalists are', as Česlav Miloš says, 'fallen people and harmful dunces trying to free themselves of the duty of thinking through shouting and inciting mutual hatred between different national groups.' Generally, democracy speaks to reason, while nationalism speaks to emotions, democracy is a rational choice, while nationalism is irrational.

However, the crux of the irreconcilable conflict between nationalism and democracy lies in their approach to the truth. For a functional democracy, discovering material truths, i.e. what the law calls the objective factual situation, is a condition sine qua non. Democratic decision-making processes only make sense if rational decisions are made to improve social life, which is impossible if all relevant data are not accessible. If the facts of the issue being decided upon are being covered up or presented untruthfully, then the decision-making process turns into manipulation and people are directed to accept decisions contrary to rationally accepted general interests. These rules, however, do not apply in the case of nationalism, which follows entirely different directions and demands of its protagonists and followers something completely different. This is best illustrated by the following example from Serbian political life.

In April 1993, at the height of the war in Bosnia and Herzegovina, as well as in Croatia, two ministers of information appeared on Serbian TV during prime time. These two men ran, as Orwell would have said, 'ministries of truth', they were the minister of the former FR Yugoslavia Dragutin Brčín and his superior, the Serb minister Ratomir Vico. Their joint appearance alone was already a sign that they would announce something of incredible importance to the public. Their message was: 'Journalists, when reporting on wartime events, should not be led by the truth, but only by that which is in the interest of the Serbian people.'

This order, issued in a strict but nervous tone, immediately became an unwritten law which is, in traditionalist societies, always far more efficient and durable than written law. Not only journalists from Serbian media, but also politicians, as well as all others who were able to appear in public, started to compete in making up monstrous lies that still live on in Serbian society and represent what Serbian nationalism calls 'the truth about the Serbian people'. Serbian nationalism accuses the international community of refusing to accept this 'truth' and therefore it 'unjustly' accuses the Serbs for all that happened in former Yugoslavia.

These 'Serb truths' include such monstrous claims as, for example, that Bosniaks in Sarajevo threw Serbian children to the lions at the zoo; that the smoke in Dubrovnik was not from Serb grenades but car tyres set on fire by Croats; that the grenades that killed over a hundred civilians at the Sarajevo market of Merkale in 1994 and 1995 were not fired by Serbs but Bosniaks because 'they're killing themselves'; that Sarajevo did not live under an inhuman siege for over three years, but that the 'Muslim authorities held Sarajevo under an internal siege' while Serbs defended 'their centuries-old hills around Sarajevo'; that the Serbs did not commit any war crimes in Srebrenica, but that the Bosniak army killed those civilians trying to leave town; that the Croats in Vukovar killed 30 Serbian babies and used their bones to make necklaces, etc.

Of all those who fabricated and spread these monstrous lies, a journalist from Sarajevo, Mladen Vuksanović (a Serb) said: 'These people are the very essence of lies. Their essence is a lie.'

The problem is that once set in motion, this factory of twisted lies cannot be stopped and lies become a systemic characteristic of society. In order to legalize their chauvinist idea of Greater Serbia in the eyes of the West and tie it into the democratic and antifascist values of the European Union, Serbian nationalism decided to resort to blatantly distorting well-known historical facts. Namely, using a special 2004 law, the Serbian Parliament decided to declare the Chetnik movement of Draža Mihailović, one that fought on the side of the fascist occupation forces throughout World War II, as an anti-fascist movement. Its members, including a large number of those charged as war criminals after the war, were given all rights and privileges as antifascist fighters.

As a reminder: the Teheran conference in 1943 between Roosevelt, Churchill and Stalin, concluded that the Chetniks of Draža Mihailović did not fight against

the occupying forces, but quite to the contrary, cooperated with them in combating the partisan movement, and thereby it was decided that Mihailović and his Chetniks would be denied all military assistance and that a proposal would be made to the Yugoslav Royal Government in London to remove Mihailović from the post of military minister (as they did the following year).

Using this 2004 law, Serbian nationalism not only distorted historical facts, but also brought about a tectonic shift in social consciousness, something that will have catastrophic consequences for the future of Serbian society. This law and the propaganda that followed are still in full force in Serbian society and have created a sort of virtual, genetically modified history (GMH), far more dangerous than GMO (genetically modified organisms). Genetically modified history will create generation upon generation of people genetically predisposed to using lies, for whom the truth will not represent a civilized value.

There is nothing, then, that could justify this barbaric act of Serbian nationalism, all the more because it was committed with ill intent. Its chief goal was to, indirectly, present Serbian aggression during the wars of 1991-95 as a fight against new fascism, and therefore to have the Serb leaders that have been tried or are still on trial in the Hague tribunal pictured as heroes of the Serb people, and not mere war criminals. For if Draža Mihailović and his Chetniks can be declared antifascists, despite committing serious war crimes against Bosniaks and Croats in their fight for Greater Serbia, it automatically follows that their followers (Milošević, Šešelj, Karadžić, Mladić et cetera) are also antifascists and national heroes. Therefore, declaring notorious war criminals from World War II, including those who single-handedly killed up to 50-60 people, as antifascists, is not only an attack on antifascism as a cultural value of Europe, but also represents a radical destruction of sanity and elementary morals. Once something like this is achieved, any possibility of the development of democracy is shut down forever.

Conclusion

Since late 1986 and the Memorandum of the Serbian Academy of Sciences, one that Ivan Stambolić (former president of Serbia who was kidnapped, killed and buried in Fruška Gora in August 2000 by Milošević's death squads) called the

'In Memoriam to Yugoslavia', there has been absolute political and cultural hegemony of Serbian nationalism in Serbia. For nearly three decades in Serbia no other thoughts or ideas existed, except in a completely marginal and politically irrelevant sense. Serbia is not even a country of formal democracy, but a country better suited to Mao Tse-tung's maxim: 'In China, everyone can freely express themselves within the limits of the views of the Communist Party'. Everything can be discussed in Serbia except the stereotypes set up by Serbian nationalism that still enjoy a general consensus. All the political parties that entered Parliament following the elections on 16 March 2014, with the exception of national minority parties, are firmly rooted in so-called 'patriotic' standpoints, which is in fact a euphemism for passionate Serbian nationalism. As Milenko Marković said, 'The current so-called Serb multi-partisan system is mostly illusory. Nearly all parties are, regardless of rhetoric or symbolism, parties of a sort of "national salvation".'

