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THE IMPACT OF THE EUROPEAN UNION ON THE DEMOCRATIZATION OF CIVIL-MILITARY RELATIONS IN TURKEY

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Abstract

This paper investigates the influence of Turkey's European Union (EU) candidature on its civil-military relations. It argues that EU conditionality and adaptation pressure for the convergence and alignment of Turkey's authoritarian political regime to the EU *acquis communautaire* have resulted in the democratization of civil-military relations and the empowerment of government in the Turkish political system. The findings indicate that harmonization reforms have deinstitutionalized and illegalized the coercive influence of the military in the Turkish political system and empowered the government in political decision-making by: (a) changing the functions, duties and composition of the National Security Council (NSC), (b) increasing the parliamentary control over, and transparency in, defense and military expenditure, and the civil judiciary control over the military, and (c) increasing the public support and trust to the civil institutions. It utilizes Europeanization, and the rational choice and historical versions of the new institutionalist theory as its theoretical framework.

Keywords: Europeanization, conditionality, civil-military relations, Turkey, democratization

Introduction

The influence of the EU on the transformation of the polity, politics and policies of member and candidate states has increasingly become a subject of discussion within the academic literature. However, the influence of the EU on the civil-military relations in candidate states in general and Turkey in particular, especially after the failed military coup attempt, is required more academic

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elaboration. A gap in the literature exists in terms of explaining how, under what conditions and to what extent member and/or candidate states' civil-military relations have been reoriented by EU membership or candidature, including civil-military relations in Turkey. The aim of this paper is therefore to contribute to the growing literature on the influence of the EU on candidate states' civil-military relations as well as Europeanization by analyzing the influence of the EU on the empowerment of the civil actors against the military-bureaucratic camp at Turkish level during the process of the country's accession to the EU.

This article argues that EU conditionality and adaptation pressure for the rule of law have had a very visible influence on civil-military relations at Turkish level. Harmonization reforms undertaken by the Turkish government to adapt the country's political system and legislation to the EU *acquis communautaire* have democratized civil-military relations and empowered the government in the Turkish political system and political decision-making through liberalizing Turkey's executive and judiciary system, increasing the civilian control over the military and increasing public support and trust to the civil actors and institutions. To figure out the changes in civil-military relations and the role of the EU we started our analysis from the sets of institutions, rules, ideas, actors, and policies in the fields of democracy and the rule of law at the Turkish level before 1999 (t₁), the announcement of Turkey as a EU candidate. We then traced them over the years until the 2016 (during the Turkey's EU accession process), time (t₂), and we tried to identify the alterations to them and the influence of the EU on the alterations. Misfit and EU adaptation pressure (Europeanization), critical junctures, punctuated equilibrium and path dependency (historical institutionalism) and empowerment of new actors against formal institutions and cost/benefit calculation (rational institutionalism) are used as the main explanatory instruments of analysis in the study.

Case study, interviews, academic journals and documentary analysis technics of qualitative method are used to collect, process and analyze data. Semi-structured interviews were conducted with twenty people in Turkey (in Istanbul and Ankara) and in Brussels, including officials from the Turkish Foreign Ministry, think tanks, trade unions and human rights organizations. These aimed to shed light on the experiences, knowledge, opinions and attitudes of informants in relation to Turkey's domestic politics and policy and Turkey–EU relations. Secondary sources include books and publications from seminars, conferences and other scientific gatherings, and academic journals in three key disciplines (specific studies on EU–Turkey relations, Europeanization,

new institutionalism), as well as journalistic accounts in both print and electronic forms, and information from the Internet. To demonstrate the credibility and validity of the data analysis, triangulation is undertaken. The information and/or evidence presented in the study are gleaned from data cross-referenced between interviews, documents and secondary sources, as well as within the data types, in a process of triangulation.

The following section seeks to clarify the applicability of Europeanization as a conceptual framework for analyzing the changes in the institutions and institutional power relations at Turkish level. In this part we discuss the forms and conditions for the domestic change generated by the EU in the candidate and applicant countries. It then elaborates on the rational and historical versions of new institutionalism for analyzing the domestic impact of the EU in general and specifically the role of the EU in the liberalization of the Turkish political system and civil-military relations over the last decade. Third, it explores the level of fit/misfit between the EU and Turkish levels in the field of democracy and rule of law. To ascertain the misfit gap between the Turkish and EU levels in the examined fields it engaged in a brief historical research, placing particular importance on the origins of the sets of institutions, rules, ideas, actors, and policies in these fields at the Turkish level before 1999. Fourth, it explores the absence or presence of change in these fields at the Turkish level throughout Turkey's EU candidature, 1999-2016 era. By doing so, it assesses how and to what extent the changes made have been generated by Turkey's EU accession process by using the explanatory instruments of Europeanization and rational and historical institutionalism.

Europeanization

Europeanization is a concept¹ that is employed to describe different forms and processes of change at both the domestic and European levels generated by European integration throughout the EU. According to the conceptual framework² of Europeanization, in order to engender changes at the domestic level there must be some degree of 'incompatibility' between the EU and the domestic levels in terms of polity, politics and policy that requires the associated states to make changes to adapt to the EU *acquis communautaire*. A high level of incompatibility between the EU and domestic levels generates a high level of adaptation pressure at the domestic level. This is expected to

¹ A concept is an idea or thought about "what something is or how it works".

² Europeanization can be considered a conceptual framework rather than a theory (Featherstone 2003, p.12). A conceptual framework is "the way ideas are organized to achieve a research project's purpose" (Shields & Rangarjan 2013, p. 24).

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result in a high level of change in the associated state (Börzel & Risse 2003; see also Börzel & Risse 2007, 2009, 2012; Schimmelfennig 2010). In this regard, we assess whether, if so, how the ‘incompatibility’ between Turkey and the EU in relation to democracy and the rule of law has driven EU adaptation and started Turkey down the path of the liberalization of its political regime, and resulting in a high level of change in the civil-military relations at Turkish level.

The literature on Europeanization reveals that the majority of studies on the domestic impact of the EU focus on the impact of the EU’s (first pillar) arrangements, regulations and directives on the member states’ socio-economic policies and practices. How have the member states adapted their institutions, policies and practices to the EU regulations and requirements? As a result of internalization of the EU regulations and directives how have the member and candidate states’ policies and implementations in connected fields changed over time? Although the scholars of Europeanization largely focus on the impact of the EU on member states, its scope is not limited to member states (Vink & Graziano 2007, p. 11-12; Schimmelfennig 2010; Börzel and Pamuk 2012). Relatively small but growing research assesses the changes caused by the EU pressure and conditionality in applicant and candidate states (Wallace 2000, p. 36; Grabbe 2003, 2006; Schimmelfennig & Sedelmeier 2004, 2006, 2011; Noutcheva & Duzgit 2012). There are also a few researches which have expanded the scope of Europeanization beyond the member, candidate and applicant states such as quasi-members (Fischer et al. 2002; Laegreid et al. 2004; Sciarini et al. 2004; Sverdrup & Kux 2000), neighborhood countries (Youngs 2001; Weber et al. 2007; Schimmelfennig 2010; Börzel & Pamuk 2012; Magen 2012; van Hullen 2012), OECD countries (Meunier 2005; Bretherton & Vogler 2006; Sasse 2008; Lavenex & Wichmann 2009) and other regions (Telo 2001; Grugel 2004; Börzel & Risse 2009, 2012; Farrel 2009).

These studies mostly based their conceptual frameworks on the ongoing debate about new institutionalism, especially rationalist, sociological and historical version of it. In parallel with the analysis of the Europeanization of member states they also argued that the impact of the EU on candidates, ‘quasi-members, the Organization for Economic Co-operation and Development (OECD) countries and regions is also different across countries, regions and policy fields.

The candidate and applicant countries like current member states have to adapt their policies and institutions to the EU regulations and directives and thus they are exposed to the adaptation pressures even more than the current member states. It is therefore argued that the frameworks developed for

analyzing the changes in policy, polity and politics of the states as a result of EU membership could be applied in assessing the impact of the EU on candidate and applicant countries (Goetz 2000; Grabbe 2003, 2006; Dimitrova 2002; Sedelmeier 2006, 2011; Pomorska 2007; Börzel & Risse 2007, 2009, 2012). As regards the asymmetric relationship between them and the EU and the principle of conditionality in pre-accession, however, the method of Europeanization in candidate and applicant countries is different from how it is in member states. There are a number of arguments about why it is different³ but we can state here three main reasons: (1) applicant and candidate countries cannot join the EU decision-making process; on the other hand, (2) the EU with accession partnership and regular progressing reports directly influences domestic policymaking process, and (3) applicant and candidate countries are obliged to implement the directives and regulations of the EU without the benefit of negotiations.

It is argued that the Central and Eastern European Countries (CEEC) in the pre-accession process transferred and adapted their policies and institutions to the EU as current member states do (Grabbe 2003, 2006; see also Börzel & Pamuk 2012; Noutcheva & Duzgit, 2012; for comparison with Turkey see Frank Schimmelfennig 2004). Whereas existing member states, especially big member states, can, to some extent, “upload” their own preferences, interests and policies to EU level. Thus, they can minimize the adaptation costs and pressures. Yet the CEECs were simply expected to download the directives and regulations of the EU without the benefits of negotiation, because the EU had a coercive influence on their domestic decision-making processes through pre-accession negotiations (Grabbe 2003, 2006; Börzel & Risse 2007, 2009). They were candidates and thus they were unable to influence the EU decision-making process from the inside – a factor which constitutes the other dimension of Europeanization. It is rightly argued that the CEECs downloaded EU rules, regulations and directives to domestic level even if these were unattractive to them because, as one of the CEEC officials said, they believed that “ultimately accession on any terms is better than no accession” (Grabbe 2006, p. 2).

The EU has consequently had a powerful impact on candidates’ policymaking, guiding the domestic policy-making process in the CEEC through strategies embedded in the accession partnership and regular reports which set out a list

³ Grabbe (2003) listed two factors that distinguish Europeanization of candidate states from that of member states: (1) asymmetrical relationship (2) uncertainty about the result of negotiations. See also Dimitrova (2002).

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of priorities to be implemented within a certain time frame⁴ (Terzi 2008, pp. 9; see also Terzi 2010; Noutcheva & Duzgit 2012). Domestic response to the EU and its adaptation pressure, however, varies owing to the variegated nature of domestic formal and informal institutions mediating for domestic change and adaptation to EU. Thus the term of Europeanization, which is not a theory (Bulmer 2007, pp. 47), itself does not provide comprehensive explanatory instruments to analyze the domestic impact of the EU in general and specifically the role of the EU in the liberalization of the civil-military relations and the empowerment of civil actors at Turkish level. Although theoretical framework is always selective (Goetz & Mayer-Sahling 2008, pp. 19) Europeanization is generally embedded with the new institutionalism in analyzing domestic impact of the EU.

New Institutionalism

There are several versions of new institutionalism, but three, historical, rational choice, and sociological institutionalism, and more recently, discursive institutionalism, are usually embedded with Europeanization in analyzes of the domestic impact of European integration throughout the EU. All four might shed light on the domestic impact of the EU, as well as the importance of Turkey's EU accession process in the transformation of civil-military relations and the empowerment of government in Turkish political system. However, the rational choice and historical versions of new institutionalism are likely to be the most useful in analyzing and assessing the changes in Turkey, including civil-military relations, during the EU accession process, and the role played by the EU.

Historical Institutionalism

Similarly to other versions of new institutionalist theories, historical institutionalism (HI) defines institutions "as the formal or informal procedures, routines, norms and conventions embedded in the organizational structure of the polity or political economy" (Hall & Taylor, 1996: p.938). It also conceptualizes and stresses the relationship between institutions and individual or political behavior. However, HI regards the institutions as the "results of large-scale and long-term processes" and stresses the connection and relationship between historical development and institutions (Schmidt 2011, p. 63). To understand and explain why a certain choice was made and/or "how something came to be what it is" (Pierson 2005, p. 34), HI focuses on the development of institutions and how they structure actions and outcomes. It

⁴ Although it goes beyond the purpose of this analysis, it should be noted that post-accession conditionality is also possible (Gherghina & Soare 2015).

considers the phases of change, the path dependencies and unintended consequences that result from historical developments (Steinmo et al. 1992; Hall & Taylor 1996, p. 938; Thelen 1999; Hall & Thelen 2006; Meunier & McNamara 2007, p. 4; Schmidt 2008, 2011).

The argument of historical institutionalists is that current change and development is not only a response to contemporary demands, but also to previous circumstances (Hall & Taylor, 1996). In other words, they regard “the time” and “historical developments” as crucial in order to understand and explain later events and their causes. For this reason, they believe that an examination of the period of institutional origin provides them with a richer sense of the nature of a contemporary policy or political or social phenomenon (see Pierson 1996, p.127). “The examination of a political phenomenon is best comprehended as a process that unfolds over time... and many of the contemporary implications of these temporal processes are embedded in institutions – whether these be formal rules, policy structures, or norms” (Pierson 1996, p.126). As such, they engage in a historical research by according special importance to the origins and the development of institutions⁵, and their influence on contemporary politics, policies and policy-making (Almond 1956; Annett 2010, p.4). In researching states, politics, policies and policy-making, and in evaluating them and the changes in them, they “combine effects of institutions and processes” and pay attention to the “time”, “critical junctures”, “sequences” and “tracing transformations”, and how the processes of interaction between institutions and organizations shape and reshape them.

This study investigates the transformation of civil-military relations at Turkish over the last decade, and the role of Turkey’s EU candidature in its transformation. It also addresses the important puzzle of why and how Turkey has transferred its civil-military relations over the last decade. In other words, the study analyzes how civil-military relations came to be what it is. It argues that many of the contemporary institutions and implications of civil-military relations are, to large extent, a direct or indirect, and/or intended or unintended result of turning points in EU-Turkey relations over the last decade. In this regard, engaging in historical research by according special importance to the origins and the development of institutions at the Turkish level, and how the processes of interaction between institutions and organizations throughout the process of Turkey’s accession to the EU have shaped and

⁵ They are situated in time.

reshaped them, seems crucial to understanding and explaining the increasing changes in civil-military relations and their causation at Turkish level.

Examining these factors together, the historical institutional approach would contribute to an understanding and explanation of the increasing changes in civil-military at Turkish level over the last decade, as well as their causes. For this reason, our study will consider both the effects of institutions and processes and will interweave the historical legacy with current conditions. Furthermore, as will be elaborated below, the concepts of HI, including the “critical juncture”, “path dependency”, and “punctuated equilibrium” provide advantages in examining what has precipitated the changes in civil-military relations during the EU accession process. We will benefit, therefore, from the analytical toolkits of HI in identifying the explanatory variables and factors that have mediated changes in civil-military relations at Turkish level during the EU accession process.⁶

The main concept that HI literature considers in explaining how institutions, political and social phenomenon, and policies occur, evolve or change is “Path Dependency”. Sewell defines path dependency, as “a relationship whereby what happened at an earlier point in time will affect the possible outcomes of a sequence of events occurring at a later point in time” (Sewell 1996, p.262–263). In this regard, it means that the adaptation to a particular institution or policy at an earlier point in time will produce an additional adaptation of a similar nature in institutions or move on the same track at a later point in time (Kay 2005, p. 255; Skocpol & Pierson 2002). As understood in accordance with Skocpol and Pierson’s (2002) definition, which states that “outcomes at a “critical juncture” trigger feedback mechanisms [negative or positive] that reinforce the recurrence of a particular pattern into the future”, it is closely linked with the notion of “critical junctures”.

‘Critical junctures’ are political, social, or economic upheavals, historical moments or critical turning points in which dramatic changes occur and constitute starting points for the alteration of formal and informal institutions or preferences: they represent the starting points for path dependent processes. As Pierson, (2005, p.135) puts it, “[j]unctures are “critical” because they place institutional arrangements on paths or trajectories”,⁷ and they also

⁶ The implementation of this theoretical framework in the study will be described below and in subsequent sections.

⁷ Although analyses of path dependence — except for the macro historical analyses of the development of entire polities — pay little attention to critical junctures and often

determine the choice and power of agency and long-term development patterns. In the context of domestic Europeanization, becoming an EU candidate or a member, and important agreements or disagreement and crises between associated states and the EU, are critical junctures that constitute the starting points for Europeanization or de-Europeanization in domestic institutions or polices, and thus, for path dependent processes. Path dependency therefore means that once an EU institution or policy is incorporated at the domestic level, it is followed by additional adaptation to EU institutions or policies (Cowles & Curtis 2004, p.300). In this context, how the critical junctures in EU-Turkey relations have triggered feedback mechanisms and how those mechanisms have reinforced the recurrence of particular institutions and relations in civil-military relations at a later time will be investigated. As noted by Capoccia & Kelemen (2007, p.4), narrative process tracing provide a rich analytical toolkit to analyze the role of critical junctures in changing institutions, policies and political outcomes. Critical junctures analysis, therefore, will be employed to enable us to benefit from their rich analytical toolkit in analyzing how Turkey's process of accession to the EU has created enduring effects on civil-military relations. In this sense, we will conceptualize institutional and political changes that are the result of critical junctures, as well as their intended and unintended impact on civil-military relations.

As previously discussed, however, a critical juncture is the starting point for path dependency. Thus, the original and/or chosen path is sticky and locks in equilibrium until an external critical juncture punctuates it and starts a new process on another path. In other words, institutions remain at equilibrium until they are punctuated by an external juncture. From this perspective, the explanation of change is “punctuated equilibrium” (see Thelen and Steinmo 1992). As argued previously, this study proposes that, for at least the past two decades, critical junctures in EU-Turkey relations have directly and/or indirectly occurred at turning points that have altered the institutions and institutional structure at the Turkish level and have started new eras in Turkey's domestic politics. The equilibrium in Turkey's institutional structure, as well as its domestic politics, has been punctuated by critical junctures in EU-Turkey relations. The concepts of “critical juncture” and “punctuated equilibrium” are, therefore, useful to explain the new processes of EU-Turkey relations and the liberalization of Turkey's authoritarian political regime. Consequently, we will

focus on “reproductive” phases, such as increasing returns, lock-in and the sequencing that is launched after a path-dependent process is initiated, critical junctures are important in the analysis of path dependence because institutional trajectories change at that time.

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utilize the “critical juncture” and “punctuated equilibrium” concepts of HI to analyze the new processes, developments and changes in Turkey’s civil-military relations over the last decade.

