
Book Review

Democratization within the EU

Luca Tomini (2015) Democratizing Central and Eastern Europe. Successes and Failures of the European Union. Routledge.

The role Eastern European countries play within the EU raises many concerns and became one of the hot topics of European studies. In certain periods it seems that many of these countries are open to abolish certain parts of the democratic systems they built after the fall of the iron curtain and tend to return to their previous authoritarian course. The question how to effect these changes in a positive way becomes especially crucial if we also think about the EU as a community of values. Moreover, if we interpret the development of European cooperation like a set of positive spillovers from areas like the single market to fields such as justice and home affairs (JHA) or fundamental rights, one could argue that a negative spillover could also occur. Certain renitent countries could amend the framework of European integration, block development or perhaps even reverse certain achievements. Some of this negative spillover already got started when the UK received 'permission' to amend its social provisions system regarding foreign workers, thereby harming the basic rules of the single market (Germany also started to introduce similar measures), and continues through Brexit. These actions together with the refugee crisis have put the EU related democratic dilemma and fields like JHA into the center of disputes again. If we add the slow backsliding of the democracy of some Eastern European states, we can easily understand that finding the proper answers to the anti-democratic actions of latter countries could be of elementary importance for the EU to survive as a community. Luca Tomini's book tries to give some hints in this direction, and I believe it is a valuable contribution to the disputes surrounding this topic in Europe.

The book contains seven major chapters (Effective control and proper exercise of the executive power: between democratic consolidation and Europeanization; Democratic consolidation in Central and Eastern Europe: domestic factors, paths and outcomes, The external influence on democracy of the European Union: strategies, tools and limits; Building democratic and accountable governments; Ensuring integrity: between political behavior and policy-making; Accountability and integrity: between national paths and European pressures; Conclusions). It is not clear why corruption received extra attention in a special chapter, while other (especially social) problems received far less.

Nevertheless, the book is an interesting attempt to summarize the actions of governments in certain countries of the region. It presents an analysis to the reader about the major changes of governance in some Eastern European countries (like Poland, Bulgaria, Slovakia). This analysis can be very useful for readers who do not know too much about these countries, and want to have a basic sketch. The author invested effort in collecting the relevant data and connecting it to major authors of political science like the works of Linz and Stepan, Schedler, and Huntington. However, it is not clear which of these works are used later when the country analysis

is made, and what is the definition and content of democracy the author uses. Finding one would be important since one could argue that many forms of democracy may exist, and a majoritarian form also conforms to basic democratic principles. For example, he writes, PM Orbán is ‘transforming Hungary in a majoritarian direction toward a delegative democracy’ (P. 160.). I personally think Hungary is not a democracy any more, at least if we accept the definition of Linz and Stepan the author mentions in the book (‘...if freely elected executives infringe the constitution, violate the rights of individuals and minorities, impinge upon the legitimate functions of the legislature, and thus fail to rule within the bounds of a state of law, their regimes are not democracies.’) (P. 11.) A clear model should have been introduced in the book to show those basic elements of democracy that we want Eastern European countries to respect. Some background theory for the ‘delegative democracy’ the author mentions in the book would also be very useful. Without this framework, many authoritarian governments could claim that what they do is a simple form of majoritarian democracy, and there is nothing to criticize in their actions.

Criticism regarding the country analyzes in the book could be separated into two main categories.

First, the scope of countries is not convincing (the book concentrates mostly on Poland, Slovakia, and Bulgaria). Hungary is missing from the analysis, and only receives a little attention in the last part of the book. It deserves far more attention as its government created the first electoral autocracy (Schedler, 2006) within the EU. Hungary serves as a ‘hub’ for anti-democratic ideas and it was able to achieve many changes that authoritarian regimes in other Eastern European countries could only wish to introduce. All of the major laws were replaced, thereby creating a palingenesis (re-birth) of its legal system. Elections got distorted, the Constitutional Court became a useless institution with nonsensical judgments, other institutions of checks and balances were also abolished, a large scale system of oligarchs was created (partly financed with several billion euros of EU funds, pushing out foreign companies), most of the media became biased, propaganda is pushed at an extreme scale and ethnic racism transformed itself into official school segregation and xenophobia against refugees, only to mention a few tenets of the regime. Other social and economic changes were also in line with these actions. Furthermore, it is also problematic that countries like Romania or Slovenia are missing, too.