There should be no illusions about the further democratic development of Serbia. The political party with absolute dominance in the political and social life of Serbia – the Serbian Progressive Party – originated, along with its leaders, in the extreme nationalist Serbian Radical Party of the Hague defendant Vojislav Šešelj. There is good reason to believe that their views on national issues have not changed. For example, in a TV show in 2004, Aleksandar Vučić twice stated 'I hate Croats!' Never has he, during the past ten years, distanced himself from this statement, meaning that he thinks and feels the same today. And the nationalist stance of the president of the Republic Tomislav Nikolić, bearer of the title Chetnik Duke bestowed on him for his participation in the wars in Croatia and Bosnia that he still publicly exhibits, along with his aversion to the West, is clear for all to see. It is sufficient to take a glance at his United Nations speech given during discussions about the work of the Hague tribunal or his recent statement regarding the anniversary of the NATO military action against Serbia in 1999. The views expressed in these appearances represent something that none in Serbia may comment upon, let alone subject to social criticism. And it is well known that criticism and the critical spirit are the essence of democracy, without which society turns into the obedient masses, blindly following their leader.

13

Left out of Europe

How can the PES reinvigorate its relationship with the Turkish Left?

BEN TAYLOR

Introduction

Recent years have been marked by apparently widening divisions within Europe. Mainstream parties have struggled to rebuild the reputation and credibility of the EU following the financial crisis, in the face of a sustained assault from a resurgent generation of Eurosceptics, populist parties and alternative movements. This malaise has troubling implications for both the internal governance of the EU, as well as the external affairs of Europe, as the consequences of disinterest in the wider world, coupled with inconsistent and divided European responses, have begun to play out dramatically within the last year. Recent developments – notably the Ukrainian crisis and the emerging Mediterranean immigration crisis – are problems which, if not entirely preventable, might have been mitigated had attention been paid sooner.

Turkey is not yet a comparable concern, but it has been beset by internal divisions and crises which are already posing dilemmas for Europe, and this situation may continue to deteriorate if the AKP under Erdoğan continues on its current course. With a series of mass protests violently, and in some cases lethally, suppressed by the government, growing media censorship and a major industrial catastrophe within the last year, Turkey may yet become a further serious test of the EU's foreign policy credibility. This is further complicated by Turkey's beleaguered negotiations over EU accession; what was, in the early 2000s, a demonstration of Europe's capacity for exerting a positive, liberalizing influence beyond its borders is now turning into an embarrassing failure. While there may currently be little appetite for a serious revival of negotiations in the

current circumstances, the question of how Europe will co-operate with Turkey remains important.

The delicate state of EU-Turkey relations is well known and much discussed in literature. However there has been a tendency to deal with the issue on an international level, or, when dealing with the sub-national level, to focus primarily on the actions and motivations of the Justice and Development Party (*Adalet ve Kalkınma Partisi* – AKP), the centre-right conservative party that has ruled Turkey since 2002. In contrast, there has been relatively little discussion on how the left in Turkey has approached the question of EU accession. This is perhaps because the AKP's grip on power has seemed so unbreakable, having won multiple elections with landslide results over the past decade. However, the AKP's apparently unassailable lead was diminished at the last general election in 2011, and particularly in the light of a recent upsurge in opposition to what is perceived in Turkey as the AKP's increasingly autocratic style of government. Now, with endemic protests in all of Turkey's major cities, it is time to reconsider this assumption and explore what a resurgent left could mean for Turkey's relationship with the EU.

This paper focuses on the progressive left in Turkey in the context of EU accession, and offers some suggestions for strengthening the relationship of the PES with the Turkish Left on a broader front than is currently being pursued. The need for the progressive left within the EU to work out a realistic strategy for engaging with their counterparts in Turkey is pressing, and has been made even more so by recent events. The re-emerging populist right in Western Europe has effectively exploited the perceived weakness of the economies and the welfare systems of newer member states such as Romania and Bulgaria to argue not only against further expansion, but the very Union itself. As such, it is in the interest of the pro-European left to ensure that countries on the EU's borders, and especially those with some potential for European integration, develop strong and successful welfare systems if they are to argue for the EU's continuing relevance.

Within this context, there is an understandable but contentious tendency among the European Left to assume that the most suitable working partner on the question of EU co-operation is the Republican People's Party (*Cumhuriyet Halk Partisi* – CHP), the main opposition party in Turkey at the present. The CHP are assumed to be the main social democratic party of the centre Left in Turkey,

and in some senses this is true – the party has some centre-left traits and has, at a number of points in its history, actively sought to present itself as a European-style social democratic party (Kiriş, 2012). However, it was founded primarily as a secular, nationalist party under the leadership of the modern Turkish republic's father figure, Mustafa Kemal Atatürk, and has correspondingly stood for many other things in its incredibly varied twentieth century history, and even today sits somewhat uneasily among even the loosest definition of social democracy. This paper will advocate a broader strategy of engagement with the Turkish left that incorporates a broader diaspora of leftwing parties and causes – in particular, issues surrounding Kurdish rights and dissatisfaction with the current political order as expressed during the recent Occupy Gezi movement.