As argued by many historical institutionalists, institutional changes are the products of changes in actors’ interests, values and ideas (Katznelson & Weingast 2005; Lieberman 2002; Marcussen 2000; McNamara 1998; Steinmo 2008). It is thus important to better understand the ways that actor interests and ideas change and the ways that they affect politics and history. In this vein, Streeck & Thelen (2005) identify five sets of common models of institutional change,⁸ however, they do not really offer an explanation or theory regarding the ways that actor interests and ideas change, or the ways that they bring about institutional change (Schmidt, 2008). HI’s framework itself, therefore, lacks an understanding and explanation of what brings about junctures, and which or whose actions, ideas and interests, and/or changes in them, drive events and processes, and thus, institutional and political changes.

In this vein, there is a need for tools from other approaches to overcome this shortcoming (Hall & Taylor 1996, p. 940-941; Schmidt 2006). To this end, historical institutionalists primarily benefit from elements of the rational choice institutionalist approach (RI) and/or the sociological institutionalist approach (SI) (see e.g. Dobbin 1994; Fligstein 1990; Hall & Soskice 2001; Immergut 1992; Katzenstein 1996; Streeck & Thelen 2005; Thelen 2004). In our approach, for several reasons (that will be explained below), we benefit from elements of RI, which pays more attention to the actors, ideas and interests behind events and processes. As such, in addition to the aforementioned concepts of HI, the notions of “empowerment of actors”, “cost/benefit calculation” and “maximization of interest” will be enhanced (see below).

Rational and Sociological Institutionalism

As in other versions of new institutionalism, Rational choice institutionalism (RI) argue that there are interactions between individual behaviours and institutions. RI sees individuals as “utility maximizers” and argues that individuals conduct cost-benefit analyses and act strategically to maximize their

⁸ Such as a) “displacement”, in which one institution displaces another; b) “layering”, in which an institution adopts new functions on top of older functions; c) “drift”, in which the environment surrounding an institution changes, but the institution does not adapt in a stepwise fashion (see also Jacob Hacker’s chapter in Thelen & Streeck’s volume); d) “conversion”, in which institutions take on new functions, goals or purposes; and e) “exhaustion”, which refers to institutional breakdown and failure.

material objectives and interests. It gives priority to the rational calculations and interests of actors, instead of the role of institutions, because it maintains that institutions are created by individuals to pursue and maximize their own interests and welfare (Blyth 2002, p.306; Schmidt 2008, p.321, 2011). The argument is that individuals calculate the benefits of adaptation to new institutions. If the costs of change or adaptation are less than the benefits, and if it will serve their interests, they make the necessary arrangements and changes to adapt to the new norms, values, rules and regulations (Schmidt 2008, 2010). From this perspective, institutions may not initially determine actor interests and preferences in the political arena, but they have an impact on their strategic calculations (Harmsen 2000, p.59).

As argued by Börzel & Risse (2003, 2007, 2009), Schimmelfennig (2009, 2010) and Sedelmeier (2011, 2012), adaptational pressure is a required, but not sufficient condition for domestic change. Mediating factors also play a significant role in this process. In this regard, the rational institutionalist approach emphasizes the importance of two “mediating factors”, namely “multiple veto points” and “formal institutions”, in the domestic Europeanization process (Börzel & Risse 2000, 2003, 2007, 2009; Lavenex & Schimmelfennig 2010; Schimmelfennig 2009, 2010; Schimmelfennig & Sedelmeier 2005). The number of institutional vetoes would particularly increase at the early stage of domestic Europeanization. This makes it difficult to obtain the necessary consensus regarding the required changes at the domestic level for adaptation to the EU *acquis*. In such cases, the EU empowers pro-EU actors and institutions through providing technical and economic support to make the required changes at the domestic level (Börzel & Risse 2000, 2003, 2007, 2009; Lee 2005; Schimmelfennig 2009, 2010; Schimmelfennig & Sedelmeier 2005; Sedelmeier 2011, 2012). In this process, the redistribution of resources and power through the harmonisation reforms also empower pro-EU actors and institutions (Börzel & Risse 2007, 2009).

In this regard, from a rationalist perspective, making the required arrangements at the domestic level to close the existing “misfit” gap between the domestic and European levels is closely related to the cost/benefit calculation of rule compliance made by domestic actors, and the changes in the existing balance of power at the domestic level. The Europeanization process, on the one hand, provides new opportunities to some groups and institutions (generally, NGOs and civil society), on the other hand, it may weaken and constrain the ability of some domestic actors and institutions to pursue their interests: “Europeanization leads to domestic change through a different empowerment of actors resulting from a redistribution of resources at the

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domestic level” (Börzel & Risse 2003, p.58, 2007, 2009; Knill & Tosun 2009; Schimmelfennig 2009, 2010; Sedelmeier 2011, 2012). It is argued that the empowered formal institutions and non-governmental organizations (NGOs), especially economic elites and organizations, play a significant role in countering resistance to change and adaptation in the domestic Europeanization process (Börzel & Risse 2003, 2007, 2009, 2012; Knill 1999; Schimmelfennig 2005, 2009, 2010; Vachudova 2005).

In this regard, Turkey’s enthusiasm for reforms that comply with the EU accession criteria could be explained by rational institutionalism. According to the rational choice approach, Turkish actors act according to the “logic of consequentiality”, they calculate that compliance with EU rules, regulations and norms—regardless of the considerable domestic adaptation costs—will bring greater long-term benefits than the status quo. As noted by Wolfgang (1997) the aspiration amongst governmental and non-governmental actors to adapt national norms to EU guidelines to gain entry to the EU is largely a rational choice. The EU’s technical and economic support, as well as market-oriented reforms and harmonization laws that are undertaken to close the existing misfit gap between the Turkish and EU levels, also changes the existing balance of power in the Turkish political system by providing new opportunities to governmental and non-governmental organizations (NGOs) and by constraining the power of autocratic state institutions, such as the military, old bureaucratic elites and the National Security Council (NSC), to pursue their interests. By calculating their economic and political interests, these empowered actors and institutions seek to adapt the EU’s norms and directives. As such, this changing balance of power in the Turkish political system, based on the rational calculation of Turkish actors, plays an important role in Turkey’s increasing adaptation to the EU *acquis*. In this vein, the logic of the rational institutionalist approach is helpful in identifying the explanatory variables and factors that mediate changes in the context of our study. Europeanization, embedded in the rational and historical versions of new institutionalism, thus constitutes the analytical toolkit in this study.

Civil-Military Relations before the EU Accession Process

With the 1960 constitution an “undemocratic” political and judicial system was created with the National Security Council (NSC) and the military jurisdiction. The military junta was institutionalized through the NSC and military jurisdiction and legalized the influence of the military in every segment of the Turkish political system (for details see Jacob 1974, p. 7; Frederick 1965, p. 181-261; CIV4⁹

⁹ Semi-structured interviews were conducted with twenty people in Turkey (in Istanbul

October 25, 2010, Brussels; CIV12 January 6, 2011, Ankara). The power of the military in the Turkish political system was further strengthened with the 1971 and 1980 and 1997 military intervention (see Jenkins 2001; CIV4 October 25, 2010, Brussels; CIV12 January 6, 2011, Ankara). As the EU Commission Report on Turkey (2000) stated, the NSC and the secretary-general of the NSC were not accountable to Parliament or to the government. The NSC operated mostly as a decision-making body with the power to obstruct any policy. Due to the broad definition of “national security”, its task covered all subjects of state policy, including domestic, foreign, security, education, broadcasting etc. The government was obligated to consider the statements and recommendations of the NSC in the formulation of any policy, which strictly limited the government’s power in formulating any policy.

Before the announcement of Turkey as an EU candidate in the 1999, therefore, the military acted as a high-ranking institution in the Turkish political system (Ozturk 2009, p. 20 see and Heper & Keyman 1998; Gencer 2001; Diamond 2002; Frank 2002). Under the name of protection from external and internal threats, the Kemalist state system legalized and legitimized the influence and interventions of the military in political, economic and social life through the constitution and institutions like the NSC (Ozdemir 2006; Gencer 2001; CIV4, October 25, 2010, Brussels; CIV12, January 6, 2011, Ankara). The military established power over the political system and political, economic, cultural and religious affairs, the activities of NGOs and political parties and even parliament (Karaosmanoglu 2000; Nathalie 2001; Kirisci 2004; Aras 2009; CIV6, November 4, 2010, Istanbul; CIV7, November 3, 2010, Istanbul). They also defined the state’s security, interests and policies and the parliament, politicians and people had to adapt to these, otherwise they would be harassed and prosecuted (Karaosmanoglu 2000; Kirisci 2004; Aras 2009; CIV4, October 25, 2010, Brussels). Consequently, there has been a high level of misfit gap between Turkey and the EU in terms of civil-military relations, the participation of NGOs in political decision-making and functioning democratic governance.

and Ankara) and in Brussels, including officials from the Turkish Foreign Ministry, think tanks, trade unions and human rights organizations. These aimed to shed light on the experiences, knowledge, opinions and attitudes of informants in relation to Turkey’s domestic politics and policy, and Turkey–EU relations. We assigned each interviewee a code (pseudonyms). For instance, the interviews conducted with the Foreign Ministry officials were coded as DIP (1, 2, 3...) and the interviews with members of NGOs were coded as CIV (1, 2, 3...).

The EU Adaptation Pressure and Democratization of Civil-Military Relations

The high level misfit gap between Turkey and EU in the civil-military relations caused high levels EU adaptation pressure on Turkey. Throughout the 1997 Luxembourg and 1999 Helsinki summit Presidency Conclusions, the 2001 Accession Partnership Document of Turkey and the European Commission yearly progress reports on Turkey, the EU set the condition that Turkey must meet the political, economic and legislative criteria of the EU, defined by the 1993 Presidency Conclusions of the Copenhagen European Council, to progress towards EU membership. The major role played by the army in political life and the lack of civilian control over the army is one of the main subjects of EU criticism and adaptation pressure (see EC Progress Report on Turkey 1998, p. 14; EC Progress Report on Turkey 200, p. 14; EC Progress Report on Turkey 2001, p. 97; Müftüler Baç 2005, p. 17-3; Tocci 2005, p. 73-83; Heper 2011, p. 241-252; Bilgiç 2009, p. 803-824).

The EU has not only constantly criticized the “autonomous” role of the military in the Turkish political system through the NSC and SSCs, but also persistently asked for reforms in these realms to ensure that the army does not intervene in political life and that civilian authorities exercise full control over the military, its expenditure, and the formulation and implementation of domestic and foreign policies in accordance with the practice of EU member states (see Accession Partnership Document 2001, p. 19; Accession Partnership Document 2003, p. 44; Toktas & Kurt 2008; Heper 2005, p. 33-44; Karaosmanoğlu 2011, p. 253-264).

As expected and proposed by the theoretical framework of study and noted by earlier research, the EU adaptation pressure on Turkey over the “autonomous” role of the military in the Turkish political system through the NSC resulted in the changing role and composition and function of the NSC. With the amendment made to Article 118 in 2001 the number of civilian members of the NSC increased from five to nine and the number of military members remained at five. The role of the NSC was limited to recommendations, in that instead of giving priority to the recommendations of the NSC the government would be required to simply evaluate them. The NSC representatives on the Supervisory Board of Cinema, Video and Music were removed.¹⁰ The 2001 European Commission Progression Report claimed, however, that this constitutional change would increase de facto civilian control over the military but needed to

¹⁰ The NSC representatives on the RTÜK and the YOK, however, stayed. As a result of the EU’s enduring criticism (see the 2001, 2002 and 2003 EU Progression Reports on Turkey), the NSC representatives on the RTÜK and YOK were later removed in 2004.

be monitored since, while the report was being prepared, the NSC was recommending action on a number of domestic policy issues and even constitutional reform packages (see Guney & Karatekillioglu 2005, p. 443).

To limit the influence of the military over the government and the Turkish political system, “revolutionary” changes were made in the “seventh reform package” on 23 July 2003 related to the duties, functions and composition of the NSC¹¹ to adapt the civil-military relations to the EU norms, involving: a) the extended executive and supervisory power of the Secretary General of the NSC. In particular, the provision empowering him to follow up, on behalf of the President and the Prime Minister, the implementation of any recommendation made by the NSC has been abrogated, b) the ultimate access of the NSC to any civilian agency has also been abrogated, c) the post of Secretary General will no longer be reserved exclusively for a military person, d) the frequency of the NSC meetings has been modified, so that it will meet every two months instead of once a month, and e) the government is no longer obligated to consider the statements and recommendations of the NSC in the formulation of any policy

As such, the “seventh reform package” changed the functions, duties and composition of the NSC and deinstitutionalized and illegalized the coercive influence of the military in political decision-making. The NSC is no longer an executive decision-making body with the power to obstruct the decisions and policies of civil actors (see 2004, 2005 EC Progress Reports on Turkey; Heper 2011, p. 241-252; Bilgiç 2009, p. 803-824; CIV4, October 25, 2010, Brussels; CIV7, November 3, 2010, CIV12, January 6, 2011, Ankara). The military thus lost its executive control and influence over the government, media, NGOs and political life (Karaosmanoğlu 2011, p. 253-264; Satana 2011, p. 279-292; Heper 2011, p. 241-252; CIV4, October 25, 2010, Brussels; CIV7, November 3, 2010; CIV12, January 6, 2011, Ankara)

In addition, with the amendments to Article 160 of the Constitution and the Law on Public Financial Management and Control (PFMC), the seventh reform package introduced increasing parliamentary control over, and transparency in, defence and military expenditure. With these amendments, defense and military expenditure began to be announced and the Court of Auditors is

¹¹ The *Financial Times* (31 July, 2003) called these changes in the Turkish political system a “quiet revolution” and a triumph for the EU.

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authorized to audit the accounts and transactions of all types of organizations including state properties owned by the armed forces (2003 EC Progress Report on Turkey). Furthermore, in accordance with calls from the EU (see 2001, 2002, 2003, 2004 EC Progression Reports on Turkey) the ratio of military expenditure to the Gross Domestic Product (GDP) has been reduced considerably in the last decade. As noted by the EC progress report on Turkey (2004, p. 23) on the history of the Republic of Turkey, "Education spending is for the first time higher than defense spending" in the 2004 budget (Progress Report on Turkey 2004, p. 23); and according to the 2015 budget, the Ministry of Education budget (63 billion TL) is more than threefold the budget of the Ministry of National Defense (21 billion TL). The ratio of military expenditure to the GDP was 10.5% of the GDP in 1997 and down to 5.6 % in 2008 and 3.1% in 2015 (TGNA/TBMM Negotiations on the Budget of National Defense Minister October 10, 2015, Ankara).

On the other hand, as a result of EU calls and adaptation pressure, the State Security Courts (SSCs) were closed in 2004 and members of military engaging in crime can be tried in civil courts following an amendment to legislation (Act 5918) in 2009.¹² As such, the influence of the military over the judiciary is also deinstitutionalized and illegalized. Consequently, civil executive and judiciary control over the military was institutionalized and legalized, and "a double-headed political system" ended (see 2008, 2009, 2010, 2011 and 2012 EC Progress Reports on Turkey; Karaosmanoğlu 2011, p. 253-264; Satana 2011, p. 279-292; Heper 2011, p. 241-252; Bilgiç 2009, p. 803-824; CIV4, October 25, 2010, Brussels; CIV7, November 3, 2010, Ankara; CIV9, December 7, 2010 Ankara; CIV12, January 6, 2011, Ankara). The 2010 constitutional reforms opened a path for judicial investigations into previous coups. For the first time in the Turkish Republican history the generals and members of army who participated in the coups of 1980 and 1997, were sentenced in the civil court.

As noted by the 2012 EC Progression Reports on Turkey and Aydınli (2011, p, 227-239) these investigations also contributed greatly to the consolidation of civil-military relations in Turkey by decreasing the people's confidence in the military around 15 per cent, while the people's confidence in government has increased about two-fold in the last decade (For details see "*Türkiye Değerler Atlası 2012*" - Turkey's Values Atlas 2012). In addition to losing its legal power in

¹² As such, many retired and active duty military personnel, including former army commanders, who had allegedly engaged in as-yet unsolved murders during the 1990s, especially in the south-east of Turkey, and attempting to remove or prevent the functioning of the government through force and violence are being tried in civil court.

political decision-making mechanisms and the judiciary, the military's interventions in politics and its influence and control over the government and judiciary also lost its legitimacy in the eyes of Turkish people.

The harmonisation reforms undertaken in 2003 and 2004 have also introduced a number of changes to the prosecution of political parties and the restriction on political participation. The amendment to Article 67 removed the restriction on voting in elections and referenda.¹³ The amendment to the Political Parties Law, and Articles 100 and 102, with the second and fourth reform packages made it difficult to close down political parties in 2003.¹⁴ All these above detailed reforms generated by EU conditionality and adaptation pressure resulted in empowerment of civil actors in Turkish political system and society and increasing public support and trust to civil-actors and institution played important role in the failing of the military coup attempt, took place in July 15, 2016.

A Cost – Benefit Analysis and Critical Junctures

While announcing Turkey as a candidate at the 1999 EC Helsinki Summit, the EU clearly noted that Turkey had to adapt to the EU *acquis communautaire* in the field of democracy, rules of law, and the economic realm, and be able to start accession negotiations with the EU in order to even get a date for starting the accession negotiation and benefitting from EU economic aids (for details, see 1999 EC Helsinki Summit Presidency Conclusion; 2001 Accession Partnership Documents; and 1999, 2000, 2001, 2002, 2003 EC Progress Reports on Turkey).

The EU offered economic aids for starting the accession negotiations, and being on the EU track for full EU membership. Turkey was (and is) doing more than half of its trade with the EU, and about 75% of its foreign direct investment (FDI) comes from the EU. Furthermore, as noted by former Turkish EU Chief Negotiator and EU Affairs Minister, Egemen Bagis (December 18, 2012) and many of our interviewees (CIV4, October 25, 2010, Brussels; CIV6, November 4,

¹³ According to the previous 67 Article, all conscripts serving in the armed services, students in military schools, and detainees and convicts in prisons were unable to vote.

¹⁴ According to the new Article 100, a closure case can only be opened for “reasons stipulated in the Constitution in line with Article 68 and with amendment to the Political Party Law of a three-fifths majority”. An amendment to Article 104 provides alternative sanctions instead of closing the party. These amendments restrict the closing of political parties in the Turkish political system. For example, in 2005, the Court of Cassation rejected closure cases against seven political parties and the closure case against the ruling AK Party opened by the public prosecutor of the Court of Appeals in 2008, which was rejected by the Constitutional Court on the basis of the “three-fifths majority” rule.

