Import of democracy in the 'grey' post-Soviet space? Evaluating experiences of democracy promotion in Belarus, Moldova and Ukraine, 1990-2002*

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Abstract

This article asks how and when external factors influence domestic political change. Only a limited number of studies have dealt with this question systematically. This contrasts with rising popularity of the democracy promotion agenda among the policy-makers around the world. The article contends that external democracy promoters influence domestic processes of political change through two causal mechanisms: through constraining of autocratic agents and through empowering of democratic agents. The analysis reveals that external democracy promoters can be effective in influencing domestic change; but this depends on the causal mechanism at play and democratic propensity of the domestic regime.

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Introduction

Is it possible to import democracy from the outside? The answer to this question is most likely a confident 'no' as regime change and subsequent democratic development are primarily internal processes shaped by domestic actors and long-term structural factors such as political culture and vibrant civil society, level of economic development and economic performance, geography and the presence (or absence) of natural resources. However, the answers to the question whether and how external factors influence the domestic processes of democratization might be less straightforward. On the one hand, it is difficult not to agree with views that most of the domestic politics has recently become internationalised in the context of our modern interconnected and interdependent world (Strange 1992; Held, McGrew, Goldblatt, and Perraton 1999; Collier 1991). On the other, however, it is extremely challenging for students of the international dimension of democratization to trace effectively the connections between external factors and domestic processes of political change and make theoretically sound generalizations across time and space. In other words, how can one extend the argument on the international dimension of democratization beyond the conventional view advanced in the 1980s that 'external actors tend to play an indirect and usually marginal role' (Schmitter, P. 1986, p.5, in O'Donnell, G., Schmitter, P., and L. Whitehead (eds.)) in the processes of democratization?

One of the more straightforward ways to take further the argument of external factors' domestic influences is to narrow down the scope of analysis to one of the most visibly manifested processes of external-domestic interactions: democracy promotion. By applying various democracy promotion strategies external actors aim to induce democratising states to achieve democratic transition and consolidation. Thus, from the analytical point of view, the examination of the effects of democracy promotion is more feasible in comparison to, say, analyses of more indirect influences of the international context such as effects of

globalisation and democratic diffusion. Democracy promotion activities are conscious and deliberate actions by the international actors to impart new mentalities, new institutions, and new codes of behaviour in a target country. Thus, in order to provide additional theoretical insights with regard to the international dimension of democratization, it is analytically worthwhile to treat the international context as a 'global agent' rather than an amorphous 'structure' with no central logic or leading actor. This article adheres to the agent-based view of democratization and its international dimensions, and asks: how and when do external factors influence domestic political change?

Only a small number of studies attempted to answer these and other questions concerning the international dimensions of democratization (Whitehead (ed.) 1996 and 2001; Pridham 2001; Burnell 2000; Knack 2004; Scott and Steele 2005; Finkel et al. 2007). As McFaul points out, students of both international relations and comparative politics have devoted little effort into answering the question whether external factors influence democratization (McFaul 2007, p.45). A lack of systematic studies on external dimensions of domestic political change contrasts with rising popularity among the policy-makers around the world of the 'new policy agenda' – the linking of development aid to the promotion of human rights, democracy and good governance (Crawford 2001). Especially in the last decade, more and more world leaders have embraced the moral and security benefits of democracy as a system of government. In quantitative terms, vast funds are being spent in various democracy promotion projects. For instance, the USAID democracy and governance aid expenditures escalated from $128 million in 1990 to $817 million in 2003 (Finkel et al. 2007, p.414). Funds for democracy assistance programmes increased 538 per cent between 1990 and 2003, as opposed to total USAID assistance, which increased only by 19 percent (ibid.). In recent years European bilateral donors have been also spending significantly more on foreign democratization aid. Thus, the UK has recently

surpassed Germany (traditionally the most generous democracy and development donor) in democracy aid spending, and since 2001 has tripled its financial allocations for democracy aid (Youngs 2008, p.161). Germany's funding for democracy and development of civil society increased from €180 million in 2000 to €410 million in 2006 (ibid.). The European Commission's European Initiative for Democracy and Human Rights (EIDHR) programme has also slowly grown from €100 million in 2000 to €135 million in 2007.[1] Overall, both the U.S. and the EU spend roughly $1.5 billion a year on democracy promotion (McFaul 2007, p.47).

Rhetorically, policy-makers around the world explicitly praise the virtues of democracy promotion and democracy protection in new, fragile states. On numerous occasions the EU has highlighted the promotion of human rights, democracy and good governance as strategic priorities.[2] Likewise, the former American president George W. Bush emphasized promotion of democracy and freedom around the world as one of his top foreign policy objectives.[3] Thus, it is clear that democracy promotion remains to be at the top of foreign policy agendas of many leaders and policy-makers around the world, yet systematic assessments of effects of such activities are still underdeveloped in the scholarly literature.

This article aims to contribute to the literature on the international dimension of democratization by analysing experiences of democracy promotion and its influences on domestic processes of political change in three post-communist states – Belarus, Moldova and Ukraine – in the period from 1991 to 2002. Specifically, the focus is on developments within a single policy sector: civil and political rights such as freedoms of media and

[1] *Annual Report 2007 on the European Communities' Development Policy and the Implementation of External Assistance in 2006* (Luxembourg: European Communities, 2007), p.16. Available at http://ec.europa.eu/europeaid/multimedia/publications/documents/annual-reports/europeaid_annual_report_2007_en.pdf.
[2] Council of the European Union, A secure Europe in a Better World: European Security Strategy (Brussels: European Union, 12 December 2003).
[3] George W. Bush, 'President Sworn-In To Second Term', January 2, 2005, http://www.whitehouse.gov/news/releases/2005/01/20050120-1.html as cited in McFaul 2007, p.46.

expression. The paper's analytical framework follows approaches recently advanced in the literature,[4] which can be collectively referred to as an *'inside-out'* critical approach.[5] The rationale for this novel approach is straightforward: in order to grasp fully the domestic effects of international democracy promotion the analysis should 'zoom in' first at the domestic context and identify a set of factors that account for democratization (or lack thereof), and then the focus should 'zoom out' in order to examine how external factors influence the value and structure of domestic factors (McFaul 2007, p.47). Thus, it is assumed that external actors can influence domestic political process only indirectly by working with and through domestic actors: for instance, by constraining autocratic actors and empowering pro-democratic forces. As McFaul concludes in the end of his *'zoom in - zoom out'* case-study analysis of the Orange Revolution in Ukraine, 'future case studies structured in similar ways might eventually contribute to theory development in this under theorized field'(ibid., p.82). By adopting this approach and extending the analysis to three under-researched country-cases this article aims to contribute to further development of the theory on external dimensions of domestic political change.

In general, post-Soviet states tend to be under-represented in the literature on the international dimension of democratization, partly because they are often regarded as either democratic 'under-achievers', or, in the worst scenario, as 'hybrid regimes' which combine elements of democratic procedures and largely pro-authoritarian practices (Diamond 2002). Usually these countries fall beyond the sphere of interest of the EU and other multilateral external actors and, as a consequence, they do not show clear links between the democracy promotion activities and domestic processes of democratization. However, examination of such cases is worthwhile as it can provide further insights to theoretical explanations of

[4] See, for instance, McFaul, 'Ukraine imports democracy: external influences on the Orange revolution' and his discussion of merits of *'zoom in – zoom out'* approach, pp. 45-83; see also Pace, Seeberg and Cavatorta 2009, pp.3-19 and other articles in the special volume of Democratization, 16(1), 2009.
[5] Pace et al. acknowledge contribution of Frédéric Volpi in teasing out the *'inside-out'* framework of analysis. See Pace, Seeberg and Cavatorta 2009, (note 3), p. 17.

external actors' effects (or lack thereof) on domestic political change and, in particular, the effectiveness of democracy promotion, even in the context of unfavourable domestic context. Therefore, applying existing theoretical and analytical frameworks to new and relatively unknown cases is useful for theory generation and development.

