**External Actors and Regime Change:**

**How Post-communism Transformed Comparative Politics**

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*Presented at the 14th Biennial Conference of the*

*European Union Studies Association, Boston, March 2015*

The fall of communism was destined to open up new avenues of research in comparative politics as East European states embarked on regime change on the world’s most densely institutionalized continent, creating complex puzzles about the relative importance of domestic and external factors in explaining policy and regime outcomes over time. Myriad external actors such as transnational non-governmental organizations, private foundations, governments and international organizations moved in to lend a hand in shifting these states away from communism, many sharing the broad goal of laying the foundations for liberal democracy. And this seemed like a good fit: The Western model of liberal democracy, rule of law, and market capitalism had been internalized by dissidents in key states well before 1989.[[1]](#footnote-1)

The revolutions in East Central Europe were about emulating and joining the West. In a handful of states these were extraordinary, joyful moments of regime change, with the leitmotif of the “return to Europe” carrying the day. But even though the great majority of communist states and their successors were building new forms of authoritarianism even as they dismantled communism, and even though in the disintegrating Yugoslavia these new forms of authoritarianism were twinned with civil war, Western actors expected something else: that many post-communist states could and would travel the road to liberal democracy, albeit at different speeds and with different amounts of Western help.[[2]](#footnote-2) The expectation proved right only for a limited number of cases, but at least competitive elections became the norm, planting the seed for different kinds of electoral breakthroughs, however ephemeral, in the future.[[3]](#footnote-3)

**The Impact on Democratization Theory**

How has regime change in post-communist Europe challenged comparative politics theory in the broadest strokes? Canonical democratization theories argue that regime outcomes are determined by variations in class structure over time: The post-communist transitions are a challenge to the centrality of a mobilized working class or of a democratically-minded bourgeoisie that pushes for democracy.[[4]](#footnote-4) As Michael Bernhard argues, communism created a completely different class structure than posited by these scholars. We have to let the region’s oppositional intelligentsia stand in for the bourgeoisie -- and speak for the working class – in agitating for regime change.[[5]](#footnote-5) At first glance the post-communist transitions also disconfirm theories that posit that high income inequality is a necessary spark for democratic revolutions.[[6]](#footnote-6) Income inequality, however, gains more purchase as an explanation of the revolutionary impulse if you transnationalize it: The relative consumer deprivation of the east as compared to the west did motivate East Europeans to take to the streets, especially in those countries where the reach of Western television and pop culture was the greatest. And while “revolution” was really about imitating Western prosperity, in East Central Europe – unlike in Latin America -- attaining political rights and freedoms would go hand in hand with deregulation, marketization and economic growth. Among many factors at play were high levels of education, skills, industrialization and urbanization – the positive developmental legacies of communism that were amplified by the proximity of the EU’s vast internal market.

In the end, however you stretch them, already in 1989 democratization was much more externally driven – by changes in Moscow and by inspiration from the West -- than any of the existing theories expected. Scholars turned to explaining the hugely divergent political outcomes that followed the end of communist rule. By the mid-1990s, this included studying the causal mechanisms that translated the actions and assistance of external actors into domestic political change. However, scholars have needed theories of what domestic factors put post-communist states on such different trajectories after 1989 in the first place in order to hypothesize about how external influence may be changing these outcomes. In the broadest strokes, scholars have explained this huge divergence by identifying variation in the legacies of the communist and pre-communist period, and showing how they determined which constellation of elites and institutions were most powerful at the moment of regime change and in the decisive early transition years.[[7]](#footnote-7)

How do the findings of scholars that study post-communism impact how democratization theory treats external actors? The big, overarching finding is dramatic: external actors can, under certain conditions, tip the balance in favor of democracy by offering strong rewards conditional on complying with tough requirements. The main player has been the EU, although other actors have taken part.