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2010, Istanbul; CIV7, November 3, 2010, Istanbul), Turkey could not complete the democratic and economic reforms that were indispensable for ensuring political and economic stability and becoming more democratic, prosperous and transparent without the EU's technical and economic supports and adaptation pressure. As noted by Turkish politicians¹⁵ on different platforms,¹⁶ many of our interviewees¹⁷ and Turkish scholars,¹⁸ the political and economic cost of Turkey abandoning the EU track would have been high in the long term. As such, to be able to start accession negotiations with the EU and benefit from EU economic aids, including undertaking the necessary political and economic reforms for political and economic stability and becoming more democratic, prosperous and transparent, Turkey became fully involved in the pre-accession strategy in the post- Helsinki process and announced its own national programme to adapt to the EU *acquis communautaire* in the field of democracy, rule of law, and the economic realm (see Emerson and Tocci 2004; Eryilmaz 2006; Altinisik & Tur 2005; Aydin & Acikmese 2007; see also interviews with CIV7, November 3, 2010, Istanbul; CIV9, December 7, 2010, Ankara; CIV12, January 6, 2011, Ankara).

Consequently, as proposed by historical institutionalism the critical junctures in EU-Turkey relations, the announcement of Turkey as an EU candidate in 1999 and the announcement of a date for starting the EU accession negotiations in 2004, punctuated the equilibrium at the Turkish level and started Turkey along the path of liberalization through the harmonization reforms generated by EU adaptation pressure. As such, civilian control over the military unexpectedly increased over the last decade, especially after 2007 (see, the EC Progression Reports on Turkey 2004, p.23, 2012, p.11; CIV4, October 25, 2010, Brussels; Heper 2011, p. 241-252; Bilgiç 2009, p. 803-824). Today, unlike the past, the civil authority – the Prime Minister and President – have the final say at the Supreme Military Council (YAS) and the NSC. The military influence and control over the judiciary through the SSCs has ended, as has the civil judiciary's control

¹⁵ Such as the Turkish EU Chief Negotiator and EU Affairs Minister Egemen Bagis as well as President Gul, Prime Minister Erdogan, Economic Affairs Minister Babacan, and Foreign Minister Davutoglu.

¹⁶ Such as public meetings at Diyarbakir, Istanbul, and Trabzon, TV programmes (Siyaset Meydani, 32. Gun, Iskele Sancak, Egrisi Dogrusu, Sansursuz, and act.), and conferences at Abant.

¹⁷ CIV2, October 26, 2010, Brussels; CIV3, October 22, 2010, Brussels; CIV8, December 3, 2010, Ankara; CIV4, October 25, 2010, Brussels.

¹⁸ Bilgiç and Karatzas 2004, p. 5; Emerson and Tocci 2004; Eryilmaz 2006; Aydin & Acikmese 2007; Kirisci 2006; Aras, 2009; Togan and Hoekman, 2005; Keyman, 2012; Akan, 2011; Keyman & Onis 2007.

over the military, established with the amendment to the act of 5918 in 2009 and the 2010 constitutional reforms. During cuts in the defense budget the military- bureaucratic elites acted as veto players (CIV4, October 25, 2010, Brussels; CIV7, November 3, 2010, Ankara). However, thanks to the EU, its conditionality, and technical and financial support, reforms were put into practice.

However, despite considerable improvements in the accountability and transparency of the security forces, the Internal Service Law for the Turkish armed forces, and the Chief of the General Staff's being responsible to the Minister of Defense rather than to the Prime Minister, the misfit gap between Turkey and the EU in terms of civil-military relations, to some extent continues. In this regard, there is still need for further efforts and reforms to fully adapt to EU standards. As noted by many students of Turkish study (Aydin 2011; Altayli 2013; Davuroglu, 2014) however, and our interviewees (CIV4, October 2010, Brussels; CIV12, January 2011, Ankara), in practice the army no longer intervenes in political life and civilian authorities fully exercise control over the military, its expenditure, and the formulation and implementation of domestic and foreign policies in accordance with EU standards in last years, especially after 2007.

Conclusion

This article investigated the democratization of civil-military relations in Turkey over the last decade and the role of the EU in the changing civil-military relations. The ideas and information generated from the research data were analyzed using Europeanization and the New Institutional theory (i.e., rational choice and its historical version). Consequently, the chapter focused on different concepts, such as the level of the misfit gap between the Turkish and EU levels in the field of democracy and the rule of law, and EU adaptation pressure (Europeanization), the empowerment of new actors and institutions against the veto players and the cost/benefit calculation of rule compliance (rational institutionalism), critical junctures in EU-Turkey relations, punctuated equilibrium and path dependency (historical institutionalism).

This study has revealed that, first, there was (and to some extent still is) a high-level misfit gap between Turkish and EU levels in terms of the independence of the judiciary, civilian control over the military. Second, the critical junctures in EU-Turkey relations punctuated equilibrium at Turkish level and started it on the path of the liberalization of Turkey's authoritarian political regime. Third, the EU's high-level adaptation pressure on Turkey resulted in a significant change in civil-military relations at Turkish level in accordance with EU calls. Thus, democratization of civil-military relations in Turkey is to a large extent a

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vertical, “top- down” process. Fourth, changes in Turkey’s political and legislative system, generated by harmonization reforms undertaken to fill the misfit gap between Turkey and EU resulted in changing the institutional power relations; the empowerment of the government and civil society against the military–bureaucratic elites in political decision making. The research also revealed that the empowered actors and institutions have played a very active role in Turkey’s adaptation to calls from the EU in the field of democracy and rule of law, thereby fuelling changes in Turkey’s political and legislative system, and civil-military relations.

A review of the literature on Europeanization revealed that the majority of studies focused on the impact on the member states’ socio-economic policies and practices of the EU’s economic, social and environmental regulations and directives. They looked at how member states adapted their institutions, policies and practices to comply with EU regulations and requirements and how internalization of EU regulations and directives gradually affected the policies and practice of associated states. The impact of the EU on the civil-military relations of associated states in general and Turkey in particular is a relatively less popular subject of academic debate. The need for research on the impact of the EU on civil-military relations, especially after the failed military coup attempt took place in 15 July 2016, therefore, has increased. This analysis about how civil-military relations were transformed during Turkey’s EU accession process brings new empirical evidence about the influence of the EU on the civil-military relations in associate countries. The results of this study suggest that the concept of “conditionality” and “adaptation pressure”, “cost/benefit calculation” and “empowerment of new actors”, and “critical junctures”, “punctuated equilibrium” and “path dependency” are useful in analyzing EU influence on the civil-military relations of associated states, whose military-bureaucratic actors have relatively strong voices and power in political system and society.

This study embedded Europeanization with rational and historical new institutionalism. As such, it also constitutes a contribution to the analytical and methodological framework of Europeanization in studying the domestic impact of the EU. Accordingly, this study also introduces avenues for further research. Such research would investigate the impact of Europeanization in the field of democracy and rule of law on the civil-military relations using theoretical entities introduced in this study. In this regard, further studies could investigate the intended and unintended impact of the EU conditionality and adaptation pressure on civil-military relations of other associated states, and on the domestic and the foreign policies of Turkey and other associated states.

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THE EUROPEAN PARLIAMENT IN THE UKRAINIAN ASSOCIATION PUZZLE

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Abstract

This article analyzes the European Parliament's engagement in EU-Ukraine relations for the main period of the Association Agreement negotiations (2010-2014). This case study reveals the growing independence and relevance of the European Parliament as an actor in EU external relations. Continuing its traditional role of promoting human rights and the principles of democratic rule, the Parliament attempted the role of agenda-setter, installing these principles in the wider context of EU relations with a target country. Furthermore, its focus on the security aspects after the commencement of the Russian aggression against Ukraine manifests its growing ambition towards a new role in EU foreign policy. Although these claims go far beyond the formal Treaty-based competences, they are in line with the trend of the “creeping parliamentarization” of the CFSP.

Keywords: European Parliament, CFSP, Association Agreement, EU-Ukraine relations, conditionality.

Introduction

Democratic conditionality has been an essential part of the European Union (EU) relations with third countries from the 1990s, giving rise to the debate on the EU as a “civilian” and/or “normative” power.¹ Certainly, the scope, patterns and goals of conditionality have been different, depending upon the framework of the EU relations with the target country, whether it was an accession, association process or a limited sectorial cooperation. In this context the European Parliament (EP) has always been a special institution. Being the

¹ For more of the debate see (Telò 2006, pp. 1-105) and (Kubicek 2003).

“champion of European values”,² the EP has built its international image around the promotion of human rights and principles of democratic rule, using its limited competences to full capacity (Holland 2002, p. 120).

The Lisbon Treaty considerably enhanced the position of the EP in the EU institutional system in terms of legislative and policy formation procedures, which also altered the EP’s role in EU external relations, taking into consideration the wide-spread perception of EU external governance being the extrapolation of its internal rules in the outer world (Lavenex 2004, p. 683). However, the EU external relations are not homogeneous due to the special status of the Common Foreign and Security Policy (CFSP), which is no longer a “second pillar”,³ nonetheless, it is still based on a special set of provisions (Wessels & Bopp 2008, p. 2).

The Lisbon formula, which inter-connected the EP’s consent right for international treaties with the ordinary legislative procedure,⁴ covers up to 80 policy areas. Moreover, Art. 218 TFEU as well as the framework agreement of 2010⁵ confirmed a number of important rights for the EP, including the general principle of equal treatment with the Council.⁶ These privileges solidly based on its “hard power” consent right made the EP an independent and powerful player in EU external relations (Passos 2011, p. 51). In the CFSP, the EP’s competences are much narrower and are mostly limited to informational rights.⁷ Moreover, it is the European Council and the Council that are at the core of the CFSP decision-making process.⁸ As it is formally excluded from the policy-making process as well from adoption of CFSP instruments,⁹ the EP is often referred to as an “*ex post facto* information receiver” (Stavridis 2003, p. 3).

However, the case of EU-Ukraine relations undermines this limited perception of the EP’s role. Moreover, this case is of special interest from several perspectives. The scope of EU-Ukraine relations has had a compound structure

² *The European Parliament as a Champion of European Values*, 2008, Brussels: Office for Official Publications of the European Communities.

³ Art. 1 TEU

⁴ Art. 218 TFEU

⁵ Framework Agreement on relations between the European Parliament and the European Commission, OJ [2010] L 304/47, 20.11.2010.

⁶ Point 9 *ibid.*

⁷ Art. 36 TEU

⁸ Art. 22, 26, 28 (1), 29 TEU

⁹ Art. 25 TEU

covering diverse sectors as well as the special formats of the European Neighborhood policy (ENP) and the Eastern Partnership projects. Furthermore, the EU-Ukraine Association negotiations, which were initiated in the aftermath of the Ukrainian “Orange revolution” of 2004,¹⁰ developed into a dramatic process, involving various aspects of the bilateral relations. The dynamics of this process evolved into a unique situation revealing the wide spectrum of the EP’s engagement in foreign policy and demonstrating its priorities as well as ambitions frequently exceeding the limits of its formal competences.

This article provides an insight into the EP’s involvement in EU-Ukraine relations from 2010 until the summer of 2014, which was the main period of the Association Agreement negotiations. The study is embedded in a wider theoretical framework of the concept of external governance dealing with different patterns of democratization of non-member countries, as well as within the general context of the EU policy towards Ukraine. The focus is, however, on the EP’s behavior during the above period of time. The article does not study the EP’s internal voting patterns. Neither does it study the influence of the EP’s actions on other EU institutions in the context of EU-Ukraine relations.

My central argument is that the EP becomes a more independent and relevant actor for EU external relations. This study stresses that continuing its traditional role in terms of the promotion of human rights protection, the principles of democratic rule and good governance, the EP assumed the role of agenda setter by placing these principles into the wider context of EU relations with a specific target country. Furthermore, the EP’s focus on the security aspects after the commencement of the Russian aggression against Ukraine manifests its growing ambition for a new role in EU foreign policy. Although these claims go far beyond the formal Treaty-based competences, they are in line with the trend of the “creeping parliamentarization” of the CFSP. The article empirically supports major theoretical findings of the literature referred to. However, its added value is the focus on the institutional behavior of the EP in this specific case.

The article consists of three main sections, followed by conclusions. Section I provides the theoretical framework of the study by referring to the existing literature dealing with the concept of external governance and democratization of non-member states. Furthermore, this section establishes the background of the study by providing insight into the domestic

¹⁰ The negotiations were launched in 2007.

environment of the “post-Orange” Ukraine. The second section focuses on the Association process: the EP’s involvement in the EU-Ukraine relations during the period 2010-2013. The third section scrutinizes the period following the outbreak of the “Revolution of Dignity” in November 2013 until the summer of 2014, when the Association process was completed against the background of escalating Russian aggression.

Conditionality, enlargement and Ukraine.

This section deals with three major points. It begins with the security dimension of the European integration process, and then moves on to tackle the theoretical framework of the EU external governance and different modes of its conditionality application. The third and final issue here is the Ukrainian domestic situation in the aftermath of the “Orange revolution”, which was the starting point for the EU-Ukraine association process.

European integration has principally been an instrument of security policy (Menon & Sedelmeier 2010, p. 80), although it also expanded to other areas, such as market integration promotion, building a zone of democratic values and rights, the changing role of the state, etc. (Bulmer 2009, p. 311). From this perspective it is believed that “more Europe” *per se* is something to be welcomed (Menon & Sedelmeier 2010, pp. 80-81). Thus, the security dimension of the 2004-2007 “big enlargement” is evident. In the aftermath of the Cold War, it consolidated the new order in Europe without a system of military blocks or dividing lines. The accession process was accompanied by conditionality, which was portrayed as deliberate success stories, framed as strategic responses to security challenges (Menon & Sedelmeier 2010, pp. 81). Although this time the EU conditionality was emphasized as the main pillar of EU enlargement governance (Smith 2003), the Mediterranean enlargement of 1980s had already contained political conditionality, though on a different scale.

Modernization theory emphasizes democracy as a value on its own as it is closely inter-connected with the level of economic development, public welfare, education and urbanization (Lipset 1960, p. 31). From the security perspective, democracy promotion plays an important role bearing in mind the well-known postulate of no war between democracies. Furthermore, the correlation of democracy with peace, international institutions, and trade, makes democracy promotion a relevant strategy for the EU from, *inter alia*, the security perspective (Lavenex & Schimmelfennig 2011, p. 889). By promoting democracy in the neighboring countries, the EU aims at encircling itself with states that share the same values of peace, cooperation and trade, thus

politically eradiating security challenges by installing mutually beneficial modes of relations. The growing interdependencies with neighboring countries shift the agenda of bilateral relations towards routine topics such as standards, common projects, etc., thus following the path of the EU's own development.

Another aspect, which requires a separate focus, is the phenomenon of the "domestic analogy". In accordance with this concept, polities prefer to have an international environment that is ordered according to their own principles and procedures (Schimmelfennig 2015, p. 10). In this sense, the process of "Europeanization" is "the external projection of internal solutions" (Lavenex 2004, p. 695), that "mirrors" the fundamental principles of the EU and European integration (Peters & Wagner 2005, pp. 215–216). Certainly, the liberal values of democracy, the rule of law and human rights are at the core of these principles. Furthermore, it is the shared respect of these principles that makes the EU a specific collective identity with a specific set of common values and norms (Schimmelfennig & Sedelmeier 2004, p. 667). Thus, the EU conditionality is grounded by the self-reflection of a club with specific rules and requiring adaptation to key features of the existing membership (Steunenbergh & Dimitrova 2007, p. 2).

Besides the high rhetoric of "civilian" or "normative" power (Lavenex & Schimmelfennig 2011, p. 889), "mirroring" has practical reasoning, as the "mirrored" environment in a partner country is likely to be in the best interest of the EU and its member states. This is because they are familiar with it and know how to use it to their benefit, which implies the reduction of adaptation costs as well as advantages over non-EU actors that are less familiar with such an environment (Peters & Wagner 2005, p. 216). Another practical reason for "mirroring" is the formation of common grounds for the development of interdependences, since the more similar third countries are to the EU multi-level system of governance, the better EU rules are likely to fit (Lavenex & Schimmelfennig 2009, p. 805). This approach obviously suggests hierarchical relations between the EU and third countries; however, the very nature of the EU implies the potential to condition its policies towards the outside world (Menon & Sedelmeier 2010, p. 80).

This article refers frequently to the concept of "external governance", which is identified as the extension of internal EU rules and policies beyond its legal and geographical borders (Lavenex & Schimmelfennig 2009, p. 791; Lavenex 2004, p. 683). The process implies the transposition of EU rules into domestic law, as well as the change of domestic political practices according to EU standards. Schimmelfennig and Sedelmeier refer to three major models of external

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governance, which are 1) reinforcement by rewards, 2) social learning and 3) lesson-drawing (Schimmelfennig & Sedelmeier 2004, pp. 661-679); however, in the context of EU enlargement the predominant model was reinforcement by rewards (Schimmelfennig & Sedelmeier 2004, p. 663) against the background of “governance by conditionality” (Lavenex & Schimmelfennig 2009, p. 794). This model implies the EU providing external incentives for a target government to comply with its conditions (Schimmelfennig & Sedelmeier 2004, p. 662). It also suggests cost-benefit calculation and compliance with the EU conditionality in the case that the rewards exceed the domestic adoption costs (Schimmelfennig & Sedelmeier 2005, p. 4).

The CEE countries enlargement is often claimed to be the most successful EU foreign policy from a number of different perspectives, including democratic consolidation, conflict resolution, and stability in Eastern Europe with the accession conditionality being the cornerstone of this success (Schimmelfennig 2008, p. 918). However, it was the conditional promise of EU membership that has been viewed as an essential requirement for effective EU democracy promotion and conditionality (Vachudova 2005). Nonetheless, there are two remarks to be made. The first is the higher domestic cost of compliance with EU conditionality for non-democratic regimes (Vachudova 2005). The second is the fact that cross-conditionality and competing geo-strategic and economic interests undermine the credibility of EU conditionality (Kelley 2004, p. 42).

The enlargement was also recognized as a powerful instrument of EU security policy for evident reasons (Menon & Sedelmeier 2010, p. 86). Furthermore, for European foreign policy, the post-enlargement era was characterized by two fundamental objectives: projecting security and stability beyond the expanded EU borders, and making the EU “a real global player” (Magen 2006, p. 400). However, in terms of the EU’s eastern borders both objectives implied increasing interaction with Russia, which at that time already perceived EU eastern expansion as geostrategic competition (Tolstrup 2014, p. 249). Although the enlargement considerably enhanced security on the European continent, it also brought the larger EU closer to troubled areas, which required adequate measures to ensure security and stability in the immediate EU neighborhood (Magen 2006, p. 401).