The current state of Turkish politics has been heavily influenced by its turbulent late nineteenth and twentieth century history. This paper begins with an overview of the CHP's formation and development as a party over the past century, with particular focus on its changing views on social democracy and Europe. By analysing the particularities of the CHP and the potential for ideological and pragmatic alignments between it and the progressive left within the EU over the question of EU accession and other issues, this paper will assess: 1) whether the CHP is first of all an appropriate partner for social democratic parties in Europe, and 2) whether their stance on EU accession is truly compatible with the pro-European Left. The final part of the paper will focus on possible alternatives to an entirely CHP-monopolized partnership between the PES and the Turkish Left. This section assesses whether there are realistic possibilities in working with other parties that may be more closely aligned with social democratic values, and the possibility of working with grassroots and union organizations. It is my contention that it is only through engagement with these other movements that a truly progressive strategy on Turkish accession can be developed by the left-wing within the EU.

The evolution of the CHP

Turkey's political life can be considered unusual by Western European standards given that the main centre-left party also established and ruled over the modern republic for the first 27 years of its existence. It is important to consider the CHP's

long and eclectic history since the modern party still uses this history to guide and legitimize its contemporary politics. The party was forged in the aftermath of the First World War during the Turkish War of Independence, a response to Allied attempts to carve up the remains of the Ottoman Empire (Cingi, 2011). Under the leadership of Mustafa Kemal and later İsmet İnönü, the country was transformed over the next two and a half decades, with the language, alphabet, national customs and relationship with religion significantly altered in order to 'modernize' the county and enable it to compete with the Western powers that had once threatened its very existence. During this phase of Turkey's modern history, it operated as a one-party state under the CHP, and as Kiriş has noted, was in many ways more analogous to the fascist parties emerging in Europe at this time than those espousing ideologies of liberal democracy (Kiriş, 2012).

It was also at this time that the six tenants of 'Kemalism', the official ideology of Atatürk, were formulated, encompassing republicanism, nationalism, populism, secularism, statism and revolutionism. While all are still officially represented by the six arrows on the CHP's flag, and technically form the ideological foundations of the party, in practice secularism and nationalism have become the most established, while others have been emphasized or dropped at various points in the CHP's history (Bagdonas, 2008: 99). Populism, for example, received renewed interest during the 1960s and 1970s when the party was in its social democratic phase, but has not been consistently championed. In response to attempts by some reform-minded Kemalists to re-interpret these principles in line with liberal or socialist principles, liberal critics have accused them of embodying Kemalists' inherent authoritarianism and statism, and point to one of the central contradictions within the modern CHP as it is expected to 'democratise and transform itself by rejecting its own past' (Ayata & Ayata, 2007: 216).

Although the modern Turkish state was technically founded on democratic principles, the highly authoritarian approach of the CHP continued through its first three decades. The first notable attempt at national elections was in 1946, but they were held in the open under the CHP party-state apparatus, and unsurprisingly, the CHP claimed to have won 70 per cent of the vote and remained in power. Nevertheless, four years later, the first non-CHP government was sworn in after the Democratic Party won 53.3 per cent of the vote, and the CHP peacefully transferred power, beginning Turkey's first phase of multi-party

democracy (Tachau, 2007: 130). For the next ten years they formed the official opposition party, before a military coup in 1960, allegedly on the grounds of the DP's increasing authoritarianism, ended this phase of democracy in Turkey. A year later, when democracy was reinstated under a new constitution, the CHP won power again with 36.7 per cent of the vote, while the successors to the DP, the Justice Party (AP) won 34.8 per cent (Kiriş, 2012: 405). Together, they formed the first coalition government under İnönü.

Is the CHP a social democratic party?

Importantly, it was only in 1965 that the CHP, under pressure from an emerging dynamic of contestation between employers and workers, first began to evolve from its secularist, statist origins and announced support for social democratic values (Güneş & Ayata, 2010). Unlike most European social democratic or left-wing parties, the CHP did not emerge from a workers' movement or to address issues of social injustice, but was rather a party of secular, statist nationalists for most of the first half of its existence. These Kemalist values have continued to inform the party's policies ever since. It is also important to note that this period first saw the CHP expressing interest in joining the European Community, signing the Ankara Treaty as part of a coalition government under İnönü (Kiriş, 2012: 11). This represented something of a divergence from mainstream left-wing thought on the EC within Turkey at the time, with both social democrats and Marxists tending to oppose it on the grounds that it was both a symbol of capitalist exploitation and of Western imperialism (Ayata & Ayata, 2007: 223).

The 1970s saw some movement towards reshaping the party along social democratic lines, and it gained a new leader, Bülent Ecevit, in 1972. He attempted to redirect the party towards ideas surrounding the welfare state and planned economy. However, the party also formed a coalition from 1973 with the ultranationalist National Salvation Party (MSP), highlighting the many contradictions and complexities in the CHP's character (Kiriş, 2012: 406). This was not to last though, as a military coup in 1980 led to the effective collapse of the Left as a force in national politics for a decade, with the CHP becoming a banned party and all pre-1980 politicians banned from office (Güneş & Ayata, 2010: 106).

A number of successor parties were formed during the 1980s, before the party itself reformed in 1992.

Despite the subsequent revival of Turkish democracy, the CHP has been unable to return to power, either stuck in opposition or, as with the shock result of 1999 unable even to pass the 10 per cent threshold for representation, established under the new post-1980 Turkish constitution (Cingi, 2011: 3). A number of reasons have been given for this, mostly concerning the idea that Turkish politics is characterized by a 'centre-periphery' model, with deep divides between the mostly urban, secular elite at the centre, and the generally rural, Islamist peripheries, from which the current ruling party, the AKP, draws its support (Ayata & Ayata, 2007: 213). There is a need for the CHP to extend its influence well beyond the metropolitan centres of Istanbul and Ankara. Many observers argue that the CHP has long been tainted by its identification with statism, and particularly authoritarian statism, with its long-standing ties with the civil and military bureaucracy who formed the old Kemalist elite. It has few historical links with the working classes or labour movements, which is reflected in its current support, relying mostly on those with higher incomes and with better educations. Most problematically, it has almost no support from the poorest in Turkey, unlike its more populist rival the AKP (Cingi, 2011: 4).

