

“What keeps European states committed to the EU project has not changed: it is economically much better to be inside the bloc than outside.”

The EU’s Eastward Enlargement and the Illiberal Turn

MILADA ANNA VACHUDOVA

The dramatic enlargement of the European Union into Central and Eastern Europe fifteen years ago has been a great success. New and old member states alike have benefited economically from the expanded internal market and geopolitically from greater stability and security. The EU can credibly argue that its enlargement process has been the most successful democracy-promotion policy ever implemented by an international actor. It has certainly been the EU’s most powerful foreign policy tool.

In some cases, EU leverage reinforced an existing post-1989 liberal democratic trajectory. This was broadly the case for the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, and Slovenia, which all joined the EU in 2004. In other cases, EU leverage was critical in helping to move a state away from illiberal or authoritarian rule—as in Slovakia, which also joined in 2004, Bulgaria and Romania (2007), and Croatia (2013).

Yet describing EU enlargement as a triumph of democracy promotion seems incongruous in the context of the democratic backsliding taking place among EU members today, especially in Hungary, Poland, and the Czech Republic. The very states that were once the standard bearers of liberal democracy in postcommunist Central Europe are now at the forefront of a so-called illiberal turn across the continent. In order to understand the causes and consequences of this illiberal turn—and whether the pendulum is likely to swing back in the coming years—we need to reconsider where the project of EU enlargement stands today.

MEMBERSHIP INCENTIVES

How has EU enlargement promoted democracy?

MILADA ANNA VACHUDOVA is an associate professor of political science at the University of North Carolina, Chapel Hill.

For two decades now, the basic equation underpinning the mechanism of conditionality has not changed: the substantial benefits of joining the EU and the costs of being excluded create incentives for postcommunist governments to satisfy the EU’s comparatively vast entry requirements. Membership brings great economic rewards and also a very agreeable geopolitical change of fortune through the protection of EU rules that prevent stronger states from bullying weaker ones, a new status vis-à-vis neighboring states, and a voice in European institutions. These benefits continue to be substantial despite the financial crisis and the loss of confidence that troubled the EU after 2008.

Over time, in countries eligible for membership, even formerly authoritarian political parties adopted an EU-compatible agenda in order to stay competitive, as rival parties, interest groups, local civil society groups, and voters all coalesced around the goal of joining the EU. No scholars today argue for the counterfactual proposition that liberal democracy would be stronger in these countries absent the experience of joining the EU.

The EU’s membership requirements have helped the democratization process by prompting improvements in legal protections for individuals and groups and in the treatment they receive from the state. They have also led to improvements in the performance of state institutions. But the process of joining the EU does not guarantee that a new member will build a deep or durable liberal democracy. The EU’s *acquis communautaire*—the body of rules and laws that all new members have to adopt—is quite thin when it comes to the rule of law, the fight against corruption, and precise definitions of the components of liberal democracy. Some member states, mainly in Southern Europe, have always preferred to keep the EU out of these matters.

Over the years, many observers have changed their view as to whether the EU enlargement process is tough enough. Concern that the EU was too heavy-handed, even dictatorial in imposing its rules and institutions on postcommunist members has been almost entirely eclipsed by criticism that the EU was not sufficiently thorough, explicit, and consistent in its demands—and not vigilant enough in its enforcement. But it is ultimately domestic political leaders who make choices about the pace and quality of reform. The great variation in outcomes across the EU's eleven new postcommunist members underscores this fact. It is more accurate to attribute weak rule of law and abiding corruption to domestic politicians than to blame Brussels.

The Western Balkan countries still waiting to join the EU are Albania, Bosnia, Kosovo, Macedonia, Montenegro, and Serbia. When EU leaders consider these candidates, the geopolitical benefits of enlargement serve as the main selling point, since the economic benefits for existing member countries will be quite small. Paradoxically, this has reinforced the commitment of EU leaders to enlargement: the dividends from the “democratizing effect” on new members are considered substantial, while the economic adjustments required by the accession of such small economies will be minimal. EU leaders know that they will pay a steep price for ethnic conflict, economic collapse, lawlessness, instability, and poor governance in the region if the bloc does not pursue enlargement.