Also, all three country cases present a number of interesting puzzles. Why, for instance, did the communist government in Moldova adopt most of the required human rights legislation within the first two years of its rule despite pessimistic predictions by media, opposition and scholarly community? Why did authorities in Ukraine suddenly adopt a number of important legislative acts such as the 1999 Framework Act on the Legal policy for the Protection of Human Rights and the 2001 Criminal Code after previously delaying the process for so many years? What can explain the degree of governmental response and timing of their policy decisions in these and other similar cases? On the other hand, what was it in the case of post-communist Belarus that made it so 'immune' to external interferences on the part of democracy promoters? Did external actors play any role in preventing consolidation of autocratic power in Moldova and Ukraine? If yes, how exactly were these effects produced? Why then were external actors powerless in Belarus? These are some of the empirical puzzles which this article attempts to answer.

The article adopts a comparative case-study approach: it applies the same analytical framework and examines operation of two causal mechanisms – empowerment of democratic agents and external constraints on autocratic agents – across the three country-cases. The cases are comparable in a number of important respects. All three country-cases are post-Soviet republics which share similar historical and socio-economic legacies as well as similar transition problems. From the early 1990s all three countries had similar densities of ties to the West and all three have been subject to similar exposure to

democracy promotion activities pursued by bilateral and multilateral external actors. Also, neither country has been very successful in its democratisation efforts so far.

The paper is structured as follows. First, an analytical framework for analysing external and internal dimensions of domestic political changes in Belarus, Moldova and Ukraine is discussed in detail. The second section sets out domestic context of regimes that emerged in Belarus, Moldova and Ukraine in the 1990s – early 2000s. The third section examines the first causal mechanism – empowerment of domestic democratic agents by European organizations involved in each country. The fourth section analyses the second causal mechanism – imposition of constraints and weakening of autocratic agents by European organizations. Finally, the article draws a number of conclusions and discusses some policy implications.

The international dimension of democratization revisited: analytical framework

Various attempts to explain and theorise about democratization and domestic political change have prompted several schools of thought, which offered their own approaches to studying conditions and ways in which two processes take place. Broadly speaking, all these approaches can be classified as either structural or agency-based approaches (Schmitz and Sell in Grugel (ed.), 1999, pp.23-42). The proponents of the former approach (Lipset et al. 1993; Diamond 1992; Diamond 1996; Leftwich 1996; Helliwell 1994) tend to stress the importance of underlying structural conditions such as socio-economic development and a high level of modernization for a successful process of democratization. The advocates of the agency-based approaches (Karl 1990; O'Donnell, Schmitter and Whitehead (eds.) 1986; Di Palma 1990; Przeworski 1986 and 1991) have seriously challenged the structuralist school by questioning a number of democratic transitions from the 1960s and 1970s, which failed to follow the democratization scenario even if the important structures did exist. Instead, they offered a new,

micro-level perspective on democratization, emphasizing the role of domestic actors, their preferences and reactions to existing institutional constraints in determining the pace and character of democratisation. However, despite fundamental theoretical differences between these two approaches, both 'had in common a conviction that external factors were not of significant importance' (Youngs 2001, p.4). Only recently have the scholars of democratization began paying more attention to the role of external variables in influencing domestic political change. These studies posit that the so-called international dimension should be incorporated into any explanation of democratization or, indeed, regime change processes, and that external factors such as democratic diffusion and pressures from international organizations can also foster domestic democratic development (Whitehead (ed.) 1996 and 2001, Whitehead 1999, Pridham, Herring and Sanford (eds.) 1994; Gleditch 2002; Pevehouse 2002 and 2005).

Despite increased scholarly interest in international factors of democratization, the literature on its international dimensions remains to be limited in a number of important respects. First, there are still very few quantitative cross-national studies that measure effects of external factors on domestic democratic change (Knack 2004, Scott and Steele 2005, Kurtz and Barnes 2002, Steven E. Finkel, Aníbal Pérez-Linán, Mitchell A. Seligson 2007). However, as Pevehouse notes, the macro-oriented nature of these statistical tests makes it difficult to identify the particular causal processes behind the correlations of the data (Pevehouse 2005, p.111). Second, most of the qualitative studies on effects of democracy promotion also have a number of deficiencies. Perhaps, the most substantive criticism concerns a lack of theory as both a foundational basis and a final finding: most of these studies rarely go beyond descriptive analysis, tend to focus on a single case in terms of either the promoter or the promoted, and seldom draw on well-established theories of international relations or comparative politics. For instance, often the research on the role of international organisations in democratization tends to focus on a single institution and the particular strategy it applied (Kelley 2004a, p.425).

Thus, a considerable body of literature analysed the effects of the EU conditionality on general trends in the democratization process and, in particular, on specific domestic policies of the Central and East European candidate states (Henderson (ed.) 1999; Grabbe and Hughes 1998; Dimitrova (ed.) 2004). These studies, however, seem to disregard the vast diplomatic efforts of other international and regional organizations such as the Council of Europe (CoE) and the Organization for Security and Cooperation in Europe (OSCE), as well as influential bilateral organizations such as USAID and DFID, that have been actively involved in the region.

Also, as McFaul points out, most studies on effects of democracy promotion (Ottaway and Carothers 2000, Henderson 2003, McDonagh 2008) usually begin by focusing on some component of democracy assistance from a democracy promoter, such as political party assistance, rule of law programmes, civil society development or human rights reforms (McFaul 2007, p.46). This approach is methodologically flawed as 'tracing the causal effect of one kind of foreign assistance on one dimension of democratic development in isolation from other variables influencing democratization is extremely difficult, while making impossible evaluations of progress toward democracy at the national level' (ibid.). In order to effectively trace the impact of all democracy promotion activities that took place in a country one should focus analysis on both suppliers (democracy promoters) and consumers (domestic actors interacting with democracy promoters) in the democracy promotion process as domestic actors are the primary agents of political change and external actors 'can influence outcomes only by working with and through these domestic actors' (ibid., p.47).

Overall, previous studies on democracy promotion have not been particularly optimistic about the beneficial effects of democracy promotion on target countries (Scott and Steele 2005, 2006; Knack 2004; Youngs 2001 and 2004). However, as Finkel et al. indicate, despite somewhat pessimistic findings, it is premature to draw negative conclusions about the impact of democracy programmes (Finkel et al. 2007, p.414). Firstly, more theoretically grounded

assessments of democracy promotion are needed. Often existing arguments on effects of democracy promotion are not linked to broader theories of democratization. The article addresses this particular issue below. Secondly, more systematic comparative studies (large- and small-N) are necessary in order to trace more effectively the connections between external democracy promotion programmes and domestic processes of political change and to produce more generalizable results.