The party also faces difficulties regarding another conventional trait of social democratic parties – good relationships with trade unions. The CHP has had a mixed record on this – during the single party phase, its treatment of labour unions varied from suspicious tolerance and outright hostility, although by the 1970s, the CHP had made an implicit alliance with several left-leaning confederations of unions, the most prominent being the Confederation of Revolutionary Trade Unions of Turkey (*Türkiye Devrimci İşçi Sendikaları Konfederasyonu* – DİSK) (Blind, 2007: 294). The 1980 coup disrupted the increasingly politicized nature of trade unionism in the country, with left-leaning confederations such as DİSK hit especially hard with bans and the imprisonment of their leadership. However, they were later to play an important, and relatively independent, role in pushing for democratization reforms in the 1990s. More recently, DİSK has taken a position against privatization and in favour of further EU integration which could help the CHP develop along social democratic lines, although the two already have a complicated and difficult relationship that would need to be navigated first.

Ambivalence on Europe

The period between 1999 and 2005 has been recognized as one of unprecedented liberalization and democratization, when many progressive reforms occurred, such as the limiting of military power in government, extolling the value of democracy and human rights, and reaching out to Kurdish separatists. Much of this was the result of an alignment of liberals, Kemalists and the Islamists, who all perceived the EU accession process as a means for accomplishing their own goals (Onar, 2007: 273). However, as the EU accession process began to falter in the late 2000s, and the AKP became less interested in actively pursuing membership as Turkey's economy boomed, so too has Turkey's internal path to greater democratization begun to falter (Bürgin, 2012: 578). A number of scholars have recognized the importance of the EU consensus on the AKP's drive for greater democracy, and Prime Minister Recep Tayyip Erdoğan's increasing authoritarianism, particularly in recent years, must be considered in connection with the dwindling optimism for Turkey's membership. However, this also presents opportunities for the CHP – with the past few months seeing increasing frustration and opposition towards Erdoğan from a wide-range of actors, including environmentalists, millennials, shop keepers, trade unionists and even traditional AKP supporters.

Within the context of the past decade, the CHP's views on the EU and Turkey's bid to join it are also difficult to decipher. At first glance, the CHP seems to have been broadly supportive of the AKP's policy of Europeanization, as indeed are the vast majority of Turkey's political elites. The decision to begin negotiations towards EU accession was taken under Ecevit in 1999, while leading a CHP successor party, the Democratic Left Party (*Demokratik Sol Parti* – DSP) as part of a coalition government (Başkan, 2005: 61). Certain tensions within Turkey's political system, in particular the diminishing role of the military, have been eased by the EU accession process, which has tended to be seen as a kind of safe framework in which some of the complexities of the Turkish state can be tackled, and has had support from those on the left as well as the right. However, traditional supporters of the CHP were becoming increasingly sceptical of some aspects of the accession process even before it hit its most troubled phase in the late 2000s (Seçkin Bariş Gülmez, 2008: 426).

While Turkey is not currently a member of the EU, the CHP has participated in some left-wing international and European institutions. It is a full member of the Socialist International, with President Baykal acting as vice-president between 2003 and 2008, and an associate member of the Party of European Socialists (Seçkin Barış Gülmez, 2008: 434). However, it has been noted that the relationship between the European left and the CHP has not always been easy, and has frequently been characterized by misunderstandings and missed opportunities. On the side of European socialists, there has been frustration about the perceived insularity of the CHP and its occasionally ambiguous stance towards the EU. On the side of the CHP, there has equally been frustration that on a number of issues European social democrats have actually supported the AKP against them, particularly in the area of religious freedom and pluralism. There is a vital need for a more progressive approach to international issues if the Left is going to succeed in its professed goals of EU accession, since issues like the Cyprus question could hold up negotiations indefinitely otherwise.

These challenges have exposed some of the difficulties the CHP have faced in trying to build a social democratic party on secularist, nationalist foundations. Furthermore, the nationalist strain within the CHP has been highly critical of what they perceive (with some merit) as the 'dishonourable' terms imposed on Turkey's bid for membership (Seçkin Barış Gülmez, 2008: 430). However, these criticisms of the accession process have also highlighted the CHP's strong nationalist tendencies, alongside fears that the AKP's dogmatic neoliberalism, and concessions on Kurdish cultural expression, could harm the cohesiveness and character of the secular Turkish nation. This may pose more deep seated problems for progressive Left co-operation over EU accession, as traditionally the left-wing branches of Kemalism have also been those most likely to take a nationalistic, anti-Western and potentially anti-EU stance (Karaveli, 2010: 88).

They are also, perhaps paradoxically, a reflection of the CHP's predominantly European identity – in one survey of CHP deputies, 55 per cent believed the Turkish cultural identity to be closer to a European identity, as opposed to the 23 per cent who identified it more closely with the Middle East (Seçkin Barış Gülmez, 2008: 431). As such, they are perhaps most likely to be sensitive about criticisms from countries such as France and Germany which accuse Turkey of being insufficiently European to qualify for EU membership. While most of

those surveyed remained positively inclined towards the EU, the survey also identified that there was growing pessimism towards Turkey's prospects of joining. Furthermore, among the educated elites who might be expected to support the CHP, another survey recently identified growing Euroscepticism, which it attributed not only to the perception of prejudice towards Turkey's bid, but also the growing influence Turkey has enjoyed in the Middle East and elsewhere, leading some to ask whether Turkey really needs membership in an increasingly beleaguered Union (Bürgin, 2012: 578).

