

# TIMES THEY ARE A-CHANGING

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In the current Macedonian political climate, the EU agenda seems to have taken a nosedive. The country that was once first in the region to jump on the EU's bandwagon is, now after 9 years of becoming a candidate country, still stuck in the waiting room. With the Commission's reports increasingly more critical of the progress in 'democratization' and, according to Eurobarometer data, with public support for the EU steadily declining in the past few years<sup>1</sup>, one wonders whatever happened to the Balkans' bright child.

Having granted Macedonia the status of candidate country in 2005, the EU has since used the carrot of membership in demanding political transformation along the lines of the

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1 [http://mcet.org.mk/upload/ckfinder/files/lzvestaj%20Evrometar%202014%20EN\\_WEB.pdf](http://mcet.org.mk/upload/ckfinder/files/lzvestaj%20Evrometar%202014%20EN_WEB.pdf), pg 23)

Copenhagen political criteria. As democracy is an essential and non-negotiable condition for EU membership, Macedonia has had to abide by the Community's principles of democracy, rule of law, social justice and respect for human rights and minorities as put forward in the Copenhagen criteria for membership. These conditions are the core of the EU's political conditionality over the country. However, as the country is still lagging greatly behind being a fully-fledged, Western democracy, notably in the areas of human rights and good governance,<sup>2</sup> recent explanations by the critically oriented Macedonian public have increasingly been leaning towards viewing this downward line of accession as an identity issue, whereby

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2 Freedom house, The World Bank Governance Index and the Economist's Democracy Index all show the country either stagnating or having a regress for the past few years in these areas

there is an increased disassociation from the integration and certain democratic principles the EU upholds, such as LGBT rights, abortion or family planning.

This lack of progress towards further stages of integration underscores the failure of the current political conditionality approach to consolidate democracy in the country. EU's political conditionality has worked well in the past in some areas<sup>3</sup> but has failed in others, such as human rights and rule of law. However, academic debates around the issue have maintained that, in order to work, the necessary condition for political conditionality is to be consistent, credible and legitimate, where the Criteria and the monitoring put forward in the progress reports is the cornerstone of the democracy promotion efforts.

In recent years, there seem to have been several developments which may, together with the domestic actors' refusal to follow through with certain norms, explain the lagging and the falling enthusiasm about the country's prospective membership on both sides.

The perceived lack of consistency and legitimacy of the EU political conditionality in Macedonia is evident, first of all from the lowered support for the country's EU integration as well as through the recent appeal of strengthening of the Macedonian national identity. As

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3 Macedonia's reform in the area of Justice and Home Affairs, an issue largely seen as the most successful example of Macedonian receptiveness to EU conditionality to date.

there is no clear explanation or document suggesting what type of democracy the Political criteria are actually aimed at achieving, the country can easily play what Koinova calls a 'two level game' – whereas state actors can pick and choose to adopt rules that do not challenge their power base. This, in addition with the blurred line between democracy and stability the country is expected to achieve, has resulted in the actors adopting human rights and minority policies as issues of state building rather than of democratization.<sup>4</sup> This, combined with the fact that the democracy criteria have been deemed as 'overall fulfilled' by the Commission (as evident from the recommendation to start negotiation) sends the message that actual democratization competes with other geostrategic interests of EU foreign policy, thus resulting in perceived lack of legitimacy and necessity to comply with its demands.

This unclear objective on the side of the EU, where it has favored issues of security over issues of democratization, combined with the greater institutional diffusion, along with Greece as a discouraging veto player and topped with the ever diminishing prospect of membership in light of the general EU mood, are all issues hin-

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4 (Koinova, Maria. 2011. "Challenging Assumptions of the Enlargement Literature: The Impact of the EU on Human and Minority Rights in Macedonia." *Europe-Asia Studies* 63.5: 807-32).

dering the effectiveness of political conditionality in Macedonia.

In addition, the EU's 'acquis conditionality' is also problematic in terms that the transposition of legislation as a separate criterion runs the risk of locking the government into a path of formal and quantitative adoption of laws without paying due respect to the process or the spirit of the laws<sup>5</sup> This focus on implementation of rules and putting formal institutions into place has resulted in what we now see to be 'formal democracy' – where the country has the transplanted a-la-Europe democratic institutions into place but significant areas are lacking the underlying democratic norms and values.

What now?

Recent research on EU's successfulness in consolidating democracy in potential member states has increasingly considered the role of civil society participation in policy processes. The tendency suggests it might be advisable for Brussels to turn an eye away

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<sup>5</sup> For example, even though imprisonment as a punishment was abolished, the law the media still allows for unprecedented financial penalties for defamation.

from the 'ticking of boxes' approach to democracy and increase the focus on addressing civil society participation and active civil engagement into 'highjacking' the Europeanization process and responsibility for the endowment of accession. The positive effect of a healthy civil society on transforming the political culture of states has long been observed and, in light of the increasing gap between Macedonia's institutional development and democratic values ensuring their legitimate use, it is increasingly important for the EU to see CSOs through a more strategic lens and provide some increased technical assistance for their meaningful participation in the country's governance.<sup>6</sup> The increased influence of CSOs on democratic processes in Macedonia in areas varying from human rights, corruption, judiciary, education, and especially in light of the previously discussed fading enthusiasm for the EU integration on both sides of the spectrum, possibly provides the most palpable opportunity for the country to effectively develop a healthy, democratic society.

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<sup>6</sup> The issue of Brussels' lack of effective assistance, restrictive criteria for funding and insufficient monitoring of the government-CSO dialogue has been a long contested theme among civil society actors in the country.