This article draws on theoretical micro-explanations of democratization that emphasize the role of human agency (elite-driven or mass-pressured), institution-building, actor constellations and formation of preferences and strategies that affect the dynamics and trajectories of domestic political change (O'Donnell and Schmitter 1986; Casper and Taylor 1996; Higley and Burton 2006). The paper follows Finkel et al.'s approach and perceives democracy promotion as 'an externally driven, agent-based influence on democratization' (Finkel et al. 2007, p.411). In addition, this paper's argument is based on those theories of democratization that view conflict as a driver of domestic change towards democracy and ascribe coordinated, non-violent mass opposition a significant role in weakening autocratic agents and, in some cases, even overthrowing authoritarian regimes (Acemoglu and Robinson 2006; Weingast 1997; Karatnycky and Ackerman 2005; Ulfelder 2005; Welzel 2007). These theories of democratization argue that the impetus for domestic political change towards democracy occurs not when the distribution of power between the incumbents and potential challengers is equal, which, in turn, incites both sides to compromise and negotiations, but when various societal forces, including the broader public, become powerful enough (through mass mobilisation and acquiring of various action resources) to either demand more democracy or protect it against authoritarian backslide.

Building on this literature, the paper follows McFaul's approach and treats distribution of power between autocratic elements within the ruling elite and pro-democratic elements within

society (or, in other words, 'challengers') as a set of independent variables for explaining domestic political change (McFaul 2007, p.51). The political power of autocratic ruling elites is conceptualised in this article as the unity among the ruling elites and their capabilities to control the state, the coercive capabilities of the regime, and the costs of retaining autocratic rule. The power of challengers is measured in a similar vein: the unity of the opposition and the opposition's capacity to oppose authoritarian practices, including the access to various collective action resources and the ability to organise effective collection action.

Thus, the main aim of the empirical part of this article is to analyse shifts in the distribution of power between autocratic incumbents and democratic challengers in the three country-cases during the period under investigation. Influences of external actors on such distribution of power and its major shifts will also be analysed. More specifically, the article contends that external actors engaged in various democracy promotion activities influence domestic processes of political change through two causal mechanisms: first, through weakening and constraining of autocratic agents (*the 'constraints' mechanism*), and, second, through strengthening and empowering of democratic agents (*the 'empowerment' mechanism*). The first mechanism operates when external democracy promoters impose various constraints on non-compliant authorities in a target country and, thus, weaken their power base and capacity to maintain the status quo. This is usually achieved through the use of negative conditionality: offer of negative incentives (various sanctions as well as explicit threats to impose these sanctions) in order to change a target state's behaviour. As Burnell puts it, 'the introduction of a requirement which makes offers of such support contingent on certain democratic and human rights conditions being met, and the exercise of conditionality – the reduction, suspension, withdrawal or termination of financial and economic assistance when a government's conduct is judged unsatisfactory – elaborate the negative aspect' (Burnell 2000, p. 8). Typical conditionality tools used by democracy promoters include gate-keeping in order to delay

deeper co-operation process and signing of an enhanced association agreement; imposition of trade barriers and embargos; suspension or withdrawal of aid; strict benchmarking and monitoring such as evaluation of compliance in regular reports, official requests for policy change that provide explicit deadlines for governmental action or introduction of external sanctions; suspension of dialogue and interaction with authorities of a target country.[6]

The second mechanism operates when external democracy promoters aim at teaching and socializing domestic actors into democratic norms and practices. This can be achieved via either normative persuasion (teaching, convincing, arguing), or social influence (imposition of social rewards and punishments) of domestic actors, or through both processes. Essentially, as Flockhart notes, persuasion is 'a process of convincing someone through argument and principled debate' (Flockhart in Flockhart (ed.) 2005, p. 49), whereas the social influence mechanism as 'a class of micro-processes that elicit pro-norm behaviour through the distribution of social rewards and punishments' (Johnston 2001, p. 499). Notwithstanding these nuanced differences between the two socialization processes, the main aim of democracy promoters here is to empower pro-democratic agents within governments and societies of a target country, or to strengthen potential challengers (i.e. domestic opposition forces) of pro-authoritarian incumbents. Institutional tools associated with empowerment and socialization of pro-democratic domestic agents usually include official statements and declarations expressing opinions on a target country; guidance and argumentation in written follow-up reports from fact-finding visits; missions in the field and ad hoc visits; project based aid and technical assistance; legal expert teams to guide and advise policy as it is forming; provision of recommendations that outline general standards for laws; twinning and training of public servants and politicians as well as of representatives of media and civil society.[7]

[6] For a more detailed list of institutional tools associated with conditionality see McDonagh 2008, p.146.
[7] For a more detailed list of institutional tools associated with democratic socialization and empowerment see McDonagh 2008, p.146

Before concluding this section, it is necessary to note two important methodological caveats. First, democracy promotion activities are defined in this article as effective if they produce a desired result – further democratic advance in a target country. More specifically, a certain democracy promotion activity can be evaluated as effective if a target country undertakes a pro-democratic policy change after interaction with a European organization. Such conceptualisation of effectiveness is especially useful for empirical analysis because it contains clear benchmarks ('interaction with an external actor' and 'policy change') for sorting out effects produced by international democracy promoters on the domestic scene from the influences of other factors, including domestic. Second, the article seeks to analyse and explain target governments' policy behaviour in the field of freedoms of media and expression. For reasons of consistency and parsimony of analysis the article examines governments' behaviour in respect of the policy rather than government's change of beliefs, preferences and identity.[8] Specifically, the focus of inquiry is on governments' legislative compliance with international human rights standards and recommendations of external democracy promoters. One important advantage of such approach is that focus on legislative behaviour provides a consistent and parsimonious dependent variable that is easily identifiable when collecting and analysing the data. This approach does not downplay the importance of implementation in the policy process. Rather, adoption of necessary legislation is viewed in this article as a crucial policy stage that precedes the implementation stage. Hence, positive legislative changes can be perceived as a policy progress in the right direction. The next section sets out the domestic contexts of political regimes in Belarus, Ukraine and Moldova in the 1990s-early 2000s.

[8] A number of scholars have indicated that using behaviour as a dependent variable has a number of advantages for the analysis of institutional effects in the domestic arena (see, for instance, Checkel 1999 and 2001; Kelley 2004a and 2004b; Johnston 2001).

Setting the domestic contexts: degrees of authoritarian power in Belarus, Moldova and Ukraine

In the early 1990s all three post-Soviet states embarked quite swiftly on the journey of democratization and economic liberalization, but by the mid-1990s most of these processes have ran into ground. There is a certain consensus in the literature with regard to treating most of the post-Soviet states (with the exception of the Baltic states) as not transitory or democratizing states, but as a distinct type of regime, which was labelled by various scholars differently: a 'hybrid' regime, 'pluralism by default', regimes with 'feckless pluralism', 'competitive authoritarianisms' (Diamond 2002; Carothers 2002; Levitsky and Way 2002). All these and other labels mean more or less the same: these are regimes that combine nominal democratic procedures such as regular elections and elected government officials, with authoritarian features such as excessive centralisation of power by the executive and clampdown of opposition forces. Interestingly, in such regimes even though democratic institutions may be highly flawed, both authoritarian incumbents and their opponents tend to take them quite seriously (Levitsky and Way 2002, p.52). Thus, each electoral cycle, during which both autocratic incumbents and challengers must compete for power, represented a certain degree of uncertainty and could potentially change the balance of power in favour of the challengers. Early post-communist competitive politics in Belarus, Moldova and Ukraine was not caused by strong civil societies, strong democratic institutions or skilful democratic leadership, but it was caused primarily by the inability of incumbents to maintain power or concentrate political control (Way 2005, p.232).