There has been much discussion over the CHP's apparent shift in direction since 2010. Much of this has occurred as a result of the stepping down of the more traditional Deniz Baykal amidst public scandal, and his replacement with the reformist Kemal Kılıçdaroğlu, who had already enjoyed some success as candidate mayor of Istanbul by employing more grassroots campaigning methods (Cingi, 2011: 8). One of the major issues faced by the CHP if it wishes to be taken seriously as a social democratic party is that of intra-party democracy; a feature common to almost all political parties in Turkey is their rigid, top-down structure which allows little room for grassroots participation. Kılıçdaroğlu introduced a number of measures at the last party congress in February 2012 to try and tackle this, including open primary elections for internal positions, raising the quota for women candidates from 25 per cent to 33 per cent and introducing a new youth quota of 10 per cent (Güneş & Ayata, 2010: 106). This last measure is particularly important in a party with an average membership age of 50, which is struggling to connect with younger generations. It has also been pointed out by some that much of this entails a liberal democratic shift, with increasing freedoms over issues like the head scarf, signalling to some a willingness to reach out to the 'peripheral' voters which have so far mainly supported the AKP, although some feel that this could represent a shift towards the right (Kiriş, 2012: 409). The developments of the last few months would seem to confirm the internal contradictions facing the party – the recent 'Occupy CHP' campaign suggests there is some impetus for a shift towards the left from the youth elements of the party, but equally, in the run up to the recent local elections, the CHP leadership, including Kılıçdaroğlu himself, showed concerning tendencies by flirting with ultra-nationalist symbols and rhetoric. This has been made yet more alarming by the CHP's announcement that they

will field a joint candidate with the MHP, an ultranationalist far-right party, in a bid to challenge Erdoğan in the presidential elections.

How can the PES strengthen its relationship with the Turkish Left?

With the CHP clearly at a crossroads as to whether it will make a convincing social democratic partner for the European Left, it must be considered pertinent to examine alternatives to an entirely CHP monopolized partnership with the PES. This means working inclusively with other leftwing parties in Turkey, and considering some of the issues that the CHP has traditionally struggled with.

One major problem for the progressive left in Turkey is the relatively recent tendency towards the atomization of political issues, creating a fractured and often unrepresented Left in the country. Turkish politics has seen a tendency towards the creation of 'flash' parties representing individual issues, without the broader perspective of larger parties, which are increasingly seen as uncaring and unrepresentative (Cingi, 2011: 7). While this tendency is not limited to Turkey, it presents particular problems there due to the already turbulent (and often short-lived) nature of political parties, and the difficulties of overcoming the 10 per cent threshold required to gain representation in parliament.

However, one possibility for greater co-operation with other parties is to look to the Kurdish rights movement, and groups like the predominantly Kurdish Peace and Democracy Party (BDP). As one of Turkey's four main parties, they enjoy significant support in the east of the country, where the CHP is weakest (Larrabee & Tol, 2011: 149). They also have a social democratic approach compatible with progressive left values, and a party structure that is less hierarchical and places greater emphasis on grassroots activism than the CHP. In recent years they have been evolving into the Democratic Party of People, or HDP, a confederation of the BDP with a number of smaller leftwing parties, such as the SDP, ESP and EMEP. Emerging out of a period of cooperation between the BDP and other leftwing parties in the run-up to the 2011 general elections, there has been an ambitious attempt to combine political action on Kurdish rights with more universal leftwing causes. Not only does the HDP have active links with trade unions, it has also established ambitious quotas of 10 per cent of positions for

LGBT individuals and 50 per cent for women. In contrast with the CHP, it also had a strong presence at the Gezi Park protests, demonstrating genuine grassroots support. While the CHP remained ambivalent about throwing its full support behind the protesters, HDP members were prominently represented, with the HDP and BDP politician Sırrı Süreyya Önder twice blocking bulldozers trying to enter the park.

The HDP represents fledgling attempts to combine Kurdish political activism with issues of broader interest to the Turkish Left. But the BDP and the HDP's Kurdish legacy comes with considerable difficulties that need to be overcome – for many, even on the Turkish Left, their associations with the Kurdish separatist insurgency group, the PKK, make them an unpalatable prospect. Many are suspicious of the party's continuing links with the jailed PKK militant Abdullah Öcalan, whose idea it was to establish the umbrella party as a means of expanding the limited influence of the BDP (Atlas, 2013: 2). Furthermore, not all Kurds are supportive of the initiative, especially those with conservative or Islamist views who are distrustful of the HDP's left-liberal positioning. The HDP's small share of votes in recent local elections (albeit elections dogged by claims of rigging) might seem to confirm the party's lack of long-term prospects.

The Kurdish question remains one of the most serious blocks to progress for the Turkish Left, and as previously noted, the CHP is faced with major difficulties in this respect. The prospect of greater co-operation between the CHP and parties with more Kurdish associations, whether they be the HDP or others, may seem unlikely at this point. Turkey's turbulent, fluid political history suggests that supporting and co-operating with smaller, newer parties can be a strategy that pays off in the long term. The AKP won a landslide victory just over a year after their formation, although they could draw on the supporters of some of the conservative parties from which they were formed. On the Left, while the CHP itself has been out of power for decades, one of its offshoots, the Democratic Party, briefly achieved considerable electoral success at the end of the 1990s, bringing the left-wing (and former head of the CHP) Ecevit in to power. Looking back further, smaller and more consistently left-wing parties have achieved some success within Turkey, such as the Turkish Labour Party in the 1960s (Doğan, 2010: 321).

For either the CHP or parties like the HDP to make progress in reforming themselves as genuinely social democratic parties who can successfully confront

the AKP – a party that can draw on support from both mainstream and Kurdish conservatives in Turkish society – it would seem to be both necessary and desirable that more work be done to reduce the political distance between them. A more active position from the PES could help to facilitate this, and at the very least provide a more neutral space outside of Turkey to enable more open-minded CHP and HDP activists to potentially overcome mutual suspicions and find common ground.

