

IMPLEMENTING EU'S NORMATIVE AGENDA IN THE SOUTH CAUCASUS: CONTRADICTIONARY EFFECTS

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Introduction

It is not a secret that the EU has sought to influence regional developments by imposing liberal democratic norms on the third countries interested in closer relations with the union. Given that this soft power approach may effect change, we analysed the role of EU normative powers in influencing human rights dialogues. We also saw how both the political establishments and societies at large have adapted to these new circumstances. Further to the east, the lever for Europeanization seems to be eroding. To that end, the EU has continuously reaffirmed that its support for and cooperation with target countries must be conditional on the promotion of civil liberties and democratic reforms. While there is concern that the EU's normative policies may be ineffective if they are not fully implemented on the ground, it is possible that the prospect of EU integration could prove to be an attractive aspiration for large segments of these societies. Fully implementing EU norms,

however, may drive these countries into conflict with the conservative mores sustained by the state/religious institutions.

This memo focuses on the South Caucasus where the EU has tried to "softly" increase its leverage by imposing liberal democratic norms on the countries in a region interested in closer relations with the union. Although all three are Eastern Partnership countries, they are moving in different directions: Georgia is interested in integration with Western structures; Armenia was heading along the European track but made a sudden U-turn in September 2014 when it aligned itself to the Eurasian Customs Union; Azerbaijan has remained undecided. This variation is reflected by the (un)willingness of the political elite of these respective countries to participate in human rights dialogues, to harmonize national legislations with European norms and values, and finally, to implement new regulations in practice.

Problematic implementation

It appears that accepting European norms has only been welcomed on the surface, while the implementation of new regulations in practice has been problematic. When comparing the three Caucasian countries, striking differences appear. Georgia has been the most keen on adapting its own value system and has become more liberal and reform-minded. Azerbaijan has the least desire to change, preferring to keep things as they are. Armenia falls somewhere in between – accommodation of European norms is welcome, yet inaction and the government's slow approach to improving law enforcement reveals difficulties in implementation. An additional challenge to implementing EU norms could be the asymmetric relation between the South Caucasus countries and the Union: meeting the pre-

scribed norms will not be rewarded with an invitation to accession talks.

During the seven rounds of EU-Armenia human rights dialogues and nine rounds of EU-Georgia dialogues, the sides discussed the existing mechanisms for the protection of human rights in these countries. Georgia is the only one of the three that has passed a comprehensive anti-discrimination law protecting homosexuals from discrimination, while Azerbaijan has preferred to avoid human rights dialogue of any kind and, in many ways, has not been inclined to adopt the EU's normative agenda. Regardless of the position of the countries' governments, the EU norms have had a minimal effect on the way these societies treat their ethnic, religious and sexual minorities. Participating in dialogue is usually perceived as an easy

task to fulfil, but implementation poses enormous challenges because all three societies are, for the most part, religious, deeply traditional and defined by conservative values.

The Armenian Apostolic Church and the Georgian Orthodox Church are considered national churches with special status and privileges in Armenia and Georgia, respectively. They have played a major role in identity politics and national consolidation efforts. Religious affiliation is largely nominal in Azerbaijan; percentages for actual practicing members of a faith are much lower. In terms of religiosity, Armenia and Georgia sit at one end of the religious spectrum while Azerbaijan has a place at the opposite, more secular extreme. The comprehensive data of the World Values Survey, which combines multiple dimensions of religiosity, demonstrate a repeating pattern where Azerbaijani society is the least and Georgian society the most religious in terms of self-identification, regular religious practice, the importance of religion in socialization and public trust in religious institutions.

There are innate cultural predispositions towards the values of democracy in both Georgia and Armenia, which should also logically apply to that part of the Western value system supporting tolerance, diversity and respect for minorities of all forms (Matrosyan 2015). Yet this may be wishful thinking. What is the most striking is the fact that all three countries reformed their legislations to ensure the rights of sexual minorities as a follow-up to their entry into the Council of Europe in the late 1990s and early 2000s. Furthermore, Georgia and Armenia have made a big leap forward in the framework of human rights dialogues conducted by the EU. Yet, at the societal level radical

attitudes are slow to disappear. Politicians seek popularity by playing on society's values and national ideologies. Priests take part in homophobic rallies and warn people not to go against "God's will". Police feel reluctant to step in when ultra-orthodox Christians attack those who promote change.

The EU expects that the change of value orientations will naturally follow liberalization of legislation regulating sexuality, gender and family. On the surface, this expectation makes sense because all South Caucasus countries are maintaining their commitment to strengthening of "democracy, rule of law, human rights, and fundamental freedoms" (Riga Declaration of May 2015). In practice, however, the liberalization of legislation regulating sexuality has not been supported or initiated by social demand (which typically has been the case in Western European societies). Instead of having an intended positive effect on social attitudes, the laws passed in parliament have intensified social polarization over the issue, as we have seen in the case of the anti-discrimination law in Georgia.