Indeed, most of the first post-communist elections in Ukraine, Moldova and, to a lesser extent, in Belarus were bitterly fought. Moldova suffered from unstable government coalitions and subsequent frequent changes in government, even between elections. Moldova has had 6 prime ministers in the period from 1990 till now. The former prime-minister, Vasile Tarlev, had the longest 'political life-span' – 7 years in power (2001-2008). Both parliamentary and

presidential elections have been bitterly contested, bringing to the political scene new presidents and causing considerable changes in the party and ideological composition of the parliament. For instance, the 1994 parliamentary elections brought a new Agrarian Democratic Party to power and the president Mircea Snegur lost his office to the head of the legislature, Petru Lucinschi, in 1996. Similarly, in Ukraine, elections in the 1990s often created uncertainty and were considered by political elites as the main means of gaining and preserving power. In the 1994 parliamentary elections the incumbent president, Leonid Kravchuk, has lost to a challenger, Leonid Kuchma. Subsequently, Kuchma himself faced strong electoral challenges from the leftist opposition parties and won only 35 percent of the vote in the 1999 parliamentary elections and 56 percent in the second round. Even Belarus in the early 1990s went through a period of extensive political liberalization and increased political competition, which came to end after the November 1996 constitutional referendum that gave the president Lukashenka extensive powers to control practically all state institutions, including the judiciary, local governments, and even the legislature. So, during the first half of the 1990s there was no unity among the ruling elites as such because, frequently, the challengers to incumbents came from within the ruling camp, not outside of it.

The incumbent capabilities to control the authoritarian state were also limited. In the early and mid-1990s all three countries suffered from inefficient state institutions both at the central and local level. As Way points out, often such weaknesses of vertical control caused by failure to pay salaries or subsidies to local governments, undermined capacity of authoritarian leaders to control political dynamics in the regions (Way 2005, p.249). In addition to the management and fiscal problems coercive capabilities of ruling elites were also undermined. Incumbents in all three countries on several occasions found it difficult to persuade security officials to contain opposition. In Ukraine, for instance, President Kravchuk had to abandon plans to dissolve the parliament in January 1994 after the Minister of Interior disagreed with him

(ibid.). The fact that incumbents were not capable to effectively control the state also meant that electoral manipulation by incumbents was a much more difficult task in the early and mid-1990s than in the late 1990s. Thus, during this period elections in Moldova and Ukraine were generally considered as free (that is, without falsification of election results) but not very fair as some international observers report irregularities prior to the elections such as unequal campaigning opportunities and bias of the electoral code rules in favour of the governmental party.[9]

The incumbent capabilities to control the pace of economic reforms as well as the size and level of development of a country's economy are also important factors influencing degrees of authoritarian power in the three countries. As Way points out, greater scope of state power over the economy makes it easier for autocrats to prevent the emergence of opposition as the private sector is weak or non-existent. Similarly, the size of the economy affects the degree of incumbent exposure to Western pressures for democratization (Way 2005, p. 235). Indeed, these two factors also account for differences in the degree of authoritarian power across the three cases. In the first half of the 1990s Moldova managed to conduct a number of market-oriented reforms earning 'a reputation as one of the leading reformers in the region' (Hensel and Gudim in Lewis (ed.) 2004, p. 89). As a result of these reforms, Moldova's private sector is estimated at around 80 per cent of the official GDP dominating in the services sector and agriculture (ibid.). Similarly, the Ukrainian authorities also embarked on extensive programmes of privatization that reduced the scope of direct government control over significant parts of economy and made it harder for incumbents to prevent elite defection and emergence of opposition (Way 2005, p. 250). As McFaul points out, Ukrainian oligarchs never united in support of the ancien régime: the three largest oligarchic groups did back President Kuchma, but thousands of smaller businesspeople supported various opposition forces,

[9] See, for instance, Freedom House's 'Nations in Transit' Report for Moldova and Ukraine, 1995 and 1996 respectively, available at http://www.freedomhouse.org, accessed 1 May 2009.

including growing in popularity Prime Minister Yushchenko (McFaul 2007, p. 53). In contrast, privatization reforms in Belarus under Lukashenka were more restricted and, thus, the scope of the state power in the economy was much greater than in Moldova and Ukraine. Strict state control over the economy made it easier for Lukashenka to consolidate authoritarian control as opportunities and resources for elites to defect were very limited.

In terms of the size and level of development of economies, there were important differences among the three countries. Moldova had the lowest GDP per capita: by 1997, it was poorer than any other country in Central Europe, even Albania, and poorer than any former Soviet republic except Tajikistan and Uzbekistan, with a per capita GDP of $ 527. According to the World Bank,[10] Moldova's real GDP fell on average by 10 per cent per year through the 1990s. Despite high levels of competitiveness caused by ambitious privatization programmes, the Ukrainian economy was not very developed either: in 2003 its GDP per capita measured at $1,133 (Way 2005, p. 242). Ukraine's economy began to grow in 1999 for the first time since independence, but Kuchma never managed to establish the state control over rents generated from gas and oil sales that could have been used to purchase the loyalty of potential challengers. In contrast, the Belarusian economy was developing at a faster rate: by 2003 its GDP grew to $2,248 per capita (ibid.). In addition, the authoritarian regime under Lukashenka benefited from significant energy subsidies provided by Russia: Belarus paid two or three times less for gas than Ukraine and Moldova (ibid.). This has made the authoritarian regime in Belarus less susceptible to Western pressures to democratise, and elite defection was less likely in the context of a strong and well-sustained authoritarian state.

As this section has shown, political regimes developed in Moldova, Belarus and Ukraine in the 1990s cannot be characterised as transitory or democratising states. Rather they were regime types in themselves that combined nominal democratic features and largely

[10] See the World Bank data on Moldova, available at http://www.worldbank.org.md , accessed 1 May 2009.

authoritarian practices. The degree of authoritarian power also differed across the cases: Ukraine and Moldova being more competitive and, hence, less authoritarian, whereas Belarus by the end of the 1990s developed more or less full authoritarianism. The main factor that accounts for such differences is the political power of authoritarian incumbents conceptualised as the unity among the ruling elites and the incumbent capacity to control the state and the economy. Increased political power of authoritarian incumbents inevitably led to autocratic consolidation and weakening of the opposition. This is exactly what happened in Ukraine and Moldova in the early 2000s, when presidents Kuchma and Voronin, respectively, managed to consolidate their powers and, thus, strengthened the authoritarian regimes. Did external actors play any role in preventing autocratic consolidation in these countries? What were the effects of their democracy promotion strategies? And more importantly, how and when were they effective?

Empowerment of pro-democratic agents and challengers: the role of European organizations

As indicated in the last section competitive hybrid regimes in Moldova and Ukraine gradually turned into more authoritarian by the end of the 1990s-early 2000s. Paradoxically, Moldova became more autocratic after it was transformed into a parliamentary republic and a highly cohesive and centralised Communist Party came to power after winning 70 percent of seats in 2001. Ukraine also became more autocratic in the first decade of this century. President Kuchma managed to strengthen control over parliament and instituted a systematic electoral manipulation and intimidation of the opposition. By 1997 President Lukashenka established a highly closed regime with façade institutions that were totally controlled by the state.