But the Western Balkan states in the EU's waiting room have very challenging domestic conditions, which helps explain why the process is taking so long. In the 1990s, most were involved in wars that caused or worsened problems related to sovereignty, territory, ethnic minorities, and state capture (the term for what happens when political leaders cooperate to control and exploit state institutions, usually in concert with organized crime—and this goes on no matter who citizens elect or how much they protest). These countries face severe problems that require overhauling the state and the economy—and it is an open question whether the EU's leverage can bring about sustained reform in all of them.

In its dealings with the Western Balkan states, the EU is applying lessons learned from the earlier

rounds of enlargement. The most important ones are that leverage works well only before accession, and that a longer period for exercising conditionality is needed in certain areas. The most difficult hurdle is that the EU has had little experience or expertise in using its leverage to bolster the rule of law and the fight against corruption in candidate states, since these anchors of competent governance are addressed only indirectly by the existing *acquis communautaire*.

Nevertheless, the prospect of enlargement continues to have a democratizing effect on several Western Balkan states as they respond to the incentives of EU membership in much the same way as their postcommunist predecessors did. In some cases, political parties have fundamentally changed their agendas to make them more EU-compatible, and governments have implemented important policy changes to move forward in the pre-accession process.

Consider the recent political changes in Macedonia. The highly corrupt, authoritarian regime of Prime Minister Nikola Gruevski was ousted in 2016 after mass protests led to an EU-brokered deal for an interim government and elections for which the EU helped set a more level playing field. The new pro-European, reform-minded government has negotiated an end to a long dispute with Greece over the country's name, changing it to North Macedonia to make peace with Athens. Bullying its neighbor to distract domestic voters from other issues, Greece had vetoed Macedonia's progress toward EU and NATO membership for two decades.

Recent developments in Hungary, however, are a cause for concern. Prime Minister Viktor Orbán rejects liberal democracy and would like to bring more populist strongman regimes into the EU. The accession process, focused on building independent institutions and the rule of law, threatens the wealth and power of entrenched Balkan elites—but they can now look to Budapest for a mentor on how to combine authoritarianism with EU membership.

The impunity of such rogue EU governments undermines conditionality by giving illiberal leaders in candidate states, such as Aleksandar Vučić in Serbia and Milo Djukanović in Montenegro, an easy foil. Why should they allow an independent media, tolerate civil society, bolster institutional

Populist appeals built on xenophobia have resonated especially strongly in postcommunist Europe.

checks and balances, treat opposition parties fairly, or dismantle rent-seeking networks when others are up to even worse within the EU?

INVENTING ENEMIES

Populist politicians promise to defend “the people” against establishment elites who they claim are protecting and expanding their privileges at the expense of ordinary citizens. In Latin America and Southern Europe, populism has tended to come from the left, taking on a class dimension as politicians promise to better the lot of the powerless and the poor. In Western and Central Europe, however, populism has tended to come from the right, intertwining the defense of “the people” with xenophobia and the defense of “the nation.” This means convincing voters that the nation is under threat and that establishment elites are unable or unwilling to defend it.

Right-wing populists fabricate external enemies of the nation—mainly immigrants, Muslims, and the EU—who they claim threaten national security, the economy, and the survival of the national culture. They also invent internal enemies of the nation, which usually turn out to be those who advocate for liberal democracy, such as opposition parties, the media, nongovernmental organizations, and other independent voices in society. In this context, “liberal” means a democracy that allows for independent media, civil society, and counter-majoritarian institutions that guarantee the equal protection of human rights, civil rights, civil liberties, and political freedoms for all individuals.

Political appeals alone do not dismantle liberal democracy. But such appeals can be used to legitimize an illiberal assault on democratic norms and institutions. Populist leaders may claim that in order to protect the people, they need to change rules and norms to diminish or eliminate the power of institutions and organizations controlled by the “internal enemies.” In this context, “illiberal” means rejecting constitutional protections for counter-majoritarian institutions, for independent groups, and for minorities. In other words, advocates of illiberalism believe the majority as represented by the government should have absolute power.

Whether populist leaders succeed in eroding liberal democracy—and how much—depends on

the ability of counter-majoritarian institutions, such as constitutional courts, to consistently check their power. It also depends on the skill and cohesion of the ruling coalition and its success in maintaining popular support. Once countervailing institutions are dismantled and independent voices are silenced, it becomes easier for the ruling coalition to engineer subsequent majorities and to entrench its own power. A favorite tool is the referendum: the vote of the people—however manipulated—can justify the government in dismantling liberal democracy further in order to respect the vote.