Conclusions

Although the current situation in Turkey is changing rapidly, there are still some relatively clear aspects with regards to progressive left politics and EU accession. The first is that while the CHP may appear to be the most pragmatic choice of partners in the short term, especially given the recent turmoil across Turkey, its foundations and history upon which it still places considerable emphasis, predicate against an easy alignment with social democratic values. While some have argued that the party is moving towards a more convincing social democratic position, without foundations in the poorer sectors of society, the times it has done so in the past have tended to be the result of calculated political reasoning rather than a solid ideological core. Its support base among employers, civil servants and the established middle-classes rather than workers, and its authoritarian and defensive reflexes and its stance against (religious) tolerance, means many elements within the CHP resemble European conservative parties more than social democratic ones.

Given the present state of Turkish politics, with Erdogan's regime exhibiting increasingly authoritarian tendencies, it might be understandably tempting for the PES to overlook the CHP's internal contradictions and maintain co-operation in its present form. But the increasingly dire situation that many leftwing trade unionists, activists, journalists and political representatives outside the CHP are facing in Turkey at this very moment demands that stronger action be taken to encourage genuine leftwing reform within the party. In the past few years there have been a few promising signs, with greater co-operation with the PES at conferences and workshops, and evidence such as the attempted 'Occupy

CHP' campaign that youth activists within the party are demanding change. However, these will require concerted effort to achieve, and there are just as many signs – deteriorating relations with trade unionists on the ground, the failure of the Occupy CHP movement to achieve any traction within the party, and even worrying indications of ultra-nationalist sympathies among some party representatives – to suggest that this is not currently working.

Two concrete proposals can be made. First, more meaningful dialogue should be encouraged between the PES and the CHP through the attendance of activists at joint events, conferences and workshops. In particular, it may be the case that co-operation between youth activists, as has been seen in recent years, may reap dividends down the road in terms of greater understanding on the part of European leftwing parties about the often unique landscape of the Turkish political scene, and a more convincingly leftwing agenda from the CHP. Second, every effort should be made by the PES to encourage CHP reform on the Kurdish question, in the hopes that a more pluralist position can be arrived at, and subsequently a more unified left in Turkey might emerge which can realistically challenge the AKP's current strangle hold on power. It seems unlikely that this transformation can be undertaken without co-operation with Kurdish parties, making it prudent to start building relationships with parties like the BDP, the HDP, or any successor parties that might emerge over the next decades. Smaller and younger parties could benefit significantly from the combined resources and experience of the PES, and this could help shape their outlook on the EU at a formative stage in their development. For example, the few statements from HDP members on the EU suggest a party which has yet to come to a firm conclusion on its benefits, and a clear signal from the PES that the European left are interested in their development could be highly beneficial at this stage. Working with the PES could enable the HDP to both develop a more internationalist outlook, and a more comprehensive approach to EU policymaking that will put it in a better position for the 2015 national elections in Turkey. Attendance by their members and activists at PES events might help facilitate progressive Kurdish causes and create better understanding within the European Left and the CHP about the specific nature of their problems. The ultimate aim must therefore not simply be a more diverse but unified left within Turkey, but also within the entirety of Europe as well.

In the past year, one thing has become clear – there is increasing dissatisfaction with the status quo in Turkey, both with regards to the country’s increasingly authoritarian internal governance, and its slow to stagnant progress towards EU accession. These two issues are closely connected, as Turkey’s precarious prospects of membership have begun to dissolve the impetus for positive democratic change in the country, which in turn makes Turkey look like an increasingly unsuitable prospect for EU membership. Ultimately, regardless of whether Turkey will ultimately join the EU, the progressive European Left must reform its position on leftwing politics in Turkey if it is to remain relevant both within and beyond the borders of the European project.

Party of European Socialists

14

The positive impact of the EU accession process on democracy and the rule of law

A PES priority

SERGEI STANISHEV

Democracy in Europe is facing a difficult time. We are experiencing the rise of intolerance, racism, xenophobia, violence and the growth of right-wing extremist and populist parties and movements on one side, while on the other, there is disappointment, and the lack of trust that EU citizens have in the EU institutions.

Our response to this Europhobic populism is based on our progressive vision. We have a strong partnership with the countries of Eastern Europe and the Mediterranean. In South Eastern Europe, we have a process of enlargement which stimulates reconciliation, peace and dialogue in a zone that only a few years ago was torn apart by a war based on ethnic differences. We are prepared to continue to manage these processes, the continued resistance to and the force of attraction of the European project.

Our core message during the last European election campaign was to fight for a Europe that progresses, that protects and that performs. This is our commitment for the next five years. Top of the list of our ten priorities is the 'respect of EU core values'. The respect of EU fundamental values, freedom and rule of law is the basis of our common European project. It must be respected by all EU member states, and upheld to defend the rights of each and every citizen. We will fight to have democratic equality, because we strongly believe that the principle of equality and non-discrimination must be at the heart of any European action.

Thanks to the European Union's enlargement with Central and Eastern European countries, the EU's fundamental principles gained a new incentive. Twenty years ago the Western Balkans was torn by conflict. Now the situation in the region is changing step by step. On 1 July 2013, Croatia became the lat-

est member state of the European Union, marking another milestone in the construction of a united Europe. It was also the first country that completed the Stabilization and Association Process and fully respected the Copenhagen criteria and core values of the European Union (democracy, rule of law and the respect of fundamental rights).

The presence of Croatia has a positive effect on the Balkans insofar as the other states in the region will have no other option than to implement deep reforms in order to conform with the Copenhagen criteria, if they want to join the Union. Thanks to its stable democracy, its ability to meet the obligations set by the EU and by adhering to the Union's standards, Croatia is now considered to be a role model and a road opener for the Western Balkan countries aspiring to join the EU.

Montenegro has moved to a new stage on its path to membership of the European Union. Although it made good progress by supporting deep reforms in the fields of judiciary and fundamental rights and on justice, freedom and security, Montenegro still has to strengthen the right of freedom of expression and bring to justice all those guilty of violence and threats against journalists.