It is noteworthy at this point that throughout the 1990s out of the three organizations under consideration only the CoE and the OSCE were involved in promoting freedoms of media and expression in the three countries under consideration. The EU's involvement was limited: by

the mid-1990s it concluded Partnership and Cooperation Agreements (PCA) with Ukraine and Moldova (but not with Belarus), but the emphasis was initially put on economic rather than political cooperation. The EU did not set up any special programmes for promoting respect for civil and political rights either.[11] The main aim of the OSCE's and the CoE's democracy promotion activities was to empower pro-democratic domestic agents via adoption of specific legislation on freedoms of media and expression, and via socialization of domestic actors into democratic practices (McDonagh 2008, pp.149-150). For instance, in the 1990s the CoE initiated two co-operation programmes in Moldova: on legal assistance and freedom of expression and media. The main institutional tools used by organizations during this period were organization of training courses, workshops, seminars and conferences with the participation of Moldovan journalists and lawmakers, and the CoE experts; and provision of written legal expertise on proposed legislative acts and drafts. Similarly, the OSCE's Office for Democratic Institutions and Human Rights (ODIHR) also undertook various activities aimed at empowerment of democratic agents: throughout the second half of the 1990s ODIHR has organised a number of seminars for Moldovan journalists and representatives of NGOs, dispatched legal expert assessment and review missions including assistance in the drafting of laws and practical management training for the constitutional court.[12]

Similarly, despite delays in formalising relations between the CoE and Ukraine,[13] the latter has been taking part in various democracy promotion activities activities of the CoE since 1992: Ukraine participated in various intergovernmental co-operation and assistance programmes on legal reform and human rights, and it also had a special guest status in the

[11]The EU's sole assistance programme specifically directed to protect and promote human rights in target countries, EIDHR (European Initiative for Democracy and Human Rights), was established in Ukraine and Moldova in 1999. In 2006 the EIDHR was renamed into European Instrument for Democracy and Human Rights.
[12] See the 1995 and 1997 Annual reports on OSCE activities, OSCE, Vienna, available at http://www.osce.org/publications/show_publication.php?a=1&grp=193&limit=6&pos=0 , accessed 10 April 2009.
[13] Ukraine has applied for the CoE membership in July 1992, and has been accepted into the CoE only 3 years later, in November 1995.

Parliamentary Assembly and a number of the CoE committees. Within the year of accession to the CoE, Ukraine was obliged to adopt a number of important legislative acts, among which were a framework-act on the legal policy of Ukraine for the protection of human rights, a new criminal code and code of criminal procedure, a new law on elections and a law on political parties.[14] For its part, the CoE committed itself to continue providing support to Ukraine through intergovernmental co-operation and assistance programmes in order to facilitate reforms in various areas, including freedoms of media and expression.

The main aims of the OSCE Project Co-ordinator established in Ukraine in 1999 were to assist the Ukrainian authorities in adapting legislation, structures and processes to the requirements of modern democracy via the organisation of various projects with relevant political actors in Ukraine.[15] However, if measured in quantitative terms, the scale of the OSCE's democracy promotion activities was not very significant. In the period from 1999 to 2004 only 12 projects were initiated between the OSCE and Ukraine, out of which only three projects were related to promotion of freedoms of expression and media.[16] In the same period the OSCE's average budget for Ukraine comprised only about € 1,300,000 per annum.[17] The EU's EIDHR (European Initiative for Democracy and Human Rights) programme was established in Ukraine in 1999. The EIDHR was designed to influence governments in target countries primarily through indirect means by working with local NGOs and other organizations of civil society, and thus, aiming at empowerment of non-state actors whose main task would be to check and balance the state power.

[14] See PACE's Opinion No.190 (1995), available at http://assembly.coe.int/Documents/AdoptedText/ta95/EOPI190.htm, paragraphs 5 and 11, accessed 15 March 2009.
[15] See the official web site of the OSCE's Project Co-ordinator in Ukraine: http://www.osce.org/ukraine/, accessed 28 January 2008.
[16] These three projects were: a comprehensive review of human rights legislation, provision of technical and practical support to the Ombudsman, and a project on promoting freedom of the media.
[17] See the official web site of the OSCE's Project Co-ordinator in Ukraine: http://www.osce.org/ukraine/, accessed 28 January 2008.

Did these democracy promotion activities aimed primarily at the empowerment of democratic agents and their socialization into democratic practices have any positive effects at development of freedoms of media and expression in Ukraine and Moldova? The next section addresses this question in greater detail. Before proceeding with analysis, however, it is necessary to pay greater attention to establishment of relations between Belarus and European organizations – mainly, where did it all go wrong?

The early years of independent Belarus promised quite good prospects for establishing relations between Belarus and the three European organizations. In February 1992 Belarus acceded to the OSCE, and in August of the same year it established diplomatic relations with the EU. In September 1992 Belarus gained 'special guest' status in the CoE, and in the same year became a member of a number of International Financial Institutions such as IMF, EBRD, and the WB. The Partnership and Cooperation Agreement (PCA) between the EU and Belarus was one of the earliest signed in comparison with other post-Soviet countries – in March 1995. However, the first signs of the CoE's dissatisfaction with the pace and quality of reforms in Belarus were shown after the 1995 parliamentary elections, when the CoE's Secretariat was instructed to continue co-operation with Belarus but to place increased emphasis on media freedoms (Wieck in Lewis (ed.) 2002, pp. 262-63). However, at that stage the CoE still opted for those democracy promotion activities that aimed at empowerment of domestic democratic agents: the main goal was 'to teach and convince' the Belarusian authorities of the virtues of democracy and the necessity to respect human rights, including civil and political rights. In early 1996 the Inter-Ministerial Council for Co-operation between Belarus and the CoE became fully operational and it had one main task – to bring Belarusian legislation into conformity with the European Convention on Human Rights. Also, several teaching and training initiatives were undertaken in the field of rule of law and support for NGOs (ibid., p. 263). Only after Lukashenko went ahead with the referendum on constitutional changes on 24

November 1996 and, essentially, imposed a new, authoritarian constitution on the country, the CoE's democracy promotion approaches have changed from indirect empowerment of democratic agents to imposition of explicit constraints on autocratic incumbents: it suspended Belarus's special guest status on 13 January 1997. The other two organizations, the EU and the OSCE, largely echoed the CoE's actions. The extent and effects of these constraints will be discussed in more detail in the next section.

External constraints on autocratic incumbents

Despite explicit rhetoric that the authorities were working on civil and political rights reforms by the end of the 1990s it was clear that no real progress was made either in Moldova or in Ukraine. By 2000 Moldova still lacked legislation that would guarantee and protect freedoms of expression and information including new Criminal and Criminal Procedure Codes, Civil Code, Law on Press, Law on National Broadcasting Company. Moreover, the draft Penal and Civil Codes, which the national legislature approved on several occasions during 1997 – 2001, contained provisions that negatively affected freedom of expression. These included excessive penalties for the publication of the state secret, for defamation, for insulting a judge, a public prosecutor, or a member of the police force, for civil disobedience and for the profanation of state symbols. In 2002 both Freedom House and Amnesty International reported deterioration in freedom of the press in Moldova and identified domination of the ruling party as the main cause for it.[18] The number of applications from Moldovan citizens to the European Court for Human Rights (ECHR) has almost doubled in 2000 and 2001 in comparison to previous years.[19]

[18] See the 2002 FH's report on freedom of the press in Moldova, available at http://www.freedomhouse.org/template.cfm?page=251&year=2002, accessed 13 March 2008. See the 2002 AI report on human rights in Moldova, available at http://web.amnesty.org/report2003/Mda-summary-eng, accessed 13 March 2008.
[19] See the ECHR's 'Surveys of Activities 2002', 33,

In addition, a number of incompatible with international standards laws on media were adopted: they deliberately contained vague definitions, which allowed the authorities to easily manipulate the political system and further consolidate authoritarian power. For instance, in 1995 the Moldovan parliament passed the Law on Audiovisual Broadcasting. Interestingly enough, no European organization was involved in drafting the law. The law was so vague that after 1995 it went through a number of misinterpretations and misapplications as well as inadmissible interference by the legislative and executive branches.[20] Surprisingly, despite such obvious limitations, there was hardly any reaction on the part of organizations. Representatives of several Moldovan NGOs dealing with human rights acknowledged the link between European organizations' non-engagement and the low democratic quality of the law: 'Without support from international institutions, we were on our own in protesting the law. The law would have been more meaningful if international institutions would have been involved'.[21] The government's position on this specific law changed, however, in 2002 when the CoE became directly involved with the issue and imposed explicit constraints on the authorities.