To achieve this strategic objective, both the European Security Strategy and the ENP implied the formation of special relations with neighbors, suggesting further development of interdependences and the promotion of good governance based on liberal values (Magen 2006, p. 401). Thus, the gradual spread of democracy, the rule of law, and prosperity in progressively wider

circles of the EU's neighbors was associated with the attainment of stability, security, and peace (Duke, 2004, p. 463). However, the ENP was designed to extend the geographical scope of EU rules without offering the prospect of full membership (Schimmelfennig & Wagner 2004, p. 658), which from the perspective of EU conditionality created a dividing line between that and the accession process. Discussing four possible scenarios for EU relations with its neighbors, Steunenberg and Dimitrova stressed that the most beneficial outcome for the EU would be a "reformed satellite" country, which had completed its transformation in accordance with the EU roadmap; however, it was not offered membership, thus avoiding the associated political costs (Steunenberg & Dimitrova 2007, pp. 5-6).

Although the application of conditionality was initially claimed as one of the main instruments for the fulfillment of the ENP goals (Schimmelfennig 2015, p. 18), in the absence of the "golden carrot of membership" (Börzel 2009, p. 29) the ability to apply conditionality as well as its effectiveness was greatly limited (Epstein & Sedelmeier, 2008, p. 799), despite the fact that ENP directly borrowed methodologies and instruments from "the enlargement template" (Magen 2006, pp. 405-406). This resulted in the conclusion that ENP rule transfer cannot be explained on the basis of conditionality due to the contrast between the processes (Casier 2011, p. 960). The crucial difference is that the EU enlargement policy managed to lock in democratic change and support democratic consolidation, whereas there is no evidence for such effects in the ENP (Schimmelfennig 2015, p. 19). Besides the problematic application of conditionality, there are two additional reasons to explain this state of affairs: inconsistency in the EU's democracy promotion (Lavenex & Schimmelfennig 2011, p. 901), and insufficient formalization of the entire process (Lavenex & Schimmelfennig 2009, p. 797). Both observations imply the conclusion that the EU has insufficient commitment to democracy promotion in its neighborhood (Lavenex & Schimmelfennig 2009, p. 808), or to be more exact, the prevalence of interest-based considerations in relations with external states (Schimmelfennig, Engert & Knobel 2006, p. 46).

However, the other side of the process is the role of the domestic institutions and politics, which greatly determine the success or failure of EU external governance (Dimitrova & Dragneva 2009, p. 855). Therefore, this article provides an overview of Ukraine in the aftermath of the "Orange Revolution". The revolution not only changed the internal Ukrainian political landscape, but also injected "dynamism into Ukraine's relations with the EU" (Wolczuk 2009, p. 197). In fact the Association process, which was started in 2007, was greatly inspired by the revolution and was often viewed as an advance to Ukraine

rather than recognition of Ukrainian success on the path of democratization. After the “Orange revolution”, Ukraine was characterized by two features: a specific political system with a privileged position for oligarchs and the “shuttle diplomacy” it employed in an endeavor to press the EU for candidate country status whilst simultaneously preserving special relations with Russia. In many ways, the Ukrainian revolution of 2013-2014 was shaped by these basic contradictions: between the oligarchic system of governance and the interests of Ukrainian society, and those between the two diverging vectors of Ukrainian integration – the EU and the Russian-led Customs Union.

There is a vast literature providing insight into both the nature of oligarch groups and their penetration into the Ukrainian political and institutional systems (Dimitrova & Dragneva 2013, p. 664). Moreover, the survival of oligarchic groups after the “Orange revolution” and further “oligarchization of power” against the permanent tensions between Yushchenko and Tymoshenko¹¹ were viewed as factors which undermined democratization in Ukraine (Casier 2011, p. 965). Furthermore, the oligarch system was the basis of the “all-embracing” political corruption (Razumkov Centre 2009, p. 40). It is important to stress that the most powerful oligarch groups were connected to either the energy sector (Achmetov, Kolomoysky, Pinchuk) or Russian business interests in Ukraine (Firtash, Grygorishin). This fact adds another emphasis to Russia’s involvement in Ukrainian affairs, since Russia was Ukraine’s key trade partner, particularly as its energy supplier (Dimitrova & Dragneva 2013, p. 663).

To complete the picture, there is another phenomenon to mention. Despite the fact that the ENP was designed as an alternative to EU membership (Lavenex & Schimmelfennig 2011, p. 899), Ukraine persistently demonstrated its aspiration to acquire the EU candidate country status. This aspiration was ignored by the EU officially; however, it was tackled at non-official levels and by non-binding documents under the euphemism of the “European perspective for Ukraine” often with further reference to Art. 49 TEU (Magen 2006, p. 412). Thus, the phenomenon of “self-imposed” democratization (Casier 2011, p. 971) developed into an important factor in the EU-Ukraine relations.

Earlier research shows that the EU enlargement and neighborhood policies implied a distinct security aspect, emphasizing the interconnection of security with promotion of liberal values, which was at the core of conditionality in both cases. However, the application of conditionality without offering the membership perspective lost much of its practical relevance and effectiveness.

¹¹ President and Prime-Minister of Ukraine at that time.

Moreover, the lack of EU commitment to a coherent application of the policy ended up in a general picture of inconsistency and ineffectiveness (Lavenex & Schimmelfennig 2011, p. 887). The “Orange revolution” in Ukraine failed to rid its political system of the dominance of oligarch groups. Furthermore, the interdependence with Russia was a significant factor for Ukraine’s convergence with EU rules (Dimitrova & Dragneva 2013, p. 662), as Russia regarded democratic developments in Ukraine as a geopolitical threat to its interests (Schimmelfennig 2015, p. 21).

Ukraine, Association and Conditionality.

This section covers the main period of the Association Agreement negotiations (2010-2013) and investigates the EU conditionality agenda, separately stressing the EP’s role in the negotiation process. In addition, it studies the reasons for the failure of the Association process.

The decisions to open the association and accession negotiations are two major events in terms of the integration threshold (Schimmelfennig 2008, p. 922). Thus, association itself is often considered to be an incentive to bargain against conditionality (Lavenex & Schimmelfennig 2011, p. 893). However, association may imply a step towards membership (European Agreements) or may exclude any such perspective (Euro-Mediterranean Association Agreements). Certainly, the level of conditionality differs for various types (Schimmelfennig & Scholtz 2010, p. 449); however, the boundaries between them can also be rather blurred due to individual peculiarities. Nonetheless, the Spanish association case of 1962 established that the EU cannot have an association with a non-democratic country (MacLennan 2000, pp. 65-81). In terms of eligibility for association, reference is often made to the Freedom House rating of 3 for two years being sufficient for the initiation of an association process (Schimmelfennig 2008, p. 925).

In 2006, only Montenegro and Ukraine were eligible for association (Schimmelfennig 2008, p. 923). However, the situation with democracy in Ukraine was far from satisfactory, despite the scores from Freedom House.¹² Against the background of substantial progress in the field of formal democracy, the situation with substantive democracy remained problematic, which was due to the influence of oligarch groups on Ukrainian politics (Casier 2011, pp. 958-964). This disproportion also reflected the asymmetry of the one-sided EU emphasis in the democracy promotion process (Casier 2011, pp. 956). It can also be explained by the facts that, firstly, formal institutional change can

¹² In 2006-2010 (2,5; 2; 3) <http://www.freedomhouse.org>

be achieved more rapidly than change in practices (Lavenex & Schimmelfennig 2011, pp. 901-902), and, secondly, that the phenomenon of “self-imposed conditionality” also mostly focused on formal institutional reforms.

A closer look at this phenomenon reveals the wish of the ruling oligarchs to acquire EU candidate country status for Ukraine without taking the risk of developing institutes of substantive democracy, which would endanger their privileged position in Ukrainian economy and politics. The policy of “declarative Europeanization” (Wolczuk 2002) was initiated by pre-Orange President Kuchma and was characterized by rhetorical commitment to “European values” against the background of Kuchma’s own “blackmail and bribe” style of rule (Wolczuk 2002, p. 10). The essence of the policy was a manipulative strategy aimed at counter-balancing the growing expansionism of Putin’s Russia and had nothing to do with any genuine endeavor for the democratization of the country.

However, despite these facts, there was an inter-connection between the implementation of the conditionality and the Ukrainian perception of the role that the Association agreement would play. The encouraging examples of CEE countries demonstrated that reforms can alter the EU’s attitude. Moreover, the existence of the EU conditionality was also viewed as an advantage, as clear conditions provided a concrete alignment program (Menon & Sedelmeier 2010, p. 85). From the legal perspective, Art. 49 TEU set a stable ground for Ukrainian membership aspiration as one of the “easternmost countries of the EU’s ‘Europe’” (Schimmelfennig 2008, p. 922). Furthermore, it obliged the EU to be guided primarily by the democratic and human rights performance of the target countries (Schimmelfennig 2008, p. 921), which made “self-imposed democratization” a relevant strategy. The empirical data confirmed the above-mentioned inter-connection as the “European choice” narrative was central in the discourse of Ukraine’s political leaders of that time (Casier 2011, p. 967). Furthermore, the goal of EU accession was admitted by high-rank Ukrainian officials to be the major reason for the domestic reforms. Certainly, against this background Ukraine was fulfilling what it perceived to be the most necessary conditions imposed by the EU (Casier 2011, pp. 961-968).

However, the election of President Yanukovich in 2010 altered the political situation in Ukraine in several important ways. He introduced a number of institutional reforms that allowed him to restore the neo-patrimonial regime of the preceding period (Malygina 2010), thus reversing the freedoms that gave Ukraine its democratic credentials (Dimitrova & Dragneva 2013, p. 659). Against the background of the on-going Association Agreement negotiations this

shifted the priority onto the restoration of the previously-achieved level of democracy, which implied a recurrent focus on formal democracy. Thus, it was logical that the major focus of the EP's resolutions of 2010-2013 was on "European values".¹³ Six of them had a clear topical profile and were dedicated to the elections in Ukraine and to the problem of "selective justice" (the "Tymoshenko case"). The seventh contained the EP's recommendations regarding the Association Agreement negotiations.¹⁴

The resolution dedicated to the presidential election of 2010¹⁵ was positive, as the election campaign met most of the OSCE and EU standards.¹⁶ Insufficient transparency in the financing of candidates and political parties was the major reported drawback.¹⁷ The resolution recognized the 'European perspective' for Ukraine, and called upon Ukrainian politicians to continue the path of commitment to "European values".¹⁸ From this perspective, the Association Agreement was viewed as the major instrument for the "gradual integration".¹⁹ The next resolution was dedicated to the local and regional elections campaign of 2010²⁰ and stressed that the elections, "conducted technically in an orderly manner, did not set a new, positive standard".²¹ Separately, the EP emphasized the deteriorating situation in the political climate in Ukraine, with particular focus on the freedom of the press.²² Despite these facts the resolution contained a strong declaration of the "European perspective" for Ukraine; however, stressing the need to guarantee democracy and the rule of law as well as to take "decisive action in combating corruption at all levels".²³

The third topical resolution adopted after the general elections of 28 October 2012²⁴ was critical, claiming that the electoral process failed to meet major international standards²⁵ due to misuse of administrative resources and the

¹³ Art.2 TEU

¹⁴ EP resolution of 01.12.2011.

¹⁵ EP resolution of 25.02.2010.

¹⁶ Point 1 *ibid.*

¹⁷ Point 4 *ibid.*

¹⁸ Points 6, 7,12 *ibid.*

¹⁹ Points 14, 15 *ibid.*

²⁰ EP resolution of 25.11.2010.

²¹ Point 4 *ibid.*

²² Points F, 7-9 *ibid.*

²³ Points 1-3, 10, 16 *ibid.*

²⁴ EP resolution of 13.12.2012.

²⁵ Points B-D, 1-2 *ibid.*

lack of transparency and balanced media coverage. A separate point was made over the exclusion from the elections of the opposition leaders, held in jail as a result of politically motivated accusations.²⁶ Against this background the issue of the “European perspective” for Ukraine lost much of the previous optimism as it was directly connected to Ukraine’s tangible commitment to democratic principles, the rule of law, the independence of the judiciary and media freedom.²⁷

Three resolutions were dedicated to the infamous “Tymoshenko case”, which became the fetish of EU-Ukraine relations for the Yanukovich presidency. Two resolutions were adopted in the aftermath of the arrest of²⁸ and verdict²⁹ handed down to Mrs. Tymoshenko. The third one was adopted before the cassation (final) decision in this case.³⁰ Certainly, all three resolutions had the same focus on “selective justice” as well as personal cases against Mrs. Tymoshenko and members of her government.³¹ Against this background, the attendant focus was on the need for reform of the judiciary³² to strengthen the rule of law as one of the key elements of the development of a stable democracy.³³ In its turn, Ukraine’s acceptance of “European values” was viewed as an essential pre-condition for signing of the Association Agreement.³⁴

The only program document within the period 2010-2013 was the resolution containing the EP’s recommendations for the Association Agreement negotiations.³⁵ The recommendations covered a vast number of bilateral issues, such as energy cooperation, protection of intellectual property rights, tariffs, the agricultural sector, taxation and investments.³⁶ However, the central part of the resolution dealt with the institutional aspects and political dialogue.³⁷ Here, the emphasis was placed on the traditional agenda of “European values”, with the general message that development of the existing

²⁶ Point 3 *ibid.*

²⁷ Point 4, 9, 10 *ibid.*

²⁸ EP resolution of 09.06.2011.

²⁹ EP resolution of 27.10.2011.

³⁰ EP resolution of 24.05.2012.

³¹ Points 1-2 *supra* n. 28, 2-8 *supra* n. 29, 3-11 *supra* n. 30.

³² Points B, 6 *supra* n. 28, F, 14 *supra* n. 29, E, 14 *supra* n. 30.

³³ Points N, 5 *supra* n. 28, 8 *supra* n. 29, 14 *supra* n. 30.

³⁴ Points A, N *supra* n. 28, 1, 7 *supra* n. 29, 1, 14 *supra* n. 30.

³⁵ See *supra* n. 14

³⁶ Points 1(v), (w), (z), (ag), (ah), (ai), (al), (am), (an) *supra* n. 14.

³⁷ Points 1 (i)-1 (u) *supra* n. 14.

framework of EU-Ukraine cooperation was “in relation to the protection of human rights and fundamental freedoms”.³⁸ In this regard, the EP stressed the issues of judiciary reform, changes to the electoral legislation, media and civil society freedoms and, of course, the “Tymoshenko case”.³⁹

Thus, the EP’s involvement in EU-Ukraine relations during 2010-2013 was mostly limited to its traditional agenda of democracy, rule of law, human rights and good governance principles. As the situation deteriorated the EP was forced to concentrate upon the standards established for an Association applicant country, which first and foremost were associated with formal democracy. Thus, the EP followed a rather traditional pattern of democracy promotion through intergovernmental channels with the leverage model being dominant. In this sense, the EP’s resolutions continued to provide clear guidelines to the Ukrainian elites, highlighting the most necessary steps for reforms (Casier 2011, p. 970). Therefore, the Ukrainian case was hardly anything special from the perspective of the EP’s role in the process, except for the extraordinary Cox-Kwasniewski mission.⁴⁰

Originally launched with a limited task, the Cox-Kwasniewski mission morphed into 18 months of intensive negotiations. The arrangement to start the mission was unofficial; however, its increasing scope made the mission a generalized political instrument for EU “back-door” diplomacy, including the issue of Ukrainian legislation changes and its judiciary reform.⁴¹ The progress of the mission was recognized at the highest EU official level,⁴² as all the political prisoners (except for Mrs. Tymoshenko) were released within 2012-2013. Moreover, during those years, Ukraine continued the reform of its legal system. From this perspective, the explicit praise from the EU Foreign Affairs Council emphasized the specific role of the mission.⁴³ However, the mission failed to deal with the “Tymoshenko case”.⁴⁴ Moreover, excessive dependence on this case was one of the reasons for President Yanukovych’s U-turn on the eve of the Vilnius summit. Certainly, the EU could not compromise its basic

³⁸ Point 1 (k) *supra* n. 14.

³⁹ Points 1 (j), (l), (m) *supra* n. 14.

⁴⁰ Launched on 11.06.2012.

⁴¹ EP Monitoring Mission Report of 04.10.2012.

⁴² EU High Representative Catherine Ashton and Commissioner Stefan Füle: “Joint Statement on the pardoning of Yuriy Lutsenko” of 07.04.2013.

⁴³ Point 14, Conclusions of Council of the European Union of 10.12.2012

⁴⁴ EP Monitoring Mission Statement of 13.11.2013.

values,⁴⁵ especially against the deteriorating situation in Ukraine in terms of the rule of law and political freedoms; however, the independent and rather unofficial status of the mission implied a more flexible approach to this “Gordian knot”.

The abrupt end of the Association process on the eve of the Vilnius summit emphasized the failure of the EU policy towards Ukraine and the application of democratic conditionality as part of it. Indeed, against the background of the intensive and successful negotiation process,⁴⁶ the situation in Ukraine was rapidly deteriorating, which was appropriately reflected by its Freedom House rating,⁴⁷ downgrading Ukraine from “free country” at the beginning of the Association process to “partly free” at its end. The last part of this section discusses the major reasons why the EU policy toward Ukraine was ultimately both insufficient and ineffective (Dimitrova & Dragneva 2013, p. 658). Besides evident Russian counteraction, which is a topic for a separate research, these reasons include insufficient EU incentives, and incorrect cost-benefit analysis.

The major incentive that the EU offered for Ukraine was the Association Agreement itself, with a Deep and Comprehensive Free Trade Area (DCFTA) at its core (Dimitrova & Dragneva 2013, p. 660). However, unlike the Ukrainian society, the Ukrainian ruling oligarch groups did not consider it to be a sufficient incentive. The starting point is the fact that DCFTAs are “standardized and non-negotiable” (Delcour 2013, p. 349), which implied a number of important exceptions (e.g. agriculture). Furthermore, it required the Ukrainian government to make a final and irreversible strategic choice between the EU and Russia (Schimmelfennig 2015, p. 19), which was Ukraine’s largest trade partner at that time (Dimitrova & Dragneva 2009, p. 862). As stressed above, oligarch groups and their well-being was often connected with Russian energy supplies or Russian capital. It was especially true for both informal factions within the ruling Party of Regions, identified as internal Ukrainian veto players (Dimitrova & Dragneva 2013, p. 665). Furthermore, it was Dmitry Firtash, a person often associated with unofficial use of Russian state finances in Ukraine, who was reported to be the biggest financial backer of Yanukovich’s electoral campaign (Dimitrova & Dragneva 2013, p. 665).

The theory of conditionality implies that the target government seeks to balance EU, domestic, and other international pressures in order to maximize

⁴⁵ Art. 2, 21 TEU.