This is the story of Hungary since 2010. Hungary had been ranked as “free” by the Washington-based think tank Freedom House since the fall of the communist regime in 1990. Freedom House categorizes countries as “free,” “partly free,” or “not free.” In February 2019, Hungary was downgraded to “partly free,” becoming the only country with this designation in the EU. But Poland and the Czech Republic have also experienced democratic

backsliding in recent years. These three countries were the front-runners of democratization in the region after 1989. How did they fall so far?

The political parties that have led the illiberal turn in postcommunist Europe so far—Fidesz in Hungary and the Law and Justice Party (PiS) in Poland—started as well-established and ostensibly mainstream conservative groupings. They won big in elections by capitalizing on popular frustration with corruption, austerity, and the uneven benefits of growth. They called for a return to national grandeur and conservative social values.

Since taking office, they have gone further. They have steeped society in the narrative that the nation is under threat from enemies at the gate—and labeled as enemies domestic actors such as opposition parties, advocates for the rights of women, the LGBT community, independent media, and civil society groups that are critical of the government. Outside actors that support liberal democracy, from transnational NGOs to EU institutions, are demonized as well.

Fidesz and PiS have also benefited enormously from the recent refugee crisis and terrorist attacks in Western Europe, using their propaganda machines to spread the word that migrants and Muslims are waging a war against the values and sur-

*The accession process
threatens the wealth and power
of entrenched Balkan elites.*

vival of the Hungarian and Polish nations. These ruling parties have used xenophobia to delegitimize both domestic opponents and international actors by accusing them of championing the well-being of migrants and Muslims, who do not belong to the nation, at the expense of ordinary citizens.

The Czech Republic is a fascinating case that demonstrates the immense political power of a well-calibrated populist appeal when mainstream parties have lost their luster, even if the messenger seems outlandish and the domestic conditions inauspicious. This is a country with few ethnic minorities aside from the Roma, no co-ethnics abroad, no delusions of regional grandeur, weak nationalism, very weak religiosity, low income inequality, hardly any refugees, and a strong economy. It might have been expected to resist the populist wave. And yet, in the land of Kafka, the ANO movement won power on a populist anticorruption platform, despite the fact that it is the political vehicle for Andrej Babiš, a highly corrupt Slovak businessman who made his fortune by manipulating the state and defrauding the taxpayers.

Unlike Fidesz or PiS, Babiš concentrated power in the economy, in politics, in government, in the media, and in civil society as an oligarch, with these different sources of power amplifying one another, long before he became prime minister. He is under investigation for fraud and beset by scandals, any one of which could have ended the career of a more typical politician. Yet ANO won the October 2017 elections in a landslide with nearly 30 percent of the vote—eight other parties won seats in parliament with 11 percent of the vote or less. Illiberal, racist, and anti-EU parties received a combined total of over 60 percent of the vote. In January 2018, Czech voters reelected their openly racist, xenophobic, and pro-Russian president, Miloš Zeman, who has become a supporter of Babiš's efforts to concentrate power in the hands of ANO.

WHAT'S THE APPEAL?

Scholars explain the rise in support for right-wing populist and illiberal parties in all of Europe in two broad ways. The first explanation focuses on how the attitudes of voters have shifted as a result of changes in their daily lives. These include increasing immigration, which is blamed for lower wages, higher unemployment, and the expansion of insecure and poorly paid part-time work. At the same time, as the power of EU institutions grew, they were often seen as elitist and out of touch—

and blamed for immigration, unemployment, and income inequality.

Mainstream political parties, especially social democrats, have failed to respond to these changes; they have been unable to effectively communicate with and represent their voters. As a result, this argument goes, disgruntled voters have abandoned them in search of parties that seem to care about their situation. This is the preferred explanation of most political scientists, since public opinion polls provide ample data showing that popular attitudes have shifted over time, with voters abandoning loyalty to established mainstream parties and more of them holding nativist views.

The second explanation accepts that popular attitudes have changed, but attributes those changes not just to the grievances of citizens and the failure of mainstream parties to respond to them. Scholars also emphasize how populist politicians have manipulated voters by creating an exaggerated sense of threat, spreading xenophobia, and lying about the so-called enemies of the nation. We can see evidence of this in the news every day. The lies about the alleged misdeeds of the EU and of immigrants have been especially egregious.