In the second half of the 1990s the legislation process on freedoms of media and expression in Ukraine was also very slow. Some legislative acts, which would contain important provisions on freedoms of media and expression, were still missing, including a framework act on legal policy of Ukraine for protection of human rights, a new criminal code and code of criminal procedure, and a new law on political parties. Moreover, some media laws in Ukraine did not comply with international human rights standards and contained a number of serious shortcomings. For instance, the 1993 Law on Television and

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available at http://www.echr.coe.int/NR/rdonlyres/ADA993B5-8591-42BA-80F5-CD26A6E598B8/0/SurveyofActivities2002.pdf, accessed 15 March 2008.

[20] Author's interview with Raisa Apolschii, Parliamentary Advocate on Human Rights, 2003 to present, Chisinau, 16 June 2005.

[21] Author's interview with Serghei Ostaf, Deputy Chairman of the Moldovan Helsinki Committee for Human Rights, 26 June 2005, Chisinau; Author's interview with Paul Strutzescu, Chairman, The League for Defence of Human Rights in Moldova (LADOM), Chisinau, 1 July 2005.

Radio Broadcasting contained too many vague definitions, gave too much power to legislative and executive branches of government in regulating broadcasting, and assigned a priority right to use national transmission networks to state broadcasters.[22] Another illustrative case is the 1998 Law on Coverage Procedure by Mass Media of the Performance of State Authorities and Local Self-Government. As an international human rights consultant indicated, the general approach of this law to freedom of expression was problematic and some provisions of the law were particularly harmful: for instance, rules on the accreditation of journalists, editorial independence, and the National Television Company and National Radio Company.[23]

In addition, President Kuchma managed to pass a number of regulations that often changed the rules of the game in the media market and allowed for more efficient media manipulation. For instance, in June 1999 the Cabinet of Ministers increased tenfold the annual charge for using radio frequencies for the period 1 July – 31 December 1999. This regulation also made the procedure of obtaining permits for the use of transmitters very complicated, which led to several regional channels discontinuing broadcasting.[24] In September 1998 the President signed another decree – 'On Improvement of State Management in the Area of Information'. Essentially, this decree established a state monopoly in the area of printing and distribution of publications – it provided for the creation of two state-owned companies Ukrteleradio and Ukrpoligrafizdat, which held 100 per cent of the shares in the state publishing enterprises and TV and radio companies. As a

[22] See 'Review and Analysis of Laws of Ukraine' by Karol Jakubowicz, Chairman, the CoE's Steering Committee on Media and New Communication Services, published by the OSCE's Representative on Freedom of Media and Council of Europe, www.humanrights.coe.int/Media/atcm/2001/Ukraine/Analysis%20Jakubowicz%20%20(EN).rtf, accessed 16 April 2008.
[23] See 'Analysis and Comments on Law of Ukraine on Coverage Procedure by the Mass Media of the Performance of State Authorities and Local Self-Government Bodies in Ukraine' by Lene Wendland, Consultant on Human Rights Law, published by, Geneva: 27 November 2001, pp.9-14.
[24] 'Current situation of media in Ukraine' by Freimut Duve, The Representative on Freedom of the Media, the OSCE, 1 March 2000, 2-3, available at http://www.osce.org/documents/rfm/2000/03/2273_en.pdf, accessed 16 August 2008.

result of this decree, several situations occurred where Ukrpoligrafizdat confiscated premises and property from local newspapers, or simply refused publication of more critically oriented newspapers.[25]

For the period 1991-1999 Freedom House assigned Ukraine a score of 3 ('partly free') for political rights, and a score of 4 ('partly free') for civil liberties.[26] Moreover, the Political Rights score worsened and fell from 3 to 4 in 2000-2004. A separate Freedom House measure for the independent media (available from 1997 onwards) in Ukraine for the period 1997-2003 averaged at about 5, which puts Ukraine at the lowest range of the "partly free" category.[27] Control and censorship of the media reached a new peak in 1999, at the beginning of Kuchma's re-election campaign. It seems very likely that Kuchma was at least indirectly involved in the murder of an independent journalist, Georgii Gongadze, in 2000.[28] In November 2000 the Gongadze case 'detonated' a protest movement across Ukraine under the slogan "Ukraine Without Kuchma", which was later labelled by scholars as the Kuchmagate crisis (Wilson 2005; Kuzio 2005; Way 2005).

The regress in freedoms of the media in all three countries was noticed by the European organizations. Organizations gradually switched their policies and actions from indirect methods aimed to empower pro-democratic agents (individuals, political institutions, and civic organizations) through democratic socialization to more direct modes of involvement aimed at weakening and constraining autocratic agents in power. In some cases organizations imposed direct constraints on autocratic leaders which changed the balance

[25] Ibid.
[26] For more details about the Freedom House's annual surveys, special reports and methodology, see http://www.freedomhouse.org, accessed 14 September 2008.
[27] States are labelled as "not free" by Freedom House if the combined average of political rights and civil liberties ranges from 5.5 to 7.0. See http://www.freedomhouse.org for more details on methodology and annual surveys, accessed 14 September 2008.
[28] For a detailed journalistic investigation of Georgii Gongadze's death see J.V. Koshiw, 'Beheaded: The killing of a journalist' (Artemia Press Ltd: Reading, UK; 2003).

of power between incumbents and challengers and prevented the full-scale consolidation of autocracy.

In the Moldovan case involvement of European organizations in solving the standoff between the ruling communist party and the main opposition party (the Christian-Democratic Party of Moldova) in February and March of 2002 provides a good illustration to this point. The political crisis intensified after 22 January 2002, when the government suspended the activities of the opposition Popular Christian Democratic Party (PPCD) for one month. In response, European organizations applied concerted pressure towards the Moldovan authorities. On 17 January the PACE (Parliamentary Assembly of the CoE) Chairman Lord Russell-Johnston met with President to discuss the matter, and on 30 January the European Commission urged the authorities to annul the suspension of PPCD.[29] Initially there was no reaction from the government but only after the CoE demanded from the government to provide explanations on 'how the restrictions on the PPCD comply with articles in the European Convention on Human Rights covering elections, freedom of thought, expression and organization' by 22 February,[30] the response from the authorities was quick to follow. Already on 8 February the one-month suspension of the PPCD was lifted and this allowed the PPCD to participate in electoral campaigning for the April 2002 local elections. The Justice Minister Ion Morei confirmed that this decision 'reflected a response to the concerns expressed by the CoE over the suspension'.[31] Thus, organizations applied explicit constraints towards the authorities: clear deadlines were indicated for change of the government's position, and secondly, implicit threats

[29] *RFE/RL Newsline*, 31 January 2002, accessed 14 March 2008.
[30] *RFE/RL Newsline*, 5 February 2002, accessed 14 March 2008.
[31] *RFE/RL Newsline*, 11 February 2002, accessed 15 March 2008.

concerning Moldova's membership in the COE and its compliance with the COE's human rights acquis were voiced.[32]