⁴⁶ The text of the Agreement was initialled I on 30.05.2012.

⁴⁷ In 2006-2010 (2,5; 2; 3); 2011 (3;3;3;3) 2012-13 (3,5;3; 4). <http://www.freedomhouse.org>

its own political benefits (Schimmelfennig & Sedelmeier 2004, p. 664). Furthermore, if the political costs are high – the EU conditionality threatens the survival of the regime – even credible membership incentives prove ineffective (Schimmelfennig 2008, p. 918). It should be stressed that the cost-benefit analysis of the Ukrainian ruling elite certainly looked different from that of the EU. The implementation of the Association Agreement with a fully functioning DCFTA implied competition with traditionally more advanced EU companies in the Ukrainian market, which oligarch groups supporting Yanukovich considered to be their patrimonial estate. Thus, the expectations that they would welcome a DCFTA were “highly unrealistic” *a priori*, as the introduction of honest competition and an influx of foreign investments into Ukraine posed a threat to their monopolistic position (Dimitrova & Dragneva 2013, pp. 666-667).

Their expansion into the European market looked illusory due to the incompatibility of their business models with European legislation and existing business practices. Furthermore, there were well-grounded fears that liberalized access to Ukrainian goods on the EU market would be undermined by protectionist interest groups (Sedelmeier 2007, pp. 201-205). This is not to forget the separate enormous issue of differences in technical standards. Furthermore, the proper application of the EU democratic conditionality would undermine or even ruin President Yanukovich’s governance model. Thus, there were costs both domestic and international, which were extremely high. The question remained – what were the benefits?

The theory suggests that to successfully apply conditionality the EU must be able to withhold the rewards at no or low costs to itself, which implies that the EU has to be less interested in giving the reward than the target government is in obtaining it (Schimmelfennig & Sedelmeier 2004, p. 665). Clearly, the situation was different in the Ukrainian case. The Association process was continued despite the deteriorating situation in Ukraine, let alone any improvement. Furthermore, the EU was ready to sign the Association Agreement despite the failure of the Cox-Kwasniewski mission in the “Tymoshenko case”. These facts emphasize the inconsistency of EU democracy promotion for countries without a credible membership perspective, if there are important strategic, political or commercial interests involved (Schimmelfennig 2015, p. 16). Against this background, the EP’s agenda for EU-Ukraine relations remained focused on the issues of “European values” in the endeavor to make the Yanukovich regime comply with at least the minimal democratic standards.

The Revolution of Dignity and its Aftermath.

This section focuses on the emphasis that the EP placed upon EU-Ukraine relations during the dramatic period from November 2013 to summer 2014, when the Association Agreement was finally signed. This period was characterized by two separate events: the outbreak of the Revolution of Dignity and the commencement of the Russian hostilities, its occupation of Crimea and the “hybrid war” in Eastern Ukraine. During this period, the EP actively followed Ukrainian events by its resolutions, which demonstrated its new ambitions and shift of its emphases towards the issues of CFSP.

Despite the problematic situation with the substantive democracy in Ukraine, Ukrainian civil society was marked with high ratings.⁴⁸ Indeed, it was the civil society that managed to protect the basic freedoms in the course of two revolutions, both of which took place within one single decade. Certainly, the Ukrainian civil society differs from that of other European countries in terms of its structure as well as the scope and depth of its influence on the ruling regime; however, these differences should be of no surprise as they are shaped by a number of historical and political reasons. The Ukrainian civil society proved to be mature enough to resist the oppression of the Yanukovich regime, and it was solidarity with Ukrainian people “fighting and dying for European values”,⁴⁹ which was a major driving force for the EP’s resolutions, adopted through the period December 2013-February 2014.⁵⁰ Against the background of the escalation of the Ukrainian crisis,⁵¹ the EP stressed the universal nature of human rights and the formal obligations of Ukraine to ensure their implementation,⁵² reassured its solidarity with the Ukrainian protesters⁵³ and strongly condemned the increasing violence from the side of the official authorities.⁵⁴

In addition to their tone of solidarity, these resolutions also reflected the shift of the EP’s emphasis. Deploring the Ukrainian decision to withdraw from the Association process,⁵⁵ the EP called for a number of practical steps to facilitate the re-establishment of bilateral relations. These steps included two blocks of

⁴⁸ In 2006-2013 (2, 75); 2014 (2,5) <http://www.freedomhouse.org>

⁴⁹ Points 1 EP resolution of 27.02.2014.

⁵⁰ Resolutions of 12.12.2013, 6 and 27.02.2014.

⁵¹ Point C EP resolution of 06.02.2014.

⁵² Point 7 EP resolution of 12.12.2013.

⁵³ Points 1 EP resolution of 27.02.2014.

⁵⁴ Points 1-7 *supra* n. 51, points 1,2,4 *supra* n. 49, point 7 *supra* n. 52.

⁵⁵ Point 2 *supra* n. 52.

measures. The first was aimed at enhancing opportunities to develop people-to-people contacts, especially for young Ukrainians. The EP called for steps designed for a broader opening of the Ukrainian society with the issues of a visa-free regime, strengthened research cooperation, increased scholarship opportunities and youth exchange at the fore.⁵⁶ The second block was aimed at the further development of economic interdependencies with the emphasis on the energy market.⁵⁷ The EP also referred to the Association process revival⁵⁸ as a package issue together with the “European perspective” for Ukraine and financial assistance.⁵⁹

Admitting the drawbacks of the EU policies, the EP emphasized the need to articulate a more strategic and flexible policy in support of the European choice of its Eastern partners.⁶⁰ Against this background, Russian pressure on Ukraine was recognized both as one of the major reasons for the failure of the Association process and as an existential threat to the Union’s political credibility, which required an adequate response.⁶¹ Thus, the EP adopted the role of agenda-setter for EU-Ukraine relations, tackling issues beyond its traditional agenda. Its new focuses included the revival of the Association process, financial assistance, energy sector integration and a visa liberalization dialogue. Although some of the issues were previously mentioned,⁶² the new situation in Ukraine and the solidarity claim brought them to prominence, making them major directions for upgrading the level of EU-Ukraine relations through intensified sectorial cooperation.

The rapid development of the Ukrainian crisis was marked by a dramatic change in Ukrainian leadership, which made the successful completion of the Association process possible. However, it was overshadowed by the commencement of the Russian aggression in March 2014. Since then, the security dimension became the central part of the EP’s resolutions, marking its firm step into the area of the CFSP. Its new focus was on the Russian “hybrid war”, efforts to stop the “hot phase” of the conflict and the EU reaction to the Russian aggression.

⁵⁶ Point 18 *supra* n. 51.

⁵⁷ Point 11 *supra* n. 52.

⁵⁸ Points 13, 15, 22, 24 *supra* n. 49.

⁵⁹ Points 17, 18 24 *supra* n. 49.

⁶⁰ Point 18 *supra* n. 52.

⁶¹ Point 8-9 *supra* n. 52.

⁶² Points 8-10 *supra* n. 15, points 13, 19 *supra* n. 20, point 14, *supra* n. 24.

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Obviously, the “hybrid war”⁶³ and military hostilities were the major focus. Russia’s direct use of armed force while annexing Crimea was the focus of the special resolution,⁶⁴ in which the EP recognized the invasion of Crimea as an act of aggression against a sovereign state,⁶⁵ something that constituted an evident breach of the principles of international law as well as of Russia’s obligations towards Ukraine.⁶⁶ This message was repeated in the following resolutions,⁶⁷ with the general emphasis on the unacceptability and intolerability of Crimea’s annexation. A separate topic was the provocations against Crimean Tatars and Jews that were reported after the Russian occupation of Crimea.⁶⁸ The EP stressed the responsibility of the Russian Federation to protect all civilians in the occupied territories “under the Fourth Geneva Convention”,⁶⁹ thus emphasizing the “law of war” perspective.

Another aspect of the “hybrid war”, which, however, also falls within the scope of the “the Hague and Geneva law of war”,⁷⁰ was the indirect Russian involvement in the conflict in the Eastern Ukraine, which included the unofficial use of regular troops and supplies of weapon, tanks and heavy artillery to the rebels as well as their training and coordination. The storming of administration buildings in Kharkiv, Luhansk and Donetsk was appropriately recognized as “a false pretext” for further Russian military aggression in the endeavor to “repeat the ‘Crimea scenario’”.⁷¹ The EP condemned these actions “in the strongest possible terms” and urged Russia “to immediately withdraw its presence in support of violent separatists and armed militias” as well as to remove troops from the eastern border of Ukraine.⁷² In the summer of 2014, the EP made a statement about its awareness of full-scale Russian engagement in the Eastern Ukraine;⁷³ however, the call on Russia to immediately withdraw all its military assets and forces from Ukraine and to end direct or indirect support of the separatists⁷⁴ remained unheeded.

⁶³ Point 5 EP resolution of 15.01.2015.

⁶⁴ EP resolution of 13.03.2014.

⁶⁵ Points A, 1 *ibid*.

⁶⁶ Point 2 *ibid*.

⁶⁷ Points N, 3, Resolution of 17.04.2014, B, 7, resolution of 17.07.2014, E resolution of 18.09.2014, F resolution of 15.01.2015.

⁶⁸ Point 14 *supra* n.64.

⁶⁹ Point 12 EP resolution of 17.04.2014.

⁷⁰ Special wartime conventions of 1899, 1907 and 1949.

⁷¹ Points 1, 2 *supra* n. 69.

⁷² *ibid*

⁷³ Points 4, 9 *supra* n. 69.

⁷⁴ Point 3 EP resolution of 18.09.2014.

With the launch of the “hybrid war”, the issue of energy supplies was transformed from an important yet routine part of EU-Ukraine relations into one of the major battlefields of this war. Parliamentary debates on this topic stressed the need to assist Ukraine in resisting the Russian “gas warfare”,⁷⁵ as well as the importance of a new strategic approach to energy security. Among the measures to assist Ukraine, the EP emphasized political support in the negotiations to facilitate “an agreement allowing Ukraine to pay a competitive price, which is not politically motivated”,⁷⁶ the issue of so-called “reverse-flow supplies” to Ukraine from the EU,⁷⁷ and the need to reform the Ukrainian energy sector.⁷⁸ Of strategic importance was the issue of Ukrainian integration into the Energy Community,⁷⁹ with its primary objective of building “a fully functioning free gas market in Europe”,⁸⁰ one which would include the EU’s neighborhood countries.⁸¹ From this perspective, the EP stressed the need for the full enforcement of already established rules, including the Third Energy package.⁸²

The Russian practice of using energy supplies as a means of geopolitical warfare made it a target for counter-measures. Thus, the EP declared the reduction of EU dependence on the Russian gas and oil and diversification of energy supplies to be a strategic objective,⁸³ calling for the development of a genuine Common External Energy Policy.⁸⁴ Furthermore, the EP called for a “non-discriminatory pursuit of the pending court case against Gazprom”,⁸⁵ and placed a special emphasis on Russian energy companies and their subsidiaries in terms of the EU sanctions.⁸⁶

With regard to efforts to stop the “hot phase” of the conflict, the EP stressed that there was no alternative to a peaceful settlement.⁸⁷ However, it admitted

⁷⁵ Point 28 EP resolution of 17.07.2014.

⁷⁶ Point 28 *supra* n. 75.

⁷⁷ Points 28 *supra* n. 69; 29 *supra* n. 75; 29 *supra* n. 74; 18 *supra* n. 63.

⁷⁸ Point 18 *supra* n. 63.

⁷⁹ Points 28 *supra* n. 69; 18 *supra* n. 63.

⁸⁰ Point 31 *supra* n. 74.

⁸¹ *ibid*

⁸² Points 28 *supra* n. 69; 19 *supra* n. 63.

⁸³ Points 28 *supra* n. 75; 26 *supra* n. 74; 20 *supra* n. 63.

⁸⁴ Point 19 *supra* n. 63.

⁸⁵ *Ibid*.

⁸⁶ Points 23 *supra* n. 64; 7 *supra* n. 69.

⁸⁷ Point 1 *supra* n. 74.

that the basis for the conflict resolution must be the sovereignty of Ukraine and its territorial integrity as well as the full and unconditional withdrawal of Russian troops, its military equipment and mercenaries from Ukraine.⁸⁸ The conflict resolution process was viewed at two levels – on the one hand, direct Russia-Ukraine dialogue, and, on the other, international negotiations with different possible configurations thereof from “quadripartite meeting”, to the Geneva or Normandy format.⁸⁹ Moreover, admitting the crucial role of the OSCE,⁹⁰ the EP persistently reiterated the idea of a greater EU involvement in the conflict resolution. After the start of the “Minsk peace process” in the format of Germany, France, Russia and Ukraine in July 2014, the EP urged the High Representative and the EEAS “to have a stronger presence and greater visibility in the dialogue mechanisms”,⁹¹ calling for strategic thinking at the EU level and for “unity and cohesion among EU Member States”.⁹²

In terms of the EU reaction to the Russian aggression, the EP stressed three major points: sanctions, limits on military cooperation and strategic change in the EU-Russia relations format. It welcomed the introduction of sanctions, usually suggesting their wider application, should the situation deteriorate.⁹³ However, the goal of the sanctions was to alter the Russian policy and to ensure a peaceful solution.⁹⁴ Thus, the EP repeatedly emphasized the reversibility and scalability of the restrictive measures, depending upon the situation in Ukraine.⁹⁵ For this purpose, the EP called for the adoption of “a clear set of benchmarks” for both the adoption of new and the lifting of currently imposed sanctions.⁹⁶ This multi-level conditionality was viewed as a safeguard mechanism for the de-escalation of the conflict as well as a chance for the normalization of EU-Russia relations. However, it was proposed that the lifting of already imposed sanctions would take place only after practical steps by Russia for the conflict de-escalation.⁹⁷

Military cooperation and arms trade was recognized as a separate topic. Immediately after Crimea’s annexation, the EP called upon Member States to

⁸⁸ *Ibid.*

⁸⁹ Point 9 *supra* n. 63.

⁹⁰ Points 1, 5 *supra* n. 74; 23 *supra* n. 63.

⁹¹ Point 11 *supra* n. 75.

⁹² Points 24 *supra* n. 63.

⁹³ Points 23 *supra* n. 64; 12, 13 *supra* n. 75; 10 *supra* n. 74.

⁹⁴ Point 8 *supra* n. 63.

⁹⁵ Points 11 *supra* n. 74; 8 *supra* n. 63.

⁹⁶ Points 12 *supra* n. 74; 7 *supra* n. 63.

⁹⁷ *ibid*

halt the export of arms and military technology to Russia, as it “can endanger the stability and peace of the entire region”, separately calling for the inclusion of arms and dual-use technologies in the sanctions lists.⁹⁸ The EP also welcomed the French decision to halt the delivery of the Mistral helicopter carriers and called on the Member States to take a similar line regarding exports not covered by the EU sanctions decisions,⁹⁹ emphasizing that military cooperation with Russia would contradict the EU Code of Conduct on Arms Export and the 2008 Common Position defining common rules governing the control of exports of military technology and equipment.¹⁰⁰ The EP viewed sanctions as a part of “a broader EU approach towards Russia”¹⁰¹ as the general climate of the EU-Russia relations suffered a dramatic transformation. In this context, the EP emphasized the need to rethink relations with Russia, abandon the strategic partnership and find a new, unified approach¹⁰² based on a more coherent and firmer strategy.¹⁰³

Conclusions

This study argued that the security aspect has been at the core of the European integration process. Furthermore, it has been an essential element of both EU enlargement and neighborhood policies due to its interconnection with the promotion of liberal values. Against this background, the remaining formal limited EP’s role within the CFSP is irrelevant. Furthermore, the “parliamentarization” of the CFSP will be in line with the general trend of the consolidation of the EP’s competences.

The extreme case of the EU-Ukraine Association process revealed a wide range of roles available for the EP in EU foreign policy. Moreover, the dynamics of this case provoked the EP into demonstrating its growing ambitions for a deeper involvement in EU external relations, including its participation in the CFSP formation process. Although the EP’s claims go far beyond its formal Treaty-based competences, they are in line with the strategy of “creeping parliamentarization” (Rittberger 2005, pp. 197-210), which is viewed as part of a wider “supranationalization” of this policy area. Furthermore, it is recognized as being to the benefit of the CFSP (Klein & Wessels 2013, p. 455) due to the

⁹⁸ Points 22, 23 *supra* n. 64; 12 *supra* n. 75.

⁹⁹ Points 32 *supra* n. 74, 26 *supra* n. 63.

¹⁰⁰ Point 32 *supra* n. 74.

¹⁰¹ Point 8 *supra* n. 63.

¹⁰² Point 21 *supra* n. 74.

¹⁰³ Point 14 *supra* n. 75.

enhanced coherence and efficiency of the Union's external policies (Wessels & Bopp 2008, pp. 3-4).

The Russian "hybrid war" at the EU borders stressed the growing importance of the security issue as well as the inter-connection between military and civilian aspects of foreign policy. Against this background as well as that of the intensification of the debate over the future of the CFSP, the European Parliament used the Ukrainian crisis as an opportunity to emphasize its potential as a platform for the debate over strategic policies. This reaffirms the priority of the political component in the EP's behavior (Westlake 1994, p. 158), which has always been a factor influencing the EP's institutional future (Krauss 2000, p. 219).

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**WORDS AND WITS: A TERRITORIAL DEBATE
AND THE CREATION OF AN EPISTEMIC
COMMUNITY IN INTERWAR DOBRUJA (1913-1940)**

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Abstract

This article establishes a link between a creation of an epistemic community and a territorial debate while addressing the Romanian-Bulgarian dispute regarding Dobruja. Moving beyond approaches centered on an investigation of similar territorial debates over contested lands and their immediate outcomes, the paper primarily analyses the potential of a political conflict for generating a community of intellectuals who become involved in propagating their respective state and nation-building causes. Putting the case of interwar Dobruja into the context of “entangled history”, the study clarifies its place within the framework of similar debates regarding other borderlands. Relying on the publications of the participants of the debate, the article claims that a conflict over a territory and the possibilities of its integration binds together influential public actors, various representatives of the local intellectual elite, uniting them in an unlikely epistemic community.