No, George Soros does not have a plan to destroy Europe by resettling millions of Muslims in the EU and particularly in Hungary—but this was the centerpiece of Orbán's 2018 reelection campaign, officially titled "Stop Soros." No, Muslim refugees are not likely to destroy the culture and well-being of the Czech Republic—but after years of relentless propaganda by politicians and online bots, one survey found that Czechs had the second-most anti-Muslim attitudes in the whole of Europe, after Armenia. According to the Pew Research Center, only 12 percent of Czechs would accept a Muslim into their family.

And populist voter manipulation is certainly not confined to the East. Just consider the claims of Brexiteers about a pending invasion of immigrants sent by the EU, and about how prosperous Britain would be outside the EU.

To look at it in another way, these politicians are not playing "fair"—their lies are so outrageous, the online misinformation that feeds their support is so incendiary, and the demonization of their domestic opponents is so extreme that it is hard for mainstream parties to respond. There is no doubt that mainstream parties have made mistakes that have contributed to the drift of working-class and other voters toward populist parties. But it would be wrong to lay all of the blame on their doorstep.

SUSCEPTIBLE CITIZENS

It is fair to argue that in most areas, the post-communist or “new” EU members are hardly different from the “old” EU members. The new members are indeed poorer, but they have not formed a unified bloc within the EU. In most if not all EU policy areas, they have had differing interests. Even the financial crisis that started in 2008 affected the new members to different degrees: some suffered sudden economic hardships but others fared relatively well, especially Poland, which was the only country in the EU to avoid a recession entirely. In other words, there are more differences than similarities among the new members.

Many have argued that there is no East-West divide in the EU. Yet it appears that the illiberal turn in Europe has so far had greater political traction in the East. While populist appeals have been successful across the continent, those built on xenophobia have resonated especially strongly in post-communist Europe. Why?

Most of the postcommunist EU members and candidates are small countries with small media markets. Western European media companies responded to the 2008 financial crisis by pulling out of those markets, leaving newspapers and television networks to be snapped up by domestic oligarchs. That made it easier to flood a country with populist, nationalist, and illiberal appeals while shutting out independent voices.

Racist and illiberal attitudes were preserved and exacerbated by communism in countries that were homogenized by the genocide and expulsions of World War II and then locked behind the Iron Curtain. The experiences of war, communism, and transition helped convince majorities that they are the victims in today’s Europe. This makes them more likely to accept rollbacks of rights for minorities. The fact that most citizens of the EU’s post-communist member countries have no firsthand experience with refugees, Muslims, or indeed any people of color helps to spread misconceptions and lies about them. And many people in the region, though much wealthier than they were two decades ago, are still dramatically less well off than their Western European counterparts.

For many observers, an East-West divide first appeared during Europe’s refugee crisis in 2015. The Syrian civil war drove the crisis: fleeing both

Bashar al-Assad’s regime and the Islamic State, Syrian refugees created routes to the EU that were traveled by over a million refugees from various countries in that year alone. Across the continent, right-wing and extreme-right politicians capitalized on the specter of millions of outsiders flooding in. They used the new media environment to steep their societies in falsehoods and fears of cultural evisceration and terrorism. The British campaign to leave the EU certainly exploited these fears.

But no one was readier to exploit the situation than Orbán, who was already at work dismantling liberal democracy in Hungary. His response to refugees trying to pass through en route to Western Europe included dehumanizing repression, a militarized border fence, and criminalization of Hungarian citizens who sought to provide aid. Under his leadership, a postcommunist bloc emerged—one that refused to accept an EU plan to share the burden of providing safe harbor for refugees.

The process of joining the EU does not guarantee that a new member will build a deep or durable liberal democracy.

FRIENDS OF PUTIN

One of the striking features of the illiberal wave is that right-wing populists—not just in the East but across Europe—seem to be using a remarkably similar playbook to win and hold power.

Orbán and his tactics for dismantling liberal democracy were publicly admired by the leaders of Poland’s PiS and the Czech Republic’s ANO before they took over. Orbán styles himself as a leader of this new bloc in the EU—and boasts that he is winning the argument, swaying more EU governments against migration and in favor of a kind of white Christian nationalism. In his camp in 2019 are Poland, the Czech Republic, Austria, and Italy. Arguably, the British and Greek ruling parties, and even members of the German government, are also on his side.