In March 2002 there was a new wave of protests on the streets on Chisinau. This time the main demands of the anti-communist demonstrators were the end of country's 'information blockade' and, specifically, the transformation of Teleradio Moldova, the state-owned television and radio company into a national public service modelled on Western public broadcasters like the BBC. The Parliamentary Assembly of the COE (PACE), acting as mediator between the Communist government and the opposition, demanded immediate reforms of freedoms of expression and media, including transformation of Teleradio Moldova, in its Resolution 1280 of 24 April 2002 and explicitly requested completion of these reforms by 31 July 2002.[33] In March and April 2002 the OSCE Chairman in Office Jaime Gama expressed on several occasions concerns about confrontation between the government and protesters and 'called on both sides to show restraint and engage in dialogue'.[34] It is also noteworthy that these organizations' demands were fully backed by the USAID, the largest bilateral donor in Moldova: on 20 March 2002 the U.S. Foreign Minister Colin Powell also threatened to stop all U.S. programmes of technical assistance to Moldova, as well as those assisting Moldova in its relations with international financial institutions (IFIs) and for achieving European integration in case of non-compliance with organizations' demands.[35]

On the 26 July 2002, 5 days before the expiration of the deadline set by the CoE, a new law on the national public broadcasting company Teleradio-Moldova was adopted,

[32] At the same time a more explicit threat of Moldova's COE membership withdrawal was expressed by the deputy chairman of the CoE's Congress of Local and Regional Authorities, Claude Casagrande, who criticised the new law on administrative division and, in general, the dominant position of the governmental party on the domestic scene. See *RFE/RL Newsline*, 30 January 2002, accessed 1 April 2008.
[33] Resolution 1280 (2002) of the Parliamentary Assembly of the COE, 24 April 2002 (available at http://assembly.coe.int/Documents/AdoptedText/ta02/ERES1280.htm), accessed 1 May 2008.
[34] *RFE/RL Newsline*, 27 March 2002 and 8 April 2002, accessed 1 May 2008.
[35] *RFE/RL Newsline*, 28 March 2002, accessed 1 May 2008.

opposition was given a prime time slot on the national television channel for preparing its own programme, as well as free space in the national press. Discussion above shows that European organizations and other external actors were able to influence domestic policy-making process only when they opted for imposition of explicit constraints on the authorities. Crucially, such direct and concerted action on the part of external actors interfered with the authorities' plans to impose stricter media control and reduce availability of collective action resources for the opposition.

Similarly, the Ukrainian authorities were more receptive to European organizations when they explicitly demanded media reforms and exercised credible threats towards the authorities. For instance, in its December 1998 report on 'Honouring of Obligations and Commitments by Member States' the CoE criticised the authorities for serious interference with freedom of expression through the imposition of unfair financial penalties and outright closure of newspapers that were critical of the President and his administration.[36] The report also argued that the significant control by the state over the media encouraged censorship, and libel and defamation suits became effective means of intimidating journalists.[37] The CoE PACE reporters Severinsen and Kelam concluded that Ukraine had not made substantial progress in honouring its obligations as a member state of the Council and proposed a number of constraining measures: continuation of the CoE's monitoring procedure of Ukraine, adoption of a resolution to bar the Ukrainian delegation and suspension of its representatives from the Council's Committee of Ministers unless such progress had been made by the time of the June 1999 PACE session.

The PACE reporters, Kelam and Severinsen, undertook another fact-finding visit to Kyiv on 9-12 May 1999 and found that no progress had been achieved between January and

[36] Council of Europe press release, 30 March 1998; *Holos Ukrainy* 1 April 1998 as cited in Bojcun 2001, 43.
[37] Kelam and Severinsen, as cited in Bojcun 2001, 44.

April 1999.[38] Remarkably, already on 14 May 1999, a few days after the PACE reporters had left Ukraine, the speaker of the Ukrainian legislature gave direct instructions to the parliamentary committee for human rights, national minorities and interethnic relations to prepare a draft bill 'On the Basis for the State Policy of Ukraine in the Field of Human Rights' for consideration by the legislature, Verkhovna Rada. On 17 June 1999 (4 days before the initial deadline of 21 June 1999, set out by the PACE in its January 1999 Resolution No.1179, expired)[39] the Rada adopted a framework act on Ukraine's legal policy of human rights.

The situation repeated in April 2001 when the CoE adopted a new resolution on Ukraine, in which it made similar threats of possible expulsion from the CoE and gave a new deadline for reforms of freedoms of the media and expression: the June 2001 session.[40] And again the authorities complied with requirements and adopted a new Criminal Code in April 2001: the new Criminal Code represented an important step in protection of journalists in Ukraine because it introduced harsher punishments against those convicted of harassing or persecuting journalists. Thus, these two particular cases show that the CoE gained more leverage over the pace of human rights reforms in Ukraine when it started formulating precise tasks and setting concrete deadlines for their fulfilment.

However, in the early 2000s the state's intervention in the media's coverage of daily events and news became more frequent and blunt. Almost half of the 727 Ukrainian journalists polled in November 2002 believed that physical retaliation by criminal elements

[38] 'Report on honouring of obligations and commitments by Ukraine', by Mr. Tunne Kelam and Mrs. Hanne Severinsen, PACE, Doc. 8424, June 1999, available at http://assembly.coe.int/Documents/WorkingDocs/Doc99/EDOC8424.htm , accessed 23 September 2008.
[39] See PACE Resolution 1179 on the honouring of obligations and commitments by Ukraine, 27 January 1999, available at http://assembly.coe.int/Main.asp?link=/Documents/AdoptedText/ta99/ERES1179.htm, accessed 10 September 2008.
[40] See PACE Resolution 1244, adopted on 26 April 2001, available at http://assembly.coe.int/Documents/AdoptedText/ta01/ERES1244.htm , accessed 5 September 2008.

or the state authorities was possible with the publication of critical materials.[41] In its 2002 Worldwide Press Freedom Index, the international NGO 'Reporters Without Borders' listed Ukraine 112th out of 139 countries in terms of journalistic freedom and government efforts to guarantee freedom of expression.[42] This rapid deterioration in political rights and civil freedoms indicate that European organizations did not influence the domestic policy process much.

Certainly, domestic factors such as increasing abilities of the autocratic incumbent to control the state, weakness and lack of unity among domestic opposition forces account well for the country's backslide towards full autocracy. However, as a number of authors indicate, the organizations' democracy promotion strategies played a certain negative role too: their policies and actions were rather declaratory and not very credible for the domestic ruling elites (Kubicek 2005; Pavliuk 2001a and 2001b; Wolczuk 2003). For instance, in June 1999 the CoE did not fulfil its earlier threat (made in January 1999) to start the suspension procedure of Ukraine from its right of representation in the Committee of Ministers if no progress in honouring commitments was made[43] and decided to give the authorities more time. The EU's High Representative for its Common Foreign and Security Policy, Javier Solana, pointed out in an interview to a Ukrainian newspaper in 2000 – just before the Kuchmagate scandal broke – that 'over the years, Ukraine has committed itself to moving towards a fully functioning democracy, and the results are already very clear to see'.[44] A joint statement from the EU-Ukraine Summit in September 2001 did not mention the murdered journalist Georgii Gongadze by name, while praising Kuchma's own

[41] Freedom House Special Report 2004, available at http://www.freedomhouse.org/template.cfm?page=383&report=17, accessed 5 May 2009.
[42] See Reporters Without Borders. 'Press Freedom Index', October 2002, available at http://www.rsf.fr/article.php3?id_article=4118, accessed 1 October 2008.
[43] See PACE Resolution 1179 on the honouring of obligations and commitments by Ukraine, 27 January 1999, available at http://assembly.coe.int/Main.asp?link=/Documents/AdoptedText/ta99/ERES1179.htm, accessed 12 April 2009.
[44] *Zerkalo nedeli* (Kyiv), 2000 as cited in Kubicek 2005, p. 279

commitments to the rule of law, human rights and democracy.[45] Surprisingly, in summer 2001, at the peak of the Kuchmagate crisis, there had been no discussion of a cut-off or curtailment in democracy aid to Ukraine (Kubicek 2005, p.279). Therefore, European organizations did not employ constraints towards autocratic ruling elites in a systematic manner, which undermined their credibility and made continuation of the autocratic rule by Kuchma less costly.