South Caucasus countries differ in their geopolitical aspirations, state reactions to EU, and levels of religiosity. They share, however, strongly traditional and conservative attitudes toward gender and sexuality. The societal perceptions in the South Caucasus highlight masculinity as a safeguard for the survival of society and the family.¹ Women must be protected; they should only be marginally present in public and should serve their husbands in every way. Unmarried heterosexuals over 30 are rarely accepted in society; those with no children and not in a relationship are under enormous social pressure. Most families in the South Caucasus see homosexuals as shameful because their

¹ See Georgia: Between Modernity and the Middle Ages, <http://www.gwi-boell.de/en/2013/05/30/georgia-between-modernity-and-middle-ages> [Accessed 21 November 2016]; LGBT Rights in the South Caucasus, <http://www.gwi-boell.de/en/2013/05/30/lgbt-rights-south-caucasus> [Accessed 21 November 2016]

apparently “deviant” behaviour threatens social unity and the continuity of the family. Homosexual men are seen as a source of insecurity and weakened self-defence because it is thought that young men may be “infected” and thereby destroy society from the inside. Sexual minorities become objects of public aggression, social ostracism and violence. In short, those who want to belong in society must adopt traditional values regarding cultural norms and religious morals.

When we turn to the World Values Survey results, the least tolerant society is Azerbaijan, in all possible categories: 58 percent did not want to have people of a different race as neighbours, 26 percent did not want people who speak a different language as neighbours and 58 percent did not want to

have unmarried couples living together as neighbours. Only Armenia beats Azerbaijan in religious exclusivity – 57 percent of Armenian respondents want to have people of a different religion as neighbours. The survey results also confirm that the South Caucasus countries remain the three least tolerant societies in Europe in terms of attitudes towards homosexuality, despite their level of Europeanization and the depth of integration with the EU (Kuyper et al. 2013). Among the 15 European countries surveyed by World Values Survey 2010-2014, South Caucasus societies were the top three in the percentage of respondents who considered homosexuality “never justifiable” – 95 percent in Armenia, 93 percent in Azerbaijan, 86 percent in Georgia.

Quest for pro-European stance

As demonstrated above, the EU’s ability to win hearts and minds may face considerable challenges due to cultural differences over social issues and its mixed record in support of diversity and the human rights agenda. Although Georgia, Armenia and Azerbaijan have chosen different development tracks and have displayed uneasy and varied allegiances to the imposition of EU norms, all three are conservative societies with intolerant views on sexual minorities. George Mchedlishvili from Chatham House notes that ‘taking a firm and principled line in support of protections for LGBT communities, for example, could come at a political cost’ (2016, p. 11), and that this is the biggest dilemma for Europeanization in the region. Whether that has an effect on public perceptions of EU integration will be discussed next.

The EU is an important player in the region whose main interest is providing stability and security along its borders by promoting a normative value system. Its policy is based on the sincere belief that the trans-

formation of the South Caucasian countries serves this purpose. It has proven to have limited soft power potential – it remains attractive but only to a relative degree. Public opinion polls show more favourable attitudes towards EU integration in Georgia and less favourable attitudes in Azerbaijan (Caucasus Barometer 2013). The largest share of non-supporters came from Armenia (23 percent), whereas Azerbaijanis stood out with their indifference on this question (32 percent of respondents did not care about their country’s Europeanization). Two years later, the support rate for EU membership had dropped to 42 percent in Georgia while staying more or less the same in Armenia (39 percent). At the same time, the number of respondents against EU membership increased to 16 percent of the Georgian sample (Caucasus Barometer 2015).

Dominant national religious institutions in Georgia and Armenia constitute a challenge for the EU. These religious institutions have a privileged status by default; they are relative-

ly autonomous from the government; they are highly trusted by society; they play a role in the political processes and, as far as the legal regulation of gender, family and sexuality is concerned, these institutions have their own interests and stake in the game. In regard to the introduction of liberal EU norms, these religious institutions are the local bastions of conservative attitudes par excellence. At moments of unrest, the leaders and representatives of these institutions are the ones which argue that national values and traditions are at risk of being compromised.

This means there is a good reason to assume that very religious people are most likely to reject the EU's normative agenda, which goes against the traditional value system and shakes the authority of religious institutions. The most logical outcome would be a clear rejection of EU membership aspirations, which might be seen to "let the devil in". For example, while in 2013 both Georgia and Armenia were finalizing preparations to meet the AA/DCFTA preconditions set by the EU, in the form of several rounds of human rights dialogues which enabled the start of anti-discriminatory legislation, there were clear examples of violence against sexual minorities in both countries in 2012. In May 2012, a diversity march in Georgia took place against the background of aggressive

protests by opponents of the demonstration, and at the same time three youngsters burned down DIY, the first gay bar in Armenia. There were clearly heightened tensions in all three countries, yet this angst is not reflected in the public opinion polls.

To sum up, tensions run highest in selected policy areas (liberalization of norms related to gender and sexuality) where changes are not enthusiastically welcomed by local populations, yet opposition to a single dimension of EU policies seems to coexist with a general positive attitude regarding the EU. The first wave of the Annual Survey Report of Eastern Partnership countries (2016) demonstrated that the EU enjoyed a high level of trust in general, and that in Armenia and Georgia the EU was trusted even more than national political parties, the parliament or the government. If and when dissatisfaction about the imposition of liberal social norms has an impact on the general reception of Europeanisation in the South Caucasus are questions for policy-makers in the EU. They will need to decide whether to make corrections in the imposed policies and see the EU's role grow in the region, or the opposite: leave things as they are, and conclude that support will probably remain too limited to implement social change in value systems.

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