All the while, Russia has been lending a hand to the illiberal populists. For nearly two decades, Vladimir Putin has attempted to divide EU allies and destabilize the bloc with lucrative energy deals and huge bags of cash for unprincipled leaders. This strategy has been nicknamed “Schröderization,” after the transformation of the former German chancellor and leader of the center-left Social Democratic Party, Gerhard Schröder, into Putin’s lapdog via chairmanships of Russian oil and gas interests.

But the EU has successfully diversified its energy supply over the past decade, making member countries less dependent on Russia. What turns out to have been more effective in advancing Russian interests is directly funding European populist and far-right parties, and supporting their chauvinist appeals by spreading disinformation. Populist leaders in Hungary, the Czech Republic, Austria, and Italy treat Putin as a friend and try to undermine EU policies designed to ostracize and sanction his regime.

Russian funding has targeted the west of the EU just as much as the east, backing far-right parties in France, Italy, Germany, Sweden, and elsewhere. The “Leave” campaign in the UK’s 2016 Brexit referendum apparently benefited from Russian money in addition to disinformation spread by Russian bots. The vote for Brexit was a triumph for Putin: the fact that the Conservative and Labour parties are both controlled by strongly anti-EU forces bringing Britain to the brink of chaos must be beyond his wildest dreams.

This is perhaps even more shocking than seeing countries that were forced to install communist regimes by Stalin’s armies after World War II, and kept locked behind the Iron Curtain until 1989, now cozying up to Putin and denigrating the European project. After all, they are doing so in step with the US president and the Republican Party. The reasons, as far as anyone can tell, are the same: Putin’s regime stands ready to lend a helping hand to any political tricksters and would-be despots willing to help divide and destabilize the West.

THE SWINGING PENDULUM

What keeps European states committed to the EU project has not changed: it is economically much better to be inside the bloc than outside. This has been tested profoundly by the financial crisis and by the long years of austerity endured over the past decade by many EU members, but it still holds. The enlargement process, by setting conditions for the benefits of EU membership, continues to coax political and economic change in the Western Balkan states that remain in the membership queue.

The illiberal turn and Brexit are in part the products of decades when even mainstream politicians were quick to take credit for everything that went well at home while blaming everything that

voters did not like on the EU. The EU has always had a very difficult time making a case for itself to European citizens. In this respect, Brexit has had a salutary impact: political leaders and, more importantly, citizens of other member states can see much more clearly the risks and follies of leaving the EU to “take back control.”

The EU now faces fundamental decisions about whether and how much to sanction member states that are moving away from liberal democracy. The consensus is that Brussels made a grave mistake by turning a blind eye to the dismantling of democratic institutions in Hungary since Orbán’s return to power in 2010. By the time it tried to act, it was too late—and now the EU faces the choice of either suspending Hungary’s membership or having an authoritarian regime within the fold. But a suspension would require a unanimous vote, and Hungary has enough friends for now to block one. Among them is the European People’s Party, a group in the European Parliament that includes Germany’s Christian Democrats.

If Hungary seems lost to authoritarian rule for many more years, Poland’s prospects are more hopeful. There is strong political and popular resistance to the incumbent illiberal regime, and elections are coming in the autumn of 2019. The party in power in Warsaw is trying hard to crush them, but independent domestic institutions are still fighting back. For its part, the EU is criticizing the Polish government much more vigorously—which makes sense given opinion polls showing that up to 90 percent of the Polish population supports staying in the EU.

While the illiberal turn has empowered political leaders in Poland, the Czech Republic, Austria, and Italy that are far right, populist, and illiberal, democratic institutions are holding on and there is still hope that the pendulum will swing back in future elections. Hungary and the United Kingdom, one in the East and the other in the West, stand out today as the most enduring casualties of the illiberal turn in Europe. Unless a political miracle occurs, the degradation and immiseration of Hungary under Orbán and of Britain at the hands of the Brexiteers may not be reversed in our lifetimes. But the EU itself has endured innumerable crises and will survive the illiberal turn as governments and citizens remember the benefits of membership—which are understood most keenly by those who find themselves excluded from the club. ■