For Serbia, 2013 has been an extraordinary year. The historic agreement of Serbia and Kosovo is further proof of the transformative power of the European Union's perspective. This also shows what can be achieved with political will, courage and support. The signing shows the concrete will of both sides to get closer to the European project. Although it has built positive regional cooperation over the past months, however, Serbia still has to implement key reforms in the field of justice, build democratic administrative institutions and strengthen the fight against corruption and organized crime.

In the Former Yugoslav Republic of Macedonia, last years' political crisis demonstrated the excessive polarization of politics in the country and the lack of normal political discourse. Its emergence from the crisis enabled the continuation of reforms while the agenda of the European Union remains the country's strategic priority. Similarly to Serbia, the Former Yugoslav Republic of Macedonia needs to step up its battle against organized crime and improve relations with some of its neighbours. We are concerned by the lack of freedom of expression the media is faced with but also with the discrimination sexual minorities face on a daily basis.

Led by the socialist Prime Minister Edi Rama, the government of Albania has made significant progress. Key laws and the parliament's rules of procedures

were adopted with cross-party support. The elections were the most democratic in Albania's history and the people gave a clear mandate to their leaders. In June 2014 Albania was granted the status of a candidate country.

In Bosnia and Herzegovina the situation is a bit more difficult. So far, there has been a lack of political will to implement the needed reforms and a refusal to implement the Sejdic-Finci judgment – which requires constitutional amendments to eliminate ethnic discrimination and ensure ethnic minorities sit in High Office positions – making it hard for the country to take further steps on its EU path.

Outside of the Western Balkans, two other countries have been in talks for future accession: Turkey and Iceland. Considering the size of the country, the strategic geo-location and the strength of the economy, Turkey is a very important strategic partner for the European Union. Over the past few months, Turkey and the EU have worked together to overcome mutual challenges such as the increasing threat posed by the terrorist group called the Islamic State. We heartily welcome Turkey's firm commitment to fighting terrorist threats, fully understanding the burden that has been placed on the country by terrorist threats emanating from Syria and Iraq.

Several democratic concerns were also raised due to the violent handling of the Gezi Park demonstrations in Istanbul, and to the fact that Turkey is one of the leading jailers of journalists. There were 40 journalists in prison in 2013, but in March the Turkish courts freed eight journalists from prison. The EU has to press the leadership into reforming the judicial system, and also push for the normalization of the country's relations with other EU Member States such as Cyprus.

Finally, despite being in an advanced state of negotiations with the EU, the newly elected government of Iceland has decided to put them on hold for the moment. That is their decision; but we should keep the door open for this nation as it remains an important ally for us.

Our heartfelt desire is for a European Union united in diversity. We want the enlargement of the EU but not at any cost and not without clear rules. We should not simplistically wish for a larger Union but should rather consider what kind of Union our future member states will be joining. We must ensure that future accessions are based on the strict, but fair, conditionality rules and that candidate states fully respect all our European fundamental values. The rule of

law should remain the priority in the accession procedure. We hope to welcome new member states that have made deep economic reforms ensuring that benefits will be felt both by the EU and by the citizens of the country. For us it is also very important that the countries wishing to be part of the Union have working democratic institutions, with strong working oppositions, capable of sustaining free and fair elections, freedom of association, expression and assembly and a free press and media, with efforts to combat corruption, reform security and law enforcement but also guarantees to ensure the basic freedoms to its citizens and sexual and ethnic minorities.

The PES will work to find new tools to protect democracy, because the current crisis of democracy shows that EU values are not respected everywhere, as we assumed. Meanwhile we continue to ask countries wishing to join the European Union to fulfil the so-called Copenhagen criteria.

The Copenhagen criteria are monitored during the accession process, but once a candidate country become a full member state of the EU the monitoring stops and no strong actions are taken in the event of any violation of democratic principles. We need to find new mechanisms that together with Article 7 of the Treaty of the European Union, which represents the only way to act in case of a breach, will ensure the respect of democracy, the rule of law and human rights by all 28 European member states. European countries are ready to discuss such a new mechanism, and the PES has to lead this discussion.

The last European elections showed we have built a truly European movement, uniting the PES family and energizing grassroots PES activists across Europe. We contributed to the victory of democracy during those elections, because we were the promoters of the Spitzenkandidaten, the first political family to select our common candidate, involving democratic participation, though a more transparent procedure.

The Spitzenkandidaten process has been a democratic success. Candidates faced a new challenge, a big Europe-wide campaign, public debates, and social media involvement. For the first time ever, European citizens had a direct say to designate the President of the European Commission, and this represents a great victory because we need to get people closer to EU institutions. 2014 may be considered a kind of test-run, but from 2019 onwards, EU citizens know they can contribute to defining the political orientation of the European Commission.

We will fight to have decisions taken at the most appropriate level, be it local, regional, national and European and to increase the participation of youth and of migrants. We believe in citizens being active participants and not passive consumers, but this participation has to be based on rights, and has to trust in political decision making. Against the threat of populist and extremist parties we need to ensure the accountability of political actors and institutions, though a fair balance of power and democratic control including citizens too.

The PES has decided to launch the PES Network on Democracy and Society to come up with proposals to strengthen freedom and democracy in Europe, together with PES member parties, on the regional, national and European level. Through our new network, we will also launch a multiannual campaign on democracy (2014-2018) aimed at raising awareness of human rights violations and to promote a democratic Europe.

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About the authors and editors

JAN MARINUS WIERSMA studied history at the University of Groningen. For fifteen years he was Member of the European Parliament and its Committee on Foreign Affairs. He is visiting fellow at the Wiardi Beckman Foundation and at the Netherlands Institute of International Relations Clingendael. He also serves as senior political adviser to the Netherlands Institute of Multiparty Democracy. He has (co-) published many books and articles on a wide range of subjects including East-West relations, democracy development and minorities.