Keywords: epistemic community, social networking, state-building, Dobruja

Introduction

A borderland is not only a contact zone (Pratt 1992, p. 4), but a constant source of political creativity for the local public actors. Territorial frames of an idealized nation-state are usually vague, contested, based on various interpretations of multiple historical legacies and their application to practice. Diplomatic treaties and military successes provide every perspective state with a perfect image of its idealized state-building potential, which like the Treaty of San-Stefano in the case of Bulgaria (1878), the idea of Greater Romania, or the consequences of the

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Treaty of Trianon (1920) for Hungary form a basis for future claims related to the gains and losses that are nurtured by the intellectual elites engaged in political creativity. Therefore, territorial disputes persist as multiple irredentist demands of the modern European radical parties, constructing their ideology on the perceived interpretations of the legacies that constitute the myths of Greater Hungary, Romania, Serbia, etc. Each of these projects becomes an idealized state-building goal for many of the public actors advocating it. A narrative that lays the basis for the current article is centered on a territorial dispute that unites intellectual elites, who determine the importance of a region for a state-building debate, referring to the “idealized plan” that turns into subsequent grand-scale political projects.

A relatively narrow strip of land stretching from the Black Sea to the Lower Danube, Dobruja remains a region combining distinct social, geographical and cultural landscapes (Danescu 1903, p.16) similar to other boundaries between various political formations. Divided between Romania and Bulgaria, the province is yet another example of a borderland territory separating two nation-states. Its choice as a focus for the current analysis is largely clarified by its exemplary position as a “contested frontier”. It is further explained by the insight the case offers into the formation of an epistemic community, a network of intellectuals addressing a particular political issue in the region and into the subsequent ideological clashes generated by this group. The article explores the roles of various public actors in conceptualizing the borders of nation and state-building, Bulgarian and Romanian in the respective case. While connecting several texts of the participants of this borderland dispute to the state-building propaganda, the research demonstrates the direct impact of this agenda on their political imaginations that, in its turn, integrated them in an epistemic community¹.

While the case of interwar Dobruja is neither unique, nor rare, it offers a large number of printed documents that reflect the interactions of the intellectual elites from both sides as well as the clashes of their state-building propagandas. Since the debate lasted for several decades and was eventually resolved, it also brings out the mechanisms that agitate politically-involved public actors and subsequently mold them into an epistemic community.

¹ The term “epistemic community” itself usually describes a set of networks of international public actors, who share certain ideas and therefore go beyond the space of their nation-state to share and propagate them (Haas 1992, pp. 1-35; Zollman 2007, pp. 574-587).

When analyzing the works of several prominent public actors and certain propagandistic tools they use to endorse their arguments, this research claims that contested regions produce a borderland discourse and create a communal unity of intellectual elites² that advance shared interests. Therefore, activated state-building projects mold groups of unlikely individuals, while relying on the already existing social networks and the experiences of previous interactions.³ The current approach not only sets territorial debates in the context of entangled history (Werner and Zimmermann 2006, pp. 30-50; Daskalov and Marinov 2013), but offers a transnational view on various regional homogenization processes through their ability to generate an epistemic community, a unity of individuals supporting different causes.

The article is divided into sections that scrutinize the creation as well as the disappearance of an epistemic community. While the first part deals with the theoretical concepts and definitions applied to the current case, clarifying its theoretical basis, the second one explores the events that framed the territorial debate. The third section addresses the personalities of the public actors involved in the debate and highlights the reasons that determine their active participation. The fourth segment focuses on the interactions between the participants of the debate from both sides and the ways their epistemic war forged them into a group. The fifth part introduces a paradox that demonstrates how in their attempts at creating caricatures of one another, the public actors eventually strengthened their intellectual “fight club”. Finally, the conclusion stresses the potential of a territorial debate for creating epistemic communities, while engaging prominent individuals in state-building creativity.

Theoretical concepts and clarifications.

The current text focuses on the propagandistic questions in the debate concerning the Dobruja region and the attempts of the two states to “nationalize” the area in the period of 1913-1940, when territorial exchanges between Romania and Bulgaria took place, having previous Romanian-Bulgarian interactions as a basis (Constantinescu-Iasi 1956, pp. 20-23; Velichi, and Eanu

² It should be noted that the public actors partially exemplify roles of “well-informed citizens”, although some of them may be professional historians, ethnographers etc. Their relation to the region of Dobruja, however, is explained through the relevance of the topic in the given time-period, much less through their general search for fundamental knowledge (Schutz 1976, pp. 120-134).

³ The integration of the Northern part of Dobruja in the Romania state in the second half of the 19th century is thoroughly scrutinized by Constantin Iordachi (2002).

1979, pp. 3-20). In the article, the methods of legitimizing claims over the land are explored through analyzing the texts of a number of Romanian and Bulgarian authors from the period 1913-1940 (historians, diplomats, politicians, writers, unlikely bound together by a common goal of opposing each other's ideas) identifying how they presented and constructed the history of the region, highlighting and omitting certain facts not suitable for the dominant nation-building program of the state. The Dobrujan dispute of 1913-1940 is explored as part of the continuation of the Romanian and Bulgarian 19th century state and nation-building agendas (Daskalov 2004, pp.41-57; Trencsényi 2008, pp. 129-130; Trencsényi 2012, pp. 20-70), and put in a larger context of similar cases of claiming rights over a borderland.

An “epistemic community” is viewed as a fluid social group, sweeping through the borders of nation-states and engaging in an idea exchange that not only creates interconnections, but is initially spawned by them. As a result of networking, the groups' very unity manifests itself in antagonism that inspires a clash of propagandas, developed by public actors from both sides. Since a contested territory offers a suitable background for the investigation of complicated interregional networks and their shifts, the article concentrates on the reactions of the public actors, who become parts of a certain epistemic community, who form, share, and propagate their opinions and considerations with an obvious wish to confront their opponents and support or (in rare cases) argue against their respective national narratives. Furthermore, the article claims that a territorial debate forms an epistemic community, while inspiring a number of prominent public actors to promote their state-building agendas and triggering an opposing reaction from their opponents.

The article, although concentrated on the propagandistic side of the Dobrujan debate, does not regard the province as the only politically, socially, and economically important region for both Romania and Bulgaria, but sees it as merely an example of how the propaganda of both parties tried to increase its significance, engaging in a battle of “words and wits”. The literary bloom in the Balkans⁴ led to the development of historic writing in the second half of the 19th

⁴ Alexander Kiossev connects the appearance of the history of Bulgarian literature of Alexander Teodorov-Balan with the bitter reaction of Ivan Vazov, who was warning the public that once “a benefactor” would say that the Bulgarian nation does not exist if there is no memory and consciousness of its literary heritage (Kiossev 2004, pp.355-357). Similarly, Diana Mishkova (1994, pp. 63-93) analyzes the rapid spread of literacy in the second half of the 19th century Bulgaria, which, in the current case, led to the appearance of influential public actors in 1910-1920.

century, which later resulted in a great number of highly influential texts by writers, publicists and historians aimed at supporting nation-building propaganda in the beginning of the 20th. Introducing the voices of individuals into the processes of transforming “history into national history, legitimizing the existence of a nation-state in the present-day by teleologically reconstructing its reputed past”, the text addresses the ways “pedigrees of national descent are constructed, refined, and lengthened, and the ancestors of a “nation” become a vehicle for majority-group legitimation” (Karakasidou 1997, p. 17).

The Dobrujan dispute between Romania and Bulgaria lasted for almost three decades, featuring a number of voices representing both sides of this “epistemic war” and, therefore, interacting with one another. Their rhetoric followed the same patterns of claiming and justifying rights over the land and creating images of the “enemy”. These typical attempts of “othering” (Mishkova 2008, pp. 237-256) quickly escalated, turning into local variations of “orientalizing” one another (Bakic-Hayden 1995, pp. 917–931). However, they gradually became less focused on “mutual demonization” and much less actual, as by 1940 World War II had dramatically altered the political situation in the region, drawing the attention of both states away from once again divided Dobruja. The important transformations in the discourses of the public actors can be witnessed in the passing years. Successes and failures of the Romanian administration of the region became more evident and easy to interpret for both sides, since time offered the participants of the debates possibilities to witness and evaluate the ongoing changes. Yet, even in opposing each other, Bulgarian and Romanian intellectuals preserved striking likenesses: they appealed to the same historical legacies, followed the same goals of including a territory in a nation-state, and occasionally referred to each other’s publications. They were a community, united by the reality of a territorial debate.

States and territories.

The story of the dispute that created a short-lived epistemic community that is investigate in the current research began with the treaty of Bucharest in 1913, although Romania’s integration of Northern Dobruja in the second half of the 19th century should be seen as a necessary prelude. Back in 1913, the Romanian Prime Minister and Minister of foreign affairs, Titu Maiorescu, justified the annexation of Cadrilater, the Southern part of Dobruja, in the following manner: “It was not just the fear of a European War: there was something in-between. We knew what had bound Serbia and Bulgaria together in June 1912, and that was a danger for us”. Further, he added that “we had to deal not only with Bulgaria, but with the entire Balkan block” (Maiorescu 1995, p. 241). The first annexation did not last long. In 1918, after Romania’s entry in World War I, the

territory was returned to Bulgaria, only to be claimed back by Romania a year later (Motta 2013, pp. 191-196).

Already in 1914, after Romania had established control over Dobruja, the so-called “Dobrujan brotherhood” was created as one of the reactions from the Bulgarian side to the annexation of the Southern part of the territory. The aims of the society were simple: cultural support of the Bulgarian inhabitants of “enslaved Dobruja” and their unification with the Bulgarians from “free Bulgaria”, moral and material help to the so-called “Dobrujans”, preservation of Bulgarian schools, and political and religious freedoms.⁵ The “Dobruja brotherhood”, unlike the Bulgarian revolutionary organizations active in the region since its complete transition to Romania (Nyagulov et al. 2007, pp. 341-407), was generally a propaganda-oriented society that attempted to weaken the Romanian position in the province and strengthen the Bulgarian one within the limits of their propagandistic abilities.

The Bulgarian propaganda campaign can hardly be seen as purely a state project. The state did sustain a number of Bulgarian revolutionary organizations, and did encourage the creation and distribution of the materials supporting their cause; however, in most cases the societies were not directly dependent on the Bulgarian government and acted according to the interests of their leaders (Zlatev 2009). The members of the revolutionary organizations, as well as the individuals associated with the “Dobrujan brotherhood”, quickly became the people engaged in the process of generating texts that had to help in accomplishing several important goals that should have led to Bulgaria gaining the province. These objectives were the resistance to the Romanian propagandistic machine, the stimulation of solidarity and pro-Bulgarian feelings among the non-Romanian oriented inhabitants, and the attraction of foreign attention to the Bulgarian side.

By 1913, the Romanian party found itself in different, more favorable, conditions. Although temporarily losing the territory and getting it back in 1919 according to the treaty of Neuilly, Romania still had more time and possibilities to “assimilate” and “colonize” the region than its neighbor. Romanian propaganda, therefore, was mainly aimed at keeping the province under control and preserving its territory within the borders of a “unified and homogeneous” country (Sata 2009, p. 81). Bulgarian attempts to question that project were to be thwarted and re-interpreted by Romanian public actors. However, the idea of a perfectly

⁵ See „Устав на братство Добруджа”/”The regulations of the Dobruja brotherhood” from 1914 (Popov 1992, pp. 242-243).

unified Romania with Dobruja representing an ultimate success of the Romanian government was not entirely shared by all the Romanian participants of the territorial debate, some of whom would criticize the official policy.⁶ However, the majority of them were actively expressing opinions supporting the Romanian claim and praising the government's successes, trying not only to prove the legitimacy of the Romanian legacy in the region, but also to convince the internal as well as the foreign audiences of the extreme importance of possessing Dobruja that in 1878 was widely regarded as an unfair exchange for "more pronouncedly Romanian" Bessarabia (Kuzmanova 1989, pp. 18-19). Between 1913 and 1939, Romanian propaganda reached its peak, pushing the borders of the territorial dispute and making it a vital state-building issue.

Individual voices and unlikely groups.

Exploring the roles of the public actors, whose texts are used in the current article, one should underline the diversity of their backgrounds, a trait that supports the argument regarding the direct influence of the competing Romanian and Bulgarian state-building doctrines on the creation of an epistemic community and its subsequent discourse. The main link between individuals of very different origins, occupations, and destinies was their direct interest in bringing back Dobruja to Bulgaria, proving the illegitimacy of the Romanian annexation, or justifying the Romanian legacy in the region, an interest that becomes clear when the backgrounds of the authors are compared with the backgrounds of Bulgarian or Romanian revisionisms respectively (Mylonas 2012, pp. 17-48). Therefore, the generated "epistemic community" demonstrates a pattern that can be applied to a variety of other cases of territorial debates.

The authors generally targeted several types of audiences and presented their views from rather different angles that were determined by their past experiences and current positions. The first and the most important audience was the international one. The possibilities of attracting foreign public opinions

⁶ Vasile Kogălniceanu had complicated views regarding the province. He saw an opportunity for Romania's modernization in Dobruja and, yet, he viewed Cadrilater as a politically dangerous piece of land for Romania's state border, not approving of the methods and the consequences of its annexation (Kogălniceanu 1910). Except for Vasile Kogălniceanu, a critic of the Romanian policies in general, Ștefan Zeletin, did not approve of the dominant Romanian attitudes towards the newly acquired province (Zeletin 1998, p. 54). Publicist Foru would also express opinions against Romania's annexation of Southern Dobruja (Cadrilater), writing in 1914 in *Universul*: "Sooner or later, according to ethnic principles, we'll have to give Cadrilater that we have taken after the Bucharest peace treaty, back to Bulgaria, In that way we will be honest towards the Bulgarians and will do for them something we want to be done for us" (Mavrodiev 1917, pp. 38-48).

to either the Romanian or Bulgarian side could grant support to one of the parties, since neither Romania nor Bulgaria could gain and preserve the whole region without the Greater Powers favoring one of them (Schmidt-Rösler 1994, pp. 40-69). This fact explains the choice of the language by some of the authors. While it seemed to be a logical decision to write in Romanian or in Bulgarian in various local periodical editions, the texts published by diplomats or historians like Nicolae Iorga and Petar Mutafchiev very often had two versions – the Bulgarian/Romanian one and the French one. The works published by the Dobruja organization in Bulgaria or, for instance, the “Romanian national league of America”, were written in English and, evidently, oriented to the foreign audience, a narrow layer of an educated local public and, foremost, the fellow members of the unlikely epistemic community, their bitter opponents (Stoica 1919; Markov 1919 a).

The local audience had to play its own specific role in the eyes of the authors, who had to create a public opinion. This “public” definitely consisted of people who could have or would have wanted to read the texts that historians, diplomats, or journalists had generated. Hence, the “local audience” as seen by the participants of the debate was a very narrow strata of educated people that would be interested in getting acquainted with the historical propagandistic works of Iorga, often written in French (Iorga 1918), or Nicolae Petrescu-Comnen’s political essays (Petrescu-Comnen 1918). The second type of local audience was the less educated and the more numerous one that could be more entertained by stories and a simplistic vision of the region’s history elaborating on Romanian or Bulgarian rights over it. This much wider circle (and, apparently, much less interested in the political debates between Romania and Bulgaria) had to be attracted by articles published in local newspapers or books written in a more captivating story-telling manner (Culea 1928; Vladescu 1926).

It is almost impossible to find out whether the local peasantry was directly influenced by the texts, as the wide public of Dobrujan peasants, fishermen or Aromanian settlers did not express their opinions by writing historical research or pamphlets, therefore not joining the debate, and making it a somewhat privileged epistemic fight club (Zahra 2010, pp.93-119). Methods of influencing the more “indifferent” audience were generally economic. One should still admit the possibility of the authors appealing to less educated people; however, it becomes clear that this audience was not the main target. Officer Christian Vladescu and writer Apostol Culea, for example, clearly attempted to create “compelling” texts that could interest very different readers due to their efforts to combine a “story” with clear political doctrine directed against the Bulgarians

(Vladescu 1926). However, there is no evidence that they were widely read and discussed by either the peasantry, or even their peers.

It should be noted that the participants of the debate not only addressed their respective audiences, but subsequently each other, sometimes directly, entering personal confrontations (like Iorga and Mutafchiev). This aspect becomes evident in several works supporting the Bulgarian cause when the authors present contra-arguments objecting to the affirmations expressed by the Romanian participants. For instance, Milan Markov would openly criticize Mihail Kogalniceanu's views of the Romanian administration of Dobruja, depicting it as criminal and outrageous, and praise his son, Vasile, for his wish to demonstrate the true position of the peasantry in the region (Markov 1919 a, pp.20-23).

The idea exchange that makes an epistemic community did exist. It should once again be noted that many of the works were published in French, German or English allowing not only the abstract foreigners, but the opponents, who did not know Bulgarian or Romanian, to read them. Although the level of their national or international influence differed, they were all following the same propagandistic scope with several exceptions, who, like Ștefan Zeletin or Take Ionescu, possessed definite authority but chose not to tow the official Romanian line. The information related to the participants of the debate and their destinies can be limited or exhaustive, depending on their social status and public influence.

As one of the most famous and internationally acknowledged Romanian historians, Nicolae Iorga had a number of works dedicated to Dobruja (Culicea 1998, pp. 5-8; Iorga 1918; Iorga 1910). He, unlike many other Romanian authors, attempted to include Dobruja into the general context of Romanian history that he, as a historian, interpreted and re-created (Boia 1997, pp. 42-58). Similar acknowledgements can be made about Petar Mutafchiev, a celebrated Bulgarian colleague of Iorga's, who openly opposed the arguments of the Romanian historian (Mutafchiev 1993, pp.3-5). In his "Bulgarians and Romanians in the history of the Danubian lands", he actively argued against Iorga's ideas regarding Romanian historical rights over Dobruja based on the Roman origin of the Romanian people, twisting Iorga's interpretations and entering a fight of words and wits that had brought the unlikely epistemic community together in the first place (Mutafchiev 1999, p. 141, 181, 210).

Tentatively, one can divide the members of the epistemic community according to their approaches to the territorial debate that had spawned their enthusiasm.

The scholars, like historian Nicolae Iorga, geographer Atanas Ishirkov,⁷ Dobrujan lawyer Ivan Penakov and historian Petar Mutaftchiev claimed to have generated a well-grounded proof-basis that supported the Romanian/Bulgarian rights over the territory. The advocates, like jurist and professor of social science in the Military Academy of Sofia, Milan Markov, or diplomat and publicist Vasile Stoica (Stoica 1919), wrote mainly influential and very congested pamphlets, picking out the “brightest” facts in order to prove their version of events, lacking, in most cases, consistency. The last group, the “storytellers”, consisted of personalities like former officer Christian Vladescu (Vladescu, 1926), captured by the Bulgarians in 1916, publicist Petar Gabe and writer Apostol Culea, who attempted to create a tale out of which the reader would have got the idea of the region’s appurtenance. Although these arrangements of the authors in groups are very fluid—as not all the texts can be defined within these precise categories—they make the dispute easier to be perceived when analyzing the agendas behind them.