This simple finding is consequential for all three major strands of democratization theory. The strand that privileges social structure includes theories that expect ethno-linguistic diversity to put states on a more difficult trajectory towards democracy than ethnically homogenous ones. Political change in post-communist Europe confirms these expectations.[[8]](#footnote-8) Yet international actors have made an important difference. As a condition of membership, the EU has compelled candidate states to bolster minority rights and cooperate with other organizations, such as the Council of Europe and the ICTY. As discussed below, it has also punished political parties that use ethnic scapegoating to win votes by signaling to electorates that in government these parties will slow accession. Scholars have therefore argued that in certain cases, joining the EU has helped attenuate the problems that ethno-linguistic diversity poses for democratic consolidation.

Another strand prioritizes the constellation and agency of elites on the ground. Elite groups can spark the revolution – and help determine the political outcomes that follow. [[9]](#footnote-9) What 1989 and its aftermath show us most clearly – and what I detail below – is that external actors can change the balance of power among competing groups of elites. They can also provide incentives for elites to change their behavior – both their policies but also their attitudes toward respecting the institutions of democracy. Indeed the cooperation of external and internal actors can tip the domestic balance in favor of one set of policies – or even a regime type – over another.[[10]](#footnote-10)

While social structure (class, ethnicity, religion, language) is the focus for some democratization scholars and elite agency (the constellation of elites on the ground) is central for others, a third strand argues that state capacity must not be overlooked: without a strong and competent state, democracy cannot take hold.[[11]](#footnote-11) The post-communist region tells us that indeed a strong state is key – and “strength” must include a state’s ability to resist state capture by small groups of rent-seeking elites. It also shows us that here again international assistance can play an important role. While the United States has long emphasized the role of social movements and free elections in bringing democratic consolidation, the EU has looked selfishly to its own needs: new members with strong state capacity, able to implement and enforce tens of thousands of pages of *acquis* *communautaire*. As I discuss below, most new member states (along with many old ones) fall far from the mark. And yet it would be hard to argue that EU accession has not improved the state and how it treats the citizen in important ways.

**The Leverage of the European Union**

The economic power of the EU gave it substantial leverage over its democratizing neighbors. EU membership as a political and even civilizational goal was soon all but eclipsed by the economic imperative of gaining access to the EU’s immense and highly protected market in a bid to fuel economic recovery and development. The EU’s miserly response to democratization on its borders, as measured by a long delay in market access, was codified in the first round of association agreements with its eastern neighbors in 1991. Yet in 1993 the EU set down the Copenhagen Criteria for aspiring candidates. This dialectical situation – an EU open to new members in principle but closed to their goods and people in practice – helped create a post-communist “enlargement shock” for the EU that continues to this day.[[12]](#footnote-12)

Gradually, however, the EU stepped up: The EU’s pre-accession process became a kind of super-structure for external influence in the region – and it remains so to this day. For scholars, the EU exerting more or less the same passive and active leverage on a large group of potential candidate states made it possible to hold external influence constant, and study the variation in how domestic actors responded to it.[[13]](#footnote-13) Many scholars agree that the EU has been causally by far the most important external actor shaping domestic political change – directly and also by outsourcing its leverage to otherwise toothless organizations, such as the Council of Europe, the Organization for Security and Cooperation in Europe (OSCE), and the International Criminal Tribunal for the Former Yugoslavia (ICTY).[[14]](#footnote-14) The EU’s pre-accession process has generated powerful incentives that shape policy choices in EU-eligible states in ways that are largely consistent with building liberal democracy. However, it became clear later that conflating earning EU membership with attaining a high quality of democracy was too optimistic.

Eventually, the EU recognized enlargement as its most effective foreign policy tool, and it is quite likely that enlargement has been the most successful democracy promotion policy ever implemented by an external actor.[[15]](#footnote-15) It is worth stressing, however, that the bar for the EU here is very low: as discussed above, comparative politics scholars have generally found that external actors have little success in fostering democratization. The EU, moreover, hasn’t acted alone, and its influence has more or less been limited to credible future EU members. Scholars, for example, have pointed to the diffusion across a much broader region of techniques (and enthusiasm) for toppling authoritarian regimes among transnational civil society organizations supported by the United States government, and by some post-communist governments hoping to export their good democratic fortune to neighboring states.[[16]](#footnote-16)