ERNST STETTER was nominated as Secretary General of the newly created Foundation for European Progressive Studies (FEPS) on January 30th 2008. He is also a regular commentator on EU affairs in the media. He is an economist and political scientist. He studied in Tübingen and Heidelberg (Germany) focusing on international trade, finance, economic and social policy as well as development issues. In 2003 he received the French decoration of Chevalier de l'Ordre national du Mérite.

SEBASTIAN SCHUBLACH is Head of Department for International Politics at the Vienna-based Karl-Renner-Institut (RI), the political academy of the Austrian Social Democratic Party. He is a graduate of the University of Vienna, studied International Development, focusing on international trade, economic and social policies. His responsibilities at the RI include the organisation of international trainings, seminars, conferences, and publications on International Politics and Development Policies. Before joining the RI, he was active in youth politics, serving as International Secretary of the Austrian Socialist Youth, Board Member of the Young European Socialists (ECOSY/YES) and Vice President of the International Union of Socialist Youth (IUSY).

VEDRAN DŽIHIĆ is Senior Researcher at OIIP, Austrian Institute for International Affairs. He is lecturer at the Institute for Political Sciences, University of Vienna, Non-Resident Fellow at the Center for Transatlantic Relations, School of Advanced International Studies, Johns Hopkins University, Washington D.C.

RENÉ CUPERUS is Director for International Relations and Senior Research Fellow at the Wiardi Beckman Foundation, think tank of the Dutch Labour Party (PvdA). His current research topics are: the rise of right- and left wing populism in Europe and the erosion of post-war democracy; the malaise of the European Project; the complexities of 'multicultural' societies. He writes a column for the daily *de Volkskrant* and contributes a blog to Social Europe Journal, E-journal linked to the London School of Economics (LSE) and to The State of The Left of London-based think tank Policy Network.

BIHTER SOMERSAN is currently a professor for Political Science and Gender Studies at Beykent University in Istanbul. She earned her PhD magna cum laude in Political Science from the Johann Wolfgang Goethe University, Frankfurt in 2010. Somersan is a fellow of the Friedrich-Naumann Foundation, a Marshall Memorial Fellow of the German Marshall Fund and is further a founding member of the women's organization Equality Watch Women's Group (EŞİTİZ).

THEOFANIS EXADAKTYLOS is lecturer in European Politics at the University of Surrey (UK). His research agenda includes Europeanization of foreign policy, politics of austerity, issues of policy implementation and political trust, the current Eurozone crisis in connection with the rise of populism and the emergence of stereotypes in the media.

MARKO VUJAČIĆ is a PhD candidate at the University of Graz, focusing his research on federalism and multilevel governance. He holds a MA degree in Human Rights from the Central European University and a Master of European Studies degree from the University of Bonn.

MAJA NENADOVIĆ has a PhD from the University of Amsterdam (*Installing Democracy in the Balkans? Analysis of Political Party Assistance in Bosnia-Herzegovina*

and Kosovo, 2012). Currently she is engaged in multiple projects worldwide, working as a political consultant, human rights trainer, debate and public speaking coach, and researcher.

TAMÁS BOROS is political analyst, director of the Budapest-based Policy Solutions, a political research institute. He is also member of the Scientific Council of the Foundation for European Progressive Studies (FEPS). His publications and articles mainly focus on euroscepticism and right-wing extremism. Boros is regularly invited as political commentator in Hungary's leading news channels, and he also frequently gives interviews to the most important international and Hungarian newspapers.

GORDAN GEORGIEV is former MP and Vice President of the Social Democratic Union of Macedonia (currently main opposition political party). He studied at the IEP de Paris and King's College London. Prior to his political engagement, Georgiev was Director of the Macedonian School of Politics and Executive Director at Forum CSRD, one of the most important think tanks in Macedonia. His expertise includes research projects on decentralization, inter-ethnic relations, regional security issues, political parties' consolidation, regional political cooperation, international relations. He is a contributing author in *Reshaping the Image of Political Parties in SEE* ed. by Georgi Karasimeonov (March 2007).

DENIS PRESHOVA is a teaching and research assistant in the Department of constitutional law and political system at the Faculty of Law 'Iustinianus Primus' in Skopje. Currently he is a PhD student in comparative constitutional law and EU law at University of Cologne, Germany.

CORINA STRATULAT is Senior Policy Analyst at the European Policy Centre where she works on issues related to EU enlargement to the Balkans and EU institutional developments. Her research interests include comparative Central and East European politics, elections, democracy, EU institutions, integration and enlargement policy. She holds a Master of Philosophy in Contemporary European Studies from Cambridge University (Cambridge, UK) and a Doctorate (PhD) in Political and Social Sciences from European University Institute (Florence, Italy).

DANIJEL TADIĆ is a Project Manager at the Foundation Max van der Stoep, international political foundation of the Dutch Labour Party, and the European Forum for Democracy and Solidarity, a platform for cooperation between social democratic political parties and foundations active in East and South East Europe. He holds a Master of Political Sciences from the University of Amsterdam.

ALEKSANDAR SEKULOVIĆ studied law at the University of Skopje and in 1975 he became Dr. in sociology of politics at the University of Belgrade. He is author of many articles, studies and books such as: *Theory of the Ruling Class* (1982), *The Industry of the Amusement and the Theatocracy* (2010), *The Serbian Nationalism and the Yugoslav Tragedy* (2012). He is Member of the Gaetano Mosca International Committee for the Study of the Ruling Class and deputy president of the Alliance of the Antifascist of Serbia.

BEN TAYLOR is currently completing a PhD in the history of electronic surveillance technology in late twentieth-century Britain at King's College, London. He has also contributed to the Young Academics Network of the Foundation for European Progressive Studies since 2013.

SERGEI STANISHEV holds a PhD in History. From December 2001 until July 2014 he has been Chairman of the Bulgarian Socialist Party. He was Prime Minister of Bulgaria from 2005 to 2009. Currently he is a Member of the European Parliament. In November 2011, he became interim PES President and during the 9th PES Congress in September 2012 he was elected PES President.