Disputed territories and contested rights.

The flexibility of the term “historical rights” turns the very concept into a playground for “civilizing missions” and “mutual caricatures” (Basciani 2001, pp.169-170). The first and one of the most influential arguments used in the texts is the one referring to the “historical right” over Dobruja. The Romanian side’s claims were mainly focused on the “Roman heritage” of Dobruja that bound it together with the Romanian nation of the beginning of the 20th century. Iorga’s interpretation, however, went beyond that line. In his “What do we represent in Dobruja?”, published in 1910, Iorga wrote, scrutinizing the idea of the “civilization” the Romanians had to represent: “From the Thracians we have not only most of our blood, but also almost everything from our pastoral culture... as the representatives of the oldest nation that was living in all those parts (meaning also the Balkans), granting them the first elements of civilization, we similarly manifest ourselves in Dobruja” (Iorga 1910, pp.5-6).

Iorga’s ideas regarding Dobrujan history were connected mainly to Romania’s spiritual and cultural presence in the region during all the periods of its history and resistance to the Bulgarian “barbarians” (Iorga 1910, p.10). However, the claims of the Romanian historian were still rather careful, and came mainly from interpretations. The idea of all other nations present in Dobruja being

⁷ Anastas Ishirkov was a member of the Bulgarian delegation in Bucharest during the signing of the Peace Treaty of 1913 and wrote a memorandum for the Paris Peace Conference (Penkov 1987).

latecomers coincided with similar views expressed later by other supporters of the Romanian cause.

Nicolae Petrescu-Comnen (1919, p. 4) emphasized: “Dobruja made part of Wallachia until the 15th century, the epoch of the Turkish invasion, and the congress of Berlin wished to fully recognize the legitimacy of the Romanian rights over this ancestral land, which we have also earned in the war of 1877-1878”. According to the author, the Bulgarians were “the recent population” (Petrescu-Comnen 1919, p. 12), the Romanian legacy was depicted not only as ancient, but also as the one “deserved with blood in war”. Apostol Culea (1928, p. 19) presented the same issue, referring also to archeology: “The research of our archeologists beginning from professor Tolescu and continuing with the most learned among the learned foreigners, professor Vasile Pârvan, have proved that Dobruja is the oldest Roman land”.

It should be highlighted that Culea, unlike many of the Bulgarian historians, geographers, or ethnographers, was a writer, and his methods of justifying Romanian historical legacies in the province surpassed the elaborated interpretations of events and happenings, referring to the voices of the locals, an approach never chosen by Iorga or Ishirkov. Describing the pastoral idealistic character of Romanian Dobruja, he reproduced his oral conversations with an “authentic” local, Tudose Macarie, born, surprisingly, in Bessarabia (Culea 1928, pp. 4-5), who once asked local Bulgarians if they had found something left from “their voievods” in Dobruja, only to confront them in the following manner: “Haven’t found anything?! And from our Trajan – as much as you wish, just in the furrows left by your ploughs! When I hear them talking about those of their own, my heart pains: my blood does not leave me in peace!” (Culea 1928, p. 5). In this way, the borders of the Romanian nation, according to Culea, conveniently expanded, incorporating Emperor Trajan and the Asens altogether (Culea 1928, p. 32).

Similarly to Culea, Romulus Seișanu, a Romanian journalist, when explaining the history of Dobruja, repeated that “this land was inhabited and ruled in Antiquity by our ancestors, Geto-Dacians and Romans” (Seișanu 1928, p. 14). The brisk affirmation was followed by vivid details regarding the Vlach origins of prince Balica of Dobruja (Seișanu 1928, p. 147) that were generally impossible to prove. Referring to the considerations of Mutafchiev (Seișanu 1928, pp.147-148), Seișanu did not deny the Bulgarian presence in the region. However, he did not focus on it either, leaving it a convenient blank space.

Unlike Seişanu's book, the work, edited and partially written by Vasile Stoica, already in the beginning contained several negative remarks about the Slavs, mentioning that they devastated the region after the "just rule of the Romans" (Stoica 1919, p. 18). Stoica acknowledged that Dobrotich, who maintained control over Dobruja remaining its most famous lord, was "an adventurer and held it by right of conquest as he might have held any land, Greek, Romanian or Hungarian" (Stoica 1919, p. 19).

As it becomes clear from the previously cited works, the Romanian side had a more or less common idea of Dobruja's history connected to that of the Romanian nation-state, basing this vital link on the Daco-Roman legacies, vague interpretations of the inhabitants' national affiliations, Byzantine heritages, and rights of conquest. Similar conclusions can be made when investigating the Bulgarian party, who practiced a more defensive approach. Milan Markov, in his "Bulgaria's historical rights over Dobruja", wrote that it was the land where Asparukh in the 7th century founded the Bulgarian Cis-Danubian Empire (Marcoff 1918, p. 3). He also denied the fact that in 1372 Dobruja was conquered by the Wallachian voievods, giving a long, elaborated explanation:

This historical theory appears to be an invention, and is based on the false titles of some Wallachian voyvodes and on the keen imagination of the Roumanian chauvinistic writers. Thus is explained by the fact that subsequently the Roumanian historian Yorga, himself a noisy Roumanian patriot, saw himself constrained to reduce somewhat these historical fictions to a claim of possible rule over Dobrudja by the voyvode Mircho. Speaking on this disputed point and accepting the thesis of Yorga, a third Roumanian historian and geographer — captain Jonescu, comes to this conclusion: In spite of all personal antipathy which a historian might naturally have against the Bulgarians, the documents and sources of the time prove to us that Muntenia (Wallachia) under Vladimir and Radu-Negru Bassarab never ruled Dobrudja, and that such a rule took place only after the year 1386 under the voyvode Mircho (Marcoff 1918, p. 3).

Unlike Markov, who highlighted the medieval Bulgarian legacy in the region, Ivan Penakov was more interested in proving the economic insignificance of Dobruja for Romania. When referring to Bulgaria's historical rights, he pointed out that Dobruja had only strategic importance for Romania, as historically it was a region connected to Bulgaria from medieval times (Penacoff 1928, p. 46). It should be noted that according to Penakov, Cadrilater mattered more to Bulgaria than Northern Dobruja, which had become Romania's main target for Romanization since 1878.

Geographer Atanas Ishirkov broadened the ideas of the Bulgarian medieval legacy, underlining that the name Dobruja itself had come from a name of a Bulgarian lord, Dobrotich (Ischirkoff 1919, p. 5). Subsequently he mentioned that Constantine Porphyrogenete in the 10th century, and the Russian chronicler Nestor in the 12th century, called Dobruja “Bulgaria” or “Black Bulgaria” (Ischirkoff 1919, p. 5). Contesting Romanian claims related to their Roman descent, Ishirkov dedicated special attention to the Greek past of the province, pointing out that the Romanians, Thracians or Romans by origin, blood or culture, were not the most ancient civilized peoples inhabiting Dobruja (Ischirkoff 1919, p. 13).

All these aspects found their reflection in the works of Mutafchiev, Iorga’s most fervent opponent. Arguing with his Romanian colleague, the Bulgarian historian underlined the Slavic origin of the word “Dobruja” (Mutafchiev 1999, p. 147). He added that “after the Romans had left Dacia, everything that could have remained there fell under the sword of the barbarians” (Mutafchiev 1999, p. 68) and explained that the few Romanian settlers came to Dobruja already when the Bulgarian Empire was ruling over the land (Mutafchiev 1999, p. 83).

Although ideologically opposed, both Romanian and Bulgarian sides presented similar patterns that varied in their degree of negating the neighbor’s presence in the region. Sharing Mutafchiev’s views, Lyubomir Miletich noted that “the Romanians appear in history as a separate nation with its own state organization only in the 13th century, when the Bulgarian nation had already passed six centuries of history with cultural and military deeds of international significance” (Miletich 1994, p.107). Such notions as “nation”, “legacy”, or “ethnicity” seem to converge, leaving space for vague interpretations of a bright cultural landscape of a frontier.

Unlike “glorious history”, religion, mostly shared by Bulgarians and Romanians, became a less profitable topic of the debates, and most participants preferred to avoid it. Although the question of Orthodox legacy and its impact on Romanian and Bulgarian nation-building did not lose its actuality, it was overshadowed by the linguistic feature that turned out to be much more powerful in animating a nation on a borderland. The participants of the Dobrujan debate mainly linked the linguistic aspect to the “historical rights” and, therefore, strengthened the solidarity between the inhabitants of Dobruja, relating to a “marker” more obvious than a vague “legacy”.

The texts of the authors from both sides present examples of how opponents were trying to justify territorial claims. It should be noted that both parties

hardly intended to copy or imitate each other's arguments. They simply reflected their ideas connected with the history of the region, engaging into an open argument, battling each other in a field they considered their own, claiming to be "specialists", bearers of "ultimate knowledge". The participants of the debate were aware of the works published by their opponents. They referred to each other's publications and openly argued, while sketching convincing interpretations of the vague historical legacies that were used in promoting their respective nation-states.

The debate between Nicolae Iorga and Petar Mutafchiev became a professional competition, sparked by two distinguished historians, each attempting to prove the legitimacy of his own claims, each following the same strategy. The Dobrujan dispute triggered a wave of publications that otherwise would have had little practical sense. The state-builders were not simply writing Romanian and Bulgarian history, they were justifying the existence of their state within its' idealized borders. And while they were certainly interested in the reactions of their domestic audiences, those were their opponents, whose stories they needed to debunk. Contested Dobruja united the public actors, attracting their attention to each other's works, forcing them to enter a state-building competition that otherwise would have been pointless. Therefore, the writings reflect a state-of-the-art intellectual battleground. In this case the similarity of the rhetoric can be explained by the attempts to re-interpret the same events and occurrences in different ways, trying to reach the same scope of legitimization of territorial rights.

Epistemic Wars and shared caricatures.

Rumiana Stancheva, when referring to the complexity of various images of the Romanians in Bulgarian literature, points out that, although the events of 1913 badly affected the relations between the countries, they did not immediately turn the figures of Romanians into villains and criminals (Stancheva 1994, pp. 6-7). The process of producing caricatures of one another was complicated, and required several decades to pass for the stereotypes to be imprinted in the consciousness of different audiences. Building on Blagovest Nyagulov's argument, one should underline that the Bulgarian stereotypes of their neighbors were almost entirely outcomes of the wars of the second half of the 19th century (Nyagulov 1995, p. 6).

The diversity of the images, in this case, was produced by different social and cultural communities (Danova 2003, pp. 11-92). The perceptions of the "other" by the peasant population came from folklore, while the intellectuals grasped it through written texts, and on the governmental level it was connected with

various official documents (Nyagulov 1995, pp.6-7). The current section, therefore, is concentrated on the examination of the images crafted in the texts of several most representative participants of the territorial debate, intellectuals bound by an unlikely epistemic link.

In “The annals of Dobruja”, I. N. Roman referred to the Bulgarians in general, summing up all the negative traits they had been supposed to possess: absolute barbarity, uncivilized character, ferocity, cruelty, and brutality (Roman 1920, p. 126). Bulgarians were generally presented as an opposite to Romanians: the degree of radicalism of these “descriptions” varied depending on the author’s writing style. The Bulgarian counterparts of Roman adopted a very similar strategy of portraying Romanians and, conversely, they had to face the same dilemma of destroying the remains of neutral and positive images of the preceding periods.

The destruction of the positive image from both sides began with the notion of “backstabbing”, a predictable attempt of making an opponent less “human” and “similar” to oneself. Seișanu, when writing about the Bulgarians in his book, noted: “Bulgarians have quickly forgotten the sacrifices made by Romania in the war of 1877-1878 for their liberation from the Ottoman yoke just like they have forgotten the hospitality offered by Romanians to the refugees from the other side of the Danube that were fighting for the realization of their national ideal” (Seișanu 1928, p. 253). Later he added that Dobruja had never been part of Medieval Bulgaria, but the Bulgarians were still trying to stir the foreign and local public opinion, practically inventing the “Dobrujan question” (Seișanu 1928, p. 253). Culea, even referring to the works of Miletich, a Bulgarian author, claimed that, especially in Northern Dobruja, the existing Bulgarian population consisted purely of emigrants. He further added that many of them tried to escape the fury of the Ottomans and found shelter in Dobruja during the Russian-Turkish wars, especially after the signing of the Treaty of Adrianople (Culea 1928, pp.160-161).

The author’s attitude to the Bulgarians, “emigrants and escapees”, reflected mainly open neglect: “When the Turks were getting rid of the Russians, they gave the rebelling Bulgarians hard times! That is why the Bulgarian population rose up to flee the carnage and took off to Russia or the South of Bessarabia, where there remained empty places after the Tatars had left them. The way of those unfortunate escapees was through Dobruja. Even the Turkish authorities were helping the Bulgarian population to leave in the middle of the night so that they could get rid of spies and guides for the Russian armies” (Culea 1928, p.159). Therefore, Culea stressed the fact that even the Turks wanted to get rid of the Bulgarians, who were good for nothing except for “backstabbing”. The mutual

“demonization” quickly escalated, turning into a war of caricatures (Ungureanu 2005, pp.11-15). This war of pen and paper, however, was again a competition of mirroring each other’s tactics and re-interpreting legacies: “Treacherous Bulgarians” competed with “untrustworthy Romanians”.

The Romanian troops attacked Cadrlater when Bulgarian forces were fighting against Serbia and Greece, hence, the Bulgarians felt themselves “stabbed in the back” by the Romanians, whom they had previously considered allies. Ishirkov stressed the subjective “jealousy” of the Romanian side that might have pushed it to annex Cadrlater, admitting that several Romanian intellectuals, like Take Ionescu, Vasile Kogalniceanu and others could foresee the unfavorable outcomes of such actions (Ischirkoff 1919, p. 103).

Considering the events of 1913 and following years, Ishirkov stressed that “the Romanians, who consider themselves successors of the Romans, are deprived of glorious history” (Ischirkoff 1919, p. 102). He added that they attempted to present themselves as the most splendid victors of the war of 1877-1878 and accentuated the short rule of Mircea the Elder in Dobruja (Ischirkoff 1919, pp. 102-103). According to Ishirkov, who expressed himself in rather evasive terms, Romanians were “unable to wage wars honorably” and, hence, treachery was all that could be expected from them (Ischirkoff 1919, pp. 102-103). The same idea was expressed by Alexandar Dyakovich, another public actor, who, when admitting the existence of Romanians in Dobruja explained: “But those were the deserters who had fled their country so that they could hide along the banks of the Danube under the protection of the Turkish authorities, who out of political considerations, aimed at making the Bulgarian element less powerful and compactly settled” (Dyakovich 1994, p. 369). Thus, the idea of “treachery” became part of the renewed images of one another.

In 1921, Stiliyan Chilingirov wrote about his impressions of Romania and its inhabitants: “Romania is the least cultivated country in the whole of the Balkan peninsula. She seems to be a vulgar and dressed-up prostitute, who eats *mamaliga* while she does not even bother to put on a blouse under the corset of her dress” (Basciani 2001, p. 123). Blagovest Nyagulov, discovering similar opinions about “vulgarity” and “lack of civilization” among the Romanians, cited Yordan Yovkov’s novel “The crossroad”. The author explained that primitive and barbaric Romanian souls have their “ferocity” hidden inside them, and later referred to the bloody peasant revolt of 1907, viewing it as an example of typical Romanian behavior (Nyagulov 1995, p. 11). The image of the Romanians after 1913 in the Bulgarian sources (the affirmation is adequate for the Romanian

sources as well) resembled a caricature of a barbarian (Stancheva 1994, p. 6), a sort of “Balkanism within the Balkans” (Todorova 1994, pp. 453-482).

Just like the Bulgarian caricatures of “fierce wildlings”, the Romanian images of their neighbors did not differ much. Even Iorga, when referring to Asparukh, described him and his warriors as “absolute barbarians”, who were nothing like the noble Romans and their descendants. He also added dramatic expressions, depicting Asparukh’s “clothes covered with blood” (Iorga 1918, p. 10). Yet, the most interesting portrayal of the Bulgarians is to be found in the memoirs of Christian Vladescu, who got into Bulgarian captivity after the fall of Turtukaia in 1916 (Vladescu 1926, pp. 3-15).

Vladescu described in great detail all the atrocities of the Bulgarian soldiers, underlining their absolute lack of knowledge about such simple objects as, for example, pocket watches. Bulgarians, according to Vladescu, were fierce wildlings who fought only for the possibilities of robbing Romanian soldiers. The author noted: “I have preserved the impression that the bravery of the Bulgarian warriors would have been much more encouraged if before the battle they had been told :”Do not forget that every Romanian has a pocket full of watches!” (Vladescu 1926, p.7) Later he compared Bulgarian soldiers with monkeys, who were given a mirror as a toy (Vladescu 1926, pp.7-8). In this way, he successfully contributed to the already persisting image of a dangerously aggressive, uncivilized nation that he perceived Bulgarians to be.

The Romanian propagandists, however, had strong opponents in their homeland who, like Take Ionescu (Ischirkoff 1919, p. 103), Ștefan Zeletin,⁸ or Vasile Kogalniceanu, constantly criticized the Romanian attitudes to Dobruja, mainly complaining about the ineffectiveness of social and economic policies in the region.

Among the Bulgarian participants of the debate there existed those, who, as it was mentioned previously, expressed very strong anti-Romanian attitudes and those, who, like Markov and Penakov, fiercely supporting the Bulgarian cause, did not attempt to demonize the Romanian nation at all. Markov referred to Vasile Kogalniceanu as a “sane and good Romanian” (Markov 1919 a, p. 20). Ivan Penakov, who lived among Romanians for many years, brilliantly mastering the language, mostly blamed the Romanian officials who had created “absurd

⁸ As an example see Zeletin’s poem “Noi vrem bacsis”/”We want a bribe”, mocking the absurdity of the Romanian policy of the annexation of Cadrilater (Zeletin 1998, pp. 49-50).

legends” more to fill their compatriots’ heads than the Romanian nation as such. Penakov wrote in his “Shelter of Köstence” (Constanta) that Romanians loved to believe in tales that were covering the dishonorable deeds and highlighting the noble activities of the builders of the Romanian past (Penakov 1918, p. 9). Penakov also blamed the Romanian politicians for their inability to preserve Romanian Bessarabia, occupying Bulgarian Dobruja instead.