Second, even regarding those countries that are mentioned in the book, analysis stays at the level of descriptive introduction into the main actions of these governments. Such books are very important as the European public does not know too much about these countries, but as a result of superficiality, it causes a lack of sincere, deeper questions, such as why these countries behave the way they do? Why do corrupt governments that harm the democratic framework receive public support? What are the economic and social patterns (not governmental elements) that push these countries into an authoritarian direction? One could have some concern whether countries that never had proper democracies were able to build their own democracy if basic elements of such a system are not supported by the population. The author cites charts that prove that in countries like Bulgaria or Slovakia people support democracy. What people understand as democracy in Eastern Europe is basically different from Western Europe, and it makes less sense to claim they want

democracy, if they support authoritarian parties, clearly racist policies, or do not understand the problematic nature of attacking the system of checks and balances. One could also ask what we can learn from history. Can we teach democracy at all? If we accept the claim of social constructionism that social institutions, including the government, are created by individuals and their interactions, does this mean that these countries will remain stuck in their own historical-cultural path, thereby re-creating their mistakes in the future, or can they break out of this circle? What are the tools (see e.g. Snyder, 2017) they should use to break out of their bad historical habits? In order to answer these questions, one should read and use the works of domestic scholars written in local languages (otherwise, the analysis can only rely on the limited scope of the literature in English).

Turning to the role of the EU, the author mentions that the adoption of EU actions was not transparent and consistent. Moreover, he also mentions that the EU was unable to affect Eastern European countries after they joined. However, the analysis of these problems is not deep enough. It could be criticized from two main points.

First, one could ask whether there exists a core of EU values at all. The EU has its serious democratic problems, even apart from the democratic deficit extensively discussed in the scientific literature for decades (see Føllesdal and Hix, 2006; Majone, 1998; Moravcsik, 2002). In many cases, it does not act like an independent organization, but as a confederation of states. As a result of the Council's strong role, Member States have an extremely strong position and they can block any achievement or sanctions against a country – especially, if they cooperate like the Visegrad Four countries do. Decisions and their reasoning are not transparent, serious inconsistencies exist in handling countries inside or outside the Union. Moreover, even some members/institutions of the EU political organization are defending the anti-democratic actions of certain countries. A good example of this is the role of the European People's Party in defending the Hungarian government in the European Parliament. Political opportunism is also present at a country level, which sends fundamental rights, checks and balances and rule of law as EU values into a twilight. A good example for this is the EU-Turkey 'deal' on refugees concluded in 2016, which went against many provisions of EU law and international law, and intoxicated the EU legal system with demagoguery. Many of such examples could be cited, from the missing Article 7 Treaty on the European Union procedures to a Charter on Fundamental Rights, which can only be applied against EU institutions and EU law, but not against Member States. What pressure could we expect from an organization that is so inconsistently organized? The system of the EU gives a lot of free space for political maneuvers to countries, and to me it seems this system was built intentionally to do so.

Second, after finding the values to defend, it could be important to check how EU actions and sanctions should work. In this sense, one could overview the literature on pressuring states and applying sanctions in the theory of international relations. EU policy papers, strategic documents can be cited in scientific publications, but apart from the apologetic arguments we find in them, their content can be seriously questioned. Such soft laws may be useful for cooperative Member States, but not

against non-cooperative ones. In sum, it would be nice to have at least some tools and guidelines which could possibly have some better outcome than present policies.

Over all, I strongly agree with the authors' view that the EU could do by far more to lead Eastern European countries into the proper path of democracy. But first, we have to set clear purposes and outline what we want to achieve with them, and then determine the tools the EU could use. None of these basic decisions are adopted in the present form of European cooperation, which can lead to serious uncertainties.

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References

- Føllesdal, A. and Hix, S. (2006) Why There is a Democratic Deficit in the EU: a Response to Majone and Moravcsik. *Journal of Common Market Studies*, 44(3): 533-562. DOI: <https://doi.org/10.1111/j.1468-5965.2006.00650.x>
- Lijphart A. (1984) *Democracies: Patterns of Majoritarian and Consensus Government in Twenty-one Countries*. Yale University Press.
- Majone, G. (1998) Europe's Democratic Deficit: The Question of Standards. *European Law Journal*, 4(1): 5-28. DOI: <https://doi.org/10.1111/1468-0386.00040>
- Moravcsik, A. (2002) In Defense of the 'Democratic Deficit': Reassessing Legitimacy in the European Union. *Journal of Common Market Studies*, 40(4): 603-624. DOI: <https://doi.org/10.1111/1468-5965.00390>
- Schedler, A. (ed.) (2006) *Electoral Authoritarianism: The Dynamics of Unfree Competition*. Lynne Rienner Publishers, Inc.
- Snyder, T. (2017) *On Tyranny: Twenty Lessons from the Twentieth Century*. Tim Duggan Books.