When it comes to the mechanics of EU leverage, for two decades now the basic equation underpinning the enlargement decision has not changed: The substantial benefits of joining the EU and the costs of being excluded create incentives for post-communist governments to satisfy the EU’s comparatively vast entry requirements. Membership brings economic benefits and also a very agreeable geopolitical change of fortune through the protection of EU rules, a new status vis-à-vis neighboring states, and a voice in EU institutions.[[17]](#footnote-17) These benefits continue to be substantial despite the financial crisis and the loss of confidence that have plagued European integration since 2008.[[18]](#footnote-18) In comparison, other international organizations and other kinds of external actors still have, individually, much less to offer – and have asked for much less in return.

What kinds of domestic changes can EU leverage really help bring about, and what are the causal mechanisms that translate EU policies into consequential domestic change? In its most basic form, the EU enlargement process helps lay bare the agency of elites and the weakness of institutions. Scholars have shown how the EU’s pre-accession process has shaped policymaking in specific policy areas, especially those where the EU’s *acquis* is extensive and well enforced.[[19]](#footnote-19) Here the key causal mechanisms include government officials responding directly to conditionality, and domestic actors using the EU process to further their *acquis*-compatible policy goals. The causal chain, however, can be much more fascinating and complicated: Connor O’Dwyer shows, for example, that in the area of LGBT rights it was the mobilization of hostile groups in response to the EU’s demands that sparked the mobilization and organization of groups that have been able to push domestically not just for legislative changes but also for changes in social attitudes.[[20]](#footnote-20)

More broadly, EU leverage can help determine regime type by pushing states from one trajectory of political change to another. While in some cases EU leverage reinforces an existing liberal democratic trajectory, in other cases it has been critical in helping to move a state away from illiberal or authoritarian rule.[[21]](#footnote-21) Here the causal mechanisms center around political parties: over time even formerly authoritarian political parties adopt an EU-compatible agenda in order to stay in the political game because competing political parties, interest groups, local civil society groups and even voters have coalesced around the goal of joining the EU.[[22]](#footnote-22)

What has changed dramatically over the last decade is how scholars and other observers debate the merits of the EU’s enlargement process for the quality of democracy in new and prospective members. The concern that the EU was too heavy handed and too dictatorial in imposing its rules and institutions on post-communist members, thereby undermining fledgling democratic institutions and processes, has been almost entirely eclipsed by criticism that the EU was not stringent, explicit and consistent enough in its demands – and not vigilant enough in its enforcement. This criticism is fueled by frustration with the assault on liberal democracy in today’s Hungary, and by the problems with corruption and the rule of law in Bulgaria and Romania. While Hungary’s problems stem from an exceptional set of circumstances, problems with corruption and the rule of law are more universal and perhaps more urgent: other recent graduates of the EU’s pre-accession process such as the Czech Republic and Slovakia are also playgrounds for elites that prey on the state, and reform may be even more challenging in the Western Balkan candidates where war, sanctions and isolation have warped more profoundly the rebuilding of the state after communism.[[23]](#footnote-23)

In this area, it is fair to say that too many scholars have mirrored the behavior of politicians: It is easier for politicians to blame the EU for what frustrates their voters than to offer them a necessarily complicated picture of real causes and possible remedies. Similarly, when faced with stalled or shoddy reform in a prospective or new EU member, it is easier for scholars to point to the shortcomings of EU policy than to untangle the complicated domestic factors that have allowed contented power holders to perpetuate the status quo. It is ultimately domestic actors that respond to EU incentives – or not – as they make choices about the pace and quality of reform. Given the complexity, breadth and relative uniformity of the EU’s accession requirements, the great variation in outcomes even across the EU’s ten new post-communist members underscores that many details of domestic reform have largely been determined by domestic factors.