The case of Belarus is especially interesting when discussing the role of credible and direct external constraints. As a response to Lukashenka's actions to consolidate autocratic power, the CoE suspended Belarus's special guest status on 13 January 1997. Intergovernmental activities to assist the approximation of Belarusian legislation to CoE's standards were discontinued, and Belarus was not invited to the Second Summit of the CoE in Strasbourg in October 1997. The EU adopted a similar to the CoE's approach: it did not recognise the 1996 constitution of Belarus, and political ties between the EU and Belarus were effectively suspended. In 1997 the EU Council of Ministers decided on a number of explicit sanctions: the PCA (Partnership and Co-operation Agreement) was not to be ratified along with the 1996 interim agreement on trade, Belarusian membership of the CoE was not supported, bilateral relations at ministerial level were suspended, and EU technical assistance programmes were frozen. The OSCE has largely echoed the EU's and the CoE's reactions and also explicitly condemned unlawful change of the Belarusian constitution initiated by Lukashenko.

However, these explicit strategies of constraining an autocratic incumbent and preventing further consolidation of authoritarian power failed to change the status quo and improve situation with civil and political rights in Belarus. Moreover, continuation of external activities aimed at empowerment of potential democratic challengers was not

[45] Joint Statement of EU-Ukraine Summit, 11 September 2001, available from http://www.europexxi.ua/english/index.html as cited in Kubicek 2005, 279.

fruitful either. For instance, in contrast to the EU's and CoE's refusals to co-operate further with the Belarusian authorities, the OSCE continued to be present on Belarusian political scene after the 1996 referendum. In 1997 the OSCE established its Advisory and Monitoring Group (AMG) in Minsk with a mandate to train and consult the Belarusian authorities on electoral and human rights legislation, to monitor and report on political events and situation with human rights, and, crucially, to work out political compromise between the authorities and the opposition. Unfortunately, the AMG's efforts to empower democratic agents in Belarus failed to produce any visible results. The situation with media freedoms has not changed and even worsened: the most common problems appeared to be direct censorship by the state institutions, seizure of equipment, massive inspections, interference in editorial independence and, above all, criminal charges and reprimand. The AMG's negotiations with the government turned out to be controversial and culminated in a public clash between the Head of the AMG Office in Minsk, Hans-Georg Wieck, and President Lukashanka in May 2000 (Wieck in Lewis (ed.) 2002, p. 270). After a number of diplomatic scandals between the two sides the activities of the AMG in Belarus practically came to a standstill in the early 2000s.

Conclusions and policy implications

This article set out to evaluate experiences and effects of external democracy promotion in Belarus, Moldova and Ukraine. The main aim was to explore whether external actors influenced domestic processes of political change in these three countries and to analyse more closely operation of two causal mechanisms – empowerment of pro-democratic agents and imposition of constraints on autocratic agents – through which external actors interact with domestic actors and exert their influence.

The analysis produced three major findings. First, the paper's findings are consistent with the recent trend emphasizing external factors in studies of domestic political change and democratization (Brinks and Coppenge 2006; Gleditch 2002; Pevehouse 2005; Whitehead; Finkel et al. 2007). On numerous occasions European organisations were active and effective participants in the domestic policy process. Evidence has shown that organisations were able to exert influence on domestic governments and bring about the organisations' preferred policy outcomes. More importantly, governments tried to or in some cases did adopt undemocratic laws when organisations were not involved. When organizations interfered more actively, the governments reversed their policies. Thus, the finding of democracy promotion effects supports theoretical idea of both external and agent-based sources of democratic change.

Second, it seems that two causal mechanisms that facilitated interaction between external and internal actors produced different effects on domestic policy change. Organizations' democracy promotion activities aimed at empowerment of pro-democratic agents (both in the ruling circles and in opposition) were less effective than the ones aimed at weakening and constraining autocratic agents. Empirical analysis shows that softer, socialization-based democracy promotion activities aimed at teaching and persuading, and, therefore, empowering domestic actors to adhere to democratic behaviour failed to cause significant policy changes. A lot of training and twinning programmes have been organised for local journalists, politicians and members of civic organizations, and a vast amount of legal expertise was provided. But deterioration of civil and political freedoms in all three countries in the second half of the 1990s demonstrates that these softer democracy promotion activities did not empower domestic democratic agents sufficiently in order to counteract rising autocratic power. In contrast, European organisations could influence domestic policy more effectively only when they applied direct and explicit constraints on

autocratic incumbents. Thus, European organizations' constraints imposed on the Moldovan authorities during the political standoff with the opposition in the early 2000s were of crucial importance: suspension of the oppositionist party was lifted and the government complied with organizations' demands to pursue legislative reforms on freedoms of media. Similarly, in Ukraine adoption of long-awaited legislation or amendment of the existing undemocratic legislation happened only after organizations, primarily the CoE, explicitly put pressure on autocratic authorities.

A note on operation of casual mechanisms is necessary. The two causal mechanisms under consideration are not mutually exclusive. Most likely, any democracy promotion process includes both: empowerment of pro-democratic agents and imposition of constraints on autocratic agents occur simultaneously in any democracy promotion process. That is, by empowering pro-democratic agents external actors also put certain limits on state power (thus, making consolidation of autocratic power less probable), and vice versa, by imposing constraints on autocratic agents external actors facilitate development of democratic forces in a society. But the fact that policy changes occurred only when organisations issued explicit warnings and set out concrete deadlines for policy reforms indicates that causal impact of the constraints mechanism was greater than that of the empowerment mechanism.

The third finding of the paper relates to the role of domestic factors. Without a doubt, given peculiarities of competitive authoritarian domestic regimes that emerged in most of the post-Soviet states, domestic variables should be ascribed primary explanatory role in affecting outcomes of political change in Moldova, Ukraine and Belarus in the 1990s-early 2000s. At best, external actors play secondary or intervening role that is conditioned to a great extent by domestic factors. In some cases (primarily in Moldova and Ukraine), due to more competitive nature of authoritarian regimes and more vulnerable position of

autocratic incumbents in both the domestic and international scenes, organizations were able to overcome growing power of autocratic incumbents and impede the full-scale consolidation of autocracy. In other cases, however, external actors were powerless. The Belarusian case illustrates this point well. Increasing capacity of the autocratic incumbent, severity of the government's repression of opponents, the government's unchallenged domination over all aspects of political, economic and social life provide solid explanations for Belarus's authoritarian backslide. European organizations were not able to initiate shifts in the distribution of power between autocratic incumbents and democratic challengers either via empowerment of the latter, or imposition of constraints on the former.

Important policy lessons for those more optimistic about effects of democracy promotion are to be learned from this article. The most important question from the policy perspective is not whether external democracy promotion works or not, but, rather, when and how external actors can influence domestic processes and, hence, promote democratic development. Careful consideration of domestic contexts is crucial here. It is certainly impossible to impose or manufacture democracy from the outside. But external actors' constructive engagement with autocratic incumbents is absolutely necessary in order to prevent a full-scale consolidation of autocracy. Thus, in the context of more vulnerable competitive authoritarian regimes external policies aimed at weakening and constraining of autocratic agents rather than policies aimed at teaching and socializing domestic actors into democratic practices represent a more efficient way to influence domestic policy change from the outside.

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