**The Limits of EU Leverage**

This brings us back to the question of the nature and durability of domestic changes that take place in response to EU leverage. The answer is probably best tackled through the counterfactual: How much worse would things look if the country had been denied an EU membership perspective? Even Romania and Bulgaria, the mal-performers of EU enlargement, have made progress in some areas.[[24]](#footnote-24) Ten years on, there is not a single country on the EU’s borders with an association agreement but without a membership perspective that can be described as a stable liberal democracy with a well-functioning market economy. And while the recent illiberal behavior of governments empowered by legislative supermajorities in Hungary and (much less so) in Romania has caused concern, there is no question that EU membership has had a restraining influence on them.[[25]](#footnote-25) Nevertheless, the egregious ways that the government of Viktor Orban has dismantled liberal democracy in Hungary have revealed how little the EU can do to reign in or reverse policies that erode the quality of democracy.[[26]](#footnote-26) Indeed, in important ways EU and also IMF policies that forced austerity on Hungary helped Orban win so much power; subsequently, neither EU nor IMF policies could restrain him.[[27]](#footnote-27)

The study of EU leverage – and its limits – has also made contributions to the international relations literature. The logic that material rewards and sanctions create incentives for compliance with EU rules is a rationalist argument that engages a debate that has emerged in the international relations literature between so-called rationalist and constructivist approaches. Both seek to identify the specific mechanisms that translate international influence into change: change in the behavior of domestic elites, and change in broader domestic outcomes. Studies in the rationalist camp generally argue that mechanisms based on material interests and rewards explain the lion’s share of policy change owing to international influence. Studies in the constructivist camp argue that other, cognitive mechanisms based on the power of the normative social environment socially must *also* be taken into account to understand fully the timing and content of externally-driven domestic change.[[28]](#footnote-28) In the case of the behavior of the Hungarian government today, there is relatively little evidence that the EU’s social environment has restrained Fidesz’s takeover of the Hungarian state and polity. This has in turn raised the questions whether and how the EU should bolster its ability to materially punish democratic backsliding among existing member states.[[29]](#footnote-29)

Among the EU’s new post-communist members, it is important to identify and address two different if overlapping problems. The first one is the Hungary problem: the ruling Fidesz party is dismantling the “liberal” in liberal democracy (and bragging about it).[[30]](#footnote-30) It has used its parliamentary supermajority to concentrate power in the hands of party members, chiefly by passing legislation and constitutional amendments, but also by violating norms related to the participation of rival political party members as well as independent individuals in the running of public institutions.

The second one is the endemic corruption problem: rent-seeking elites taking advantage of weak rule of law and weak state capacity to capture state institutions and funnel huge amounts of public money to private bank accounts. Some of this corruption is certainly organized by and around political parties – but it needs no constitutional majority to go forward, and in some areas it is agnostic about which political parties are in power. A good example is the Czech Republic: While the recent constitutional shenanigans of the Czech president raised alarm bells about the spread of “the Hungary problem,” this was really nothing compared to the endemic corruption over the last two decades that the police and judiciary have hardly touched.

Constitutional tampering to concentrate power in Hungary and (much less so) in Romania since EU accession can be described as “backsliding” in the quality of democracy. But it is worth pointing out that this is not the case for corruption. The EU’s new post-communist members didn’t slide backwards; they joined the EU with a weak judiciary and very high levels of corruption in place. Several current member states consistently blocked attempts by the European Commission to highlight corruption and even problems with the judiciary in the Regular Reports, and to demand institutional changes to address them. The logic for states such as Italy, Greece and even France was that they did not want corruption to become part of the EU’s purview. It was only when the corruption problems in Bulgaria and Romania hit their national media during the growing financial crisis that some EU governments could be persuaded to address the problem.

Too little, too late, the Cooperation and Verification Mechanism (CVM) was created to attempt to extend some of the EU’s leverage in the pre-accession process to the post-accession period for Romania and Bulgaria. The CVM was supposed to move mountains, and given a toy shovel to do it. Even so, it did have some effect: specific legislative and institutional reforms were clearly pushed through in response to the CVM reports, especially when progress was tied either, early on, to the provision of EU funds or, more recently, to entry into Schengen (a move opposed, strangely, by the Commission). The CVM clearly had the most traction on Bulgarian and Romanian governments when ruling political parties saw a positive report as directly tied to their electoral chances. Unlike in Hungary, EU institutions are highly trusted by the citizens of Bulgaria and Romania – far more than their own institutions – and this can give the EU considerable traction. However, the CVM was reminiscent of the pre-accession process for all ten post-communist new members in areas such as the reform of the public administration and the judiciary: It seemed as if the EU didn’t believe in its own mechanism. The number of officials working on it was so small and, more important, the sanctions attached to misbehavior were highly limited from the start.[[31]](#footnote-31)

**Does EU Leverage Still Work in the Western Balkans?**

In the 2010s, enlargement continued in difficult circumstances – and some have questioned whether it has continued at all. For years, the EU has been preoccupied and weakened by the financial and economic crisis that has undermined national economies and left many national leaders on shaky footing at home. Meanwhile, the Western Balkan states in the pre-accession queue are themselves no picnic: In the 1990s, most were involved in civil war that caused or worsened problems related to sovereignty, territory, ethnic minorities and state capture. They face severe problems that require an overhaul of the state and economy – and it is an open question whether the EU’s leverage can bring about sustained reform in all of them.

Yet EU member states continue to make choices – year after year – that keep the enlargement process going. The states left in the membership queue have greater security risks and lower economic potential than the previous post-communist applicants. Paradoxically, this has reinforced the commitment of EU leaders to enlargement: the dividends from the “democratizing effect” of the enlargement process (or the costs of foregoing them) are considered substantial, while the economic adjustments brought on by the accession of such small economies will be low. The EU now stands resolute about enforcing higher standards related to the rule of law and the fight against corruption, but it has relatively little expertise since these and other areas bearing on the quality of democracy have been addressed only indirectly by the existing *acquis*.[[32]](#footnote-32)

Meanwhile, the enlargement process does continue to have a “democratizing effect.” Some Western Balkans candidates and proto-candidates are responding to the incentives of EU membership in much the same way as their post-communist predecessors in the membership queue did. As predicted, in some cases, political parties have fundamentally changed their agendas to make them EU-compatible, and governments have implemented dramatic policy changes to move forward in the pre-accession process.[[33]](#footnote-33) The underlying dynamic of the EU enlargement process is still asymmetric interdependence: the candidate states stand to gain more from joining the EU than do existing members.[[34]](#footnote-34) It is therefore in their national interest to comply with extensive entry requirements in order to secure membership through a lengthy and uncompromising process – and one that is arguably imposing more conditions on the Western Balkan candidates than on previous ones, and interfering more extensively in areas related to national sovereignty and identity where its legitimacy and efficacy is being tested.[[35]](#footnote-35)

As EU leverage zeroes in on building independent institutions and fighting corruption, it poses a greater threat to the wealth and power of entrenched rent-seeking elites than before. As Croatia’s membership trajectory illustrates, what is good for the country as a whole is not necessarily good for corrupt ruling elites, and it remains to be seen how many can be unseated by political competition in concert with EU leverage. Conditionality is only credible because the EU is willing to stop the process when a government is not making progress on crucial domestic reforms. For this reason, the enlargement process must sometimes come to a standstill for some candidates – and this is not necessarily a sign that it is being poorly managed. That said, in certain areas the EU grapples with problems of expertise, legitimacy and consistency that have, for example, helped to undermine the incentives for reform in Bosnia and Macedonia.

Beyond the Western Balkans, the EU faces the challenge of regulating its relations with Ukraine, Moldova and other post-Soviet states through the framework of the European Neighborhood Policy (ENP). The founding idea of the ENP was to harness some of the leverage from enlargement into a process that does not offer the membership reward. In contrast to the success of enlargement, the ENP has been seen as a failure: the EU has offered too little market access and political cooperation to countries run by authoritarian elites unmoved toward real reform. As a consequence, a new developmental divide is developing at the EU’s eastern borders.[[36]](#footnote-36) But recent events in Ukraine show that the EU’s passive leverage – the attraction of membership – still resonates, and that in the counterfactual where the EU offers Ukraine substantial help and the perspective of membership, political change there might – perhaps – have been different.

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