The analysis of the intellectuals’ texts proves that the dispute had a powerful resonance in the cultured and educated circles of both societies. Although counting on the local audience, the authors produced their works mainly for the influential international public and their colleagues and counterparts. The polemic between the sides found its reflection not only in the historical, ethnographic, or political writings, but also in several novels. These examples of mutual othering create a paradox. While both sides of the debate were actively involved in separating their group from that of the neighbor, they accumulated obvious similarities: their strategies coincided as well as the majority of their arguments. The public actors were desperately trying to create a breach, but engaged in the dispute that turned them into an epistemic community. While none of them wished to be seen as part of the same group, their obvious involvement in this relatively short-lived epistemic war forced them to communicate with each other.

The territorial dispute seen through the eyes of the prominent public actors does not represent an original pattern of propaganda. It only gives an astonishing example of a rapid formation of the negative opinions of a neighbor who had been previously considered a reliable ally, and of an effective denial of shared historical experiences (Kitromilides 1994, pp.75-78). The debates of 1913-1940 were aimed at destroying these ties between the two countries, while, paradoxically, creating even stronger boundaries, reflected in multiple battles of words and wits inside the freshly created Romanian-Bulgarian epistemic community.

Conclusion. Disputes and consequences.

The solution of the Dobrujan problem in 1940 came with the signing of the treaty of Craiova (Bernhardt 1982, p. 119) that clearly marked the obvious end of the debate that animated the minds of various Romanian and Bulgarian intellectuals. Consequently, the “war of caricatures”, fueled and supported on a grand scale by both sides, lost its immediate purpose after Romania and Bulgaria found themselves engaged in a different war (Kuzmanova 1989, pp.287-288).

The borderland dispute bound together both Bulgarian and Romanian public actors into an international epistemic community that lost its point of existence and, predictably, crumbled to pieces shortly after the debate was interrupted by devastating political events on a grander scale. The “epistemic community”, kept together by the sole self-serving purpose of advancing a variety of Romanian or Bulgarian state-consolidating projects, turned to different topics and slowly faded, as did the acute Bulgarian-Romanian interactions. Therefore, the borderland disputes as such can be regarded as perpetuators of social networks, resulting in the creation of groups justifying the rights of one side over the other. The current paper investigates the vital link between a political dispute and a creation of an epistemic community. It argues that it is not an epistemic community that produces a borderland dispute based on actual nation and state-building strategies, but rather the former that gives development to an existing circle of public actors, transforming them into what can be described as a full-fledged formation of multi-national social networks united for the sake of serving a single propagandistic purpose.

A borderland dispute does not simply perpetuate the separation of different groups, but also unites a number of influential public actors, who promote their respective state-building claims. While advocating their political agendas, they are forced to oppose those of their opponents, therefore they engage in an epistemic battle that requires them to familiarize themselves with the strategies of their adversaries. Since most of the participants of the debates are active public actors, they form an epistemic community that is initially driven by the reality of a contested territory.

In the case of interwar Dobruja, the result of its partition depended mostly not on the value and propagandistic strength of the texts the participants of the debate had produced, but on external influence that brought the end to Greater Romania and reshaped the political map of the region once again after the Second World War. The works of contemporaries give an insight into the dispute that allows us to perceive the roles of the Greater Powers deciding the fate of the province, dividing and re-dividing it. The explanations of how and why Dobruja became important for both Bulgaria and Romania in 1913-1940 lie partially in the methods of propaganda of the sides that inserted the ideas of their nationalistic historical discourses into it.

Dobruja’s significance was defined mainly by its strategically important position that was making the province a precious land with possibilities of controlling Danube navigation, establishing ports and profiting from the access to the Black sea. Having obvious political and economic goals, nation-states claim regions

they consider important. Yet, those are not the public actors advancing the ideas that decide the fates of those regions, but rather the territories that become the focus of propagandistic battles. And those fights of words and wits bind adversaries into a club of self-proclaimed specialists, an unlikely “epistemic community”.

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DIRECT DEMOCRACY NOTES

THE 2015 REFERENDUM IN SLOVAKIA

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Outline

- The 2015 "Referendum on Family" was invalid due to insufficient turnout.
- It was the first referendum in Slovakia initiated not by political parties but by non-party political activists.
- A new Pro-Life and Pro-Family Social Movement was behind the petition initiative; it managed to mobilize about 10,000 volunteers and more than 100 pro-life civic associations.
- This dense and increasingly assertive network of activists has a potential to significantly influence Slovak politics in the years to come.

Background

The 2015 Slovak "Referendum on Family", as it came to be known in public discourse, represents an important chapter in history of Slovak direct democracy and social movement development. Even though it was not valid, due to low turnout, it represents the first example of true citizen initiative: political parties initiated all other previous referenda. In addition, it was an initiative of a well-organised social movement that has a potential to influence Slovak politics in the years to come.

The main organizer of the popular initiative was the Alliance for Family, a civic association established in late 2013. It grabbed media attention when it protested against an advertisement of the IKEA company. The company's corporate magazine distributed to its customers featured a story of a lesbian

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The 2015 referendum in Slovakia

couple raising a child. The Alliance criticized it for promoting a non-traditional form of family that it thought was alien to cultural traditions and norms of predominantly Christian Slovak society. In order to prevent legal recognition of civic unions of same sex couples in the future, the activists called for a constitutional protection of the institution of marriage as a union of one man and one woman. The activists announced they would first try to convince elected representatives to change the legislation and, if unsuccessful, would start collecting signatures for their petition to initiate referendum on the matter.

Politicians soon recognized the political potential of the whole theme. In February 2014, just weeks before the direct presidential elections took place, the National Council (the Slovak Parliament) passed a constitutional amendment that explicitly stipulated that marriage was a union between a man and a woman and that such a union was under protection of the state. The amendment was drafted and passed by the governing Smer party and the opposition Christian Democratic Movement (KDH). For the former it played a role in the presidential elections, as its leader and presidential candidate Robert Fico hoped to win support of more conservative voters (Rybař et al. 2014, pp. 52-53); the latter has long been the main party political proponent of cultural conservatism in Slovakia.

The Alliance did not find the amendment sufficient: it demanded that the legislation explicitly prevented child adoptions by same-sex couples, granted parents the rights to opt out from teaching sexual education for their children, and even demanded same-sex unions were explicitly (and pre-emptively) denied any legal basis. In early April 2014 it started collecting signatures for a petition asking for a referendum to be held on these questions. The petitioners demanded four questions were submitted to the citizens:

1. Do you agree that no other cohabitation of persons other than a bond between one man and one woman can be called marriage?
2. Do you agree that same-sex couples or groups shouldn't be allowed to adopt children and subsequently raise them?
3. Do you agree that no other cohabitation of persons other than marriage should be granted particular protection, rights and duties that the legislative norms - as of March 1, 2014 - only grant to marriages and to spouses (mainly the acknowledgement, registration or recording as a life community in front of a public authority, and the possibility to adopt a child by the spouse of a parent).

4. Do you agree that schools should not require participation of children in subjects of sexual education or euthanasia if their parents or the children themselves do not agree with the content of such education?

Article 95 of the Slovak Constitution states that the president calls the referendum on the basis of a resolution of the National Council, or upon request - by a petition - of at least 350,000 citizens. According to the law, the president shall act within 30 days. While in principle it is possible for citizens and organized interests to take part in the decision-making by initiating a popular initiative, all Slovak referenda before 2015 were initiated by political parties; either via resolution of the National Council or via petition. The 2004 referendum on calling early parliamentary elections officially organized by the Trade Union Confederation comes closest to a non-party popular initiative. Even then, however, the then opposition Smer party closely cooperated with the Unions and offered its organizational and personnel capacities to collect signatures, and played a leading role (Lastic 2011, p. 118).

The constitution states that results of a referendum can be changed no sooner than after three years by a vote of constitutional (three-fifth) majority in the parliament. The referendum is only valid if turnout exceeds 50 per cent of all eligible voters (and a majority of participants endorses the results). It cannot be held within 90 days before the parliamentary elections, though it can be held on the election day. Taxes and levies, state budget, and basic rights and freedoms may not be the subjects of referenda.

The legislative effects of referendum remain unclear. The constitution states that the proposals adopted by a referendum shall be promulgated by the parliament in the same way as ordinary laws. The Constitutional Court in its 1997 ruling concluded that the results of a referendum constitute an order for parliamentarians that they should follow. However, it did not clarify how such principle is to be reconciled with another constitutional provision stating that deputies exercise their mandates according to their conscience and are not bound by orders. In addition, the only case of a valid referendum, the 2003 vote on Slovakia's EU accession, did not provide a guide. The results of the referendum, 92.46% in favour of Slovakia's membership in the EU (turnout level was 52.15%), were fully in line with a cross-party consensus on the issue. Hence, ambiguous constitutional provisions were not clarified by practice.

The provision on minimal turnout effectively means referendum in Slovakia is not a tool to decide about "important issues of public interest" (Art. 93 of the Constitution). Rather, it provides political entrepreneurs with an opportunity to

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inject into the public discourse their own agendas and mobilize potential supporters on well-crafted campaign themes.

The petition action was officially launched on April 4, 2014. The Alliance for Family managed to collect over 400,000 signatures (Table 1) within five months. Several political parties, including the Christian Democratic Movement, Ordinary People and Independent Personalities (OLaNO) and also the extra-parliamentary Slovak National Party (SNS) helped collecting the signatures. However, they all played a low profile in the whole process. Catholic Church parishes were important in providing logistical and moral support: petition sheets were available in local churches and priests regularly appealed to parishioners to support the petition. Over 3,000 volunteers were reportedly involved in collecting signatures (Šovčíkova 2015).

Table 1: Results of the 2014 petition for referendum

The number of signatures	408 322
Valid signatures	389 843
Invalid signatures	18 602
Contentious signatures	118

Source: Alliance for Family, www.alianciazarodinu.sk

The Alliance submitted the petition to president Andrej Kiska on 27 August 2014. The activists asked president to call the referendum on the day of upcoming November local elections. They hoped the timing would increase chances of a higher turnout. The president, using his constitutional prerogatives, decided to refer the petition to the Constitutional Court. He asked the Court whether the subject of the referendum was in compliance with constitutional provisions banning popular plebiscite on basic rights. After two months, on 28 October 2014, the Court ruled that the third proposed referendum question, the one on exclusive legal status of, and privileges for, a marriage between a man and a woman, was unconstitutional. Other three questions, the Court argued, were in line with the Constitution. Even though the president expressed his persisting doubts about the remaining three questions (Kern 2014), he decided to call the referendum on February 7 2015. The activists resented the Court decision and criticised the judges for misplaced judicial activism but eventually accepted the ruling and concentrated on the campaign.

Campaign

Pro-referendum activists tried to portray the referendum in "positive tones". They claimed they only aimed at preserving the status quo, i.e. keeping the

existing legal definition of marriage and the right of parents to decide about the content of education their children receive in schools. The public debate, however, inevitably focused on attitudes towards homosexuals and involved questions of the proper role of the (Catholic) church in public life.

In order to be able to mobilize the voters who were not churchgoers but were supportive of its cause, the Alliance formed as an independent civic association and refused to be referred to as Christian or Catholic. From the outset of the campaign, however, over forty explicitly pro-life Christian civic associations supported the petition. The number of pro-life associations backing the petition reached one hundred towards the end of the referendum campaign (Šovčíkova 2015). In addition, many public faces representing the pro-referendum side were publicly known from the 2013 "National march for life", a pro-life counterpart of gay-pride-parade, organized by the Conference of Slovak Bishops (KBS)

The church backing was undoubtedly a crucial factor in the whole process. The Catholic hierarchy openly supported the petition initiative; local priests encouraged volunteers and provided theological backing for the cause. The Bishops even prepared a Pastoral Letter read aloud in all Catholic Churches less than a week before the referendum. They called upon the believers to take part in the referendum and support what they perceived as the traditional family values. The Catholic Church provided the bulk of external support for the activists; nevertheless the largest Protestant Church and the Unionist (Greek Catholic) Church were also supportive.

The Catholic bishops also provided support indirectly: the Christian-Catholic television TV Lux, owned by the KBS, offered broadcasting opportunity for a controversial advert prepared by the Alliance. The advert featured a gay couple visiting a foster home, planning to adopt a young boy. Upon their arrival, the confused boy reacted: "And where is mama?" All major national TV stations refused to air the advertisement. They claimed they did not want to be involved in such a politically controversial dispute (Polaš 2015). The activists argued that the broadcasters limited the right of expression but eventually did not take any legal actions.

For over three months, the referendum themes dominated public discourse: media were full of sharp controversies between advocates of the referendum and their opponents. Both sides used billboards, blog posts and op-eds to communicate their messages. In essence, supporters of the referendum advocated active participation, while their opponents, given the turnout

requirement, considered non-participation in the referendum the safest option available.

LGBTI activists refused to declare themselves as the "official opposition" to the Alliance. Still, many of them presented their activities on social networks as well as in print media and a few televised debates. Their Facebook campaign "Say No to the Meaningless Referendum", for example, concentrated on giving reasons why people should not take part in the referendum. The LGBTI *Inakosť* Initiative set up a website nejdeme.sk ("we shall not take part"), where they regularly published reasons given by publicly known figures who were critical of the referendum.

Referendum campaign also polarised the political class, at least to some extent. President Kiska was the first political representative to take a clear stance. He declared he would be against the question on opt-out from school education but would support the other two questions. Prime Minister Fico also declared he would take part in the referendum but refused to give recommendation to the voters and did not reveal his opinion on the matter. His leftist Smer party, mastering a single-party majority in the parliament since the 2012 parliamentary elections (Spač 2014), also did not provide any official position. Among the parliamentary parties, only the Christian Democrats unequivocally supported the referendum. Other parties were more reserved, including opposition centre-right Slovak Democratic and Christian Union (SDKÚ) and Slovak-Hungarian Bridge (Most-Híd) party, or let only individual representatives to express their opinions, without taking an official position (OĽaNO party). The liberal opposition Freedom and Solidarity party (SaS) was the only parliamentary subject that strictly opposed the referendum and its questions. The nationalist SNS, as a non-parliamentary party since 2012, supported the referendum. All in all, political parties played a low profile role in the campaign, thus preserving the referendum as a citizen initiative.

Results

The eighth referendum in Slovak history, in spite of massive mobilization campaign by its proponents, was invalid due to low turnout. Eventually, only 21 per cent of eligible voters took part, falling short of the absolute majority required by the constitution. Among the voters who participated in the referendum, over 90 per cent supported the Alliance for Family. The highest percentage of voters (94.5%) agreed with the definition of, and an exclusive legal status for, marriage of one man and one woman. The least support (yet still massive 90.3%) received the question on the right of parents to gain opt

out for their children from school subjects on sexual education. Adoptions by same-sex couples were rejected by 92.42% participants (see Table 2).

Table 2: Results of the 2015 referendum

Date of referendum	7 February 2015
Electorate	4,411,529
Total votes cast	944,674 (21.41 %)
Total valid votes	938,135
Referendum question No 1	Do you agree that no other cohabitation of persons other than a bond between one man and one woman can be called marriage?
Valid votes in favour	892,719 (94.50%)
Valid votes against	39,088 (4.13 %)
Referendum question No 2	Do you agree that same-sex couples or groups shouldn't be allowed to adopt children and subsequently raise them?
Valid votes in favour	873,224 (92.42%)
Valid votes against	52,389 (5.54%)
Referendum question No 3	Do you agree that schools should not require participation of children in subjects of sexual education or euthanasia if their parents or the children themselves do not agree with the content of such education?
Valid votes in favour	853,241 (90.32%)
Valid votes against	69,349 (7.34%)

Source: Statistical Office of the Slovak Republic, www.statistics.sk

Compared to other referendum cases in Slovakia, turnout level in 2015 was below the average. Less people participated only in 1994 and 2000, 19.96% and 20.03%, respectively (Lastic 2011). Moreover, participation at referenda has gradually declined since the only valid referendum took place in 2003.

Conclusions

Even though the referendum was not valid, its results were interpreted differently by the various actors: President Kiska expressed his disappointment and regret over what he perceived was the low level of mutual understanding between competing activists. Prime Minister Fico refused to comment the results, thus confirming the ambiguous position of his party in the campaign. The opposition SaS (as well as several other opponents of the referendum) emphasised the need to undertake a full separation of church and state in Slovakia. Representatives of LGBTI groups welcomed the results and claimed

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Slovak society was now more open to debate on the rights of gay and lesbian citizens, who, as they interpreted it, were no longer perceived as a threat (TASR 2015).

On the other hand, in an official reaction, the leading representatives of the Alliance claimed the referendum was "an adventure" and its results "superb". (Todova 2015) The activists referred to nearly one million of voters who, in their views, gave the Alliance a new source of legitimacy and support for further activities in protecting traditional family and family values.

The referendum campaign and its results have had several important consequences. First of all, it initiated an unprecedented public debate about same-sex marriages and civic unions. Never before in the Slovak history were themes of sexual education, adoptions and forms of modern family subjected to such an intense and heated public discussion. This led some of the observers to conclude that the referendum could in fact have positive impact on perception of homosexuals by the majority of the Slovak society.

Another dimension of the referendum campaign concerns political organisations of representative democracy in Slovakia. In a way, the referendum confirmed the primacy of political parties as primary channels of effective interest aggregation: without party politicization, themes important to a significant portion of the public are unlikely to reach the level of public policy making. On the other hand, the Alliance for Family managed to mobilize, within some 14 months, a considerable amount of voters. That is a remarkable achievement in a society that has been regularly described as demobilized and apathetic. Furthermore, the Alliance is not an isolated actor; it is a part of a dense network of dozens of non-governmental organizations and civic associations. This network has been in place since the 1990s and gradually increases the scope of its activities. By 2015, it has grown into a social movement that has a strong political potential. It is estimated that some 10,000 volunteers actively participated in the referendum campaign.

What is also significant is the fact that the referendum campaign was by and large financed from contributions of many small individual donors. A similar principle was used after the campaign: The referendum activists found the media environment in Slovakia strongly biased against their cause. Several journalists sympathetic to the pro-referendum side set up a new (online) conservative daily based on crowd sourcing, i.e. on small contributions of many individual donors. Even though sustainability of these activities is still an open question, the pro-life social movement managed to demonstrate its viability

beyond the 2015 referendum. In September 2015, it mobilised over 70,000 participants who gathered in a second "March for Life". The gathering, which again articulated culturally conservative themes, attracted mostly young participants and their families. The Alliance for Family, for example, recently elaborated a set of recommendations for political parties in the realm of family policies. It also initiated a petition against ratification of the so-called Istanbul Protocol in Slovakia, citing the unacceptability of the "gender ideology" manifested by the international agreement. Hence, despite the fact that the 2015 referendum was not valid, the culturally conservative social movement has become a significant player in Slovak politics.

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BOOK REVIEWS

Quentin Skinner and Martin van Gelderen (eds.). 2013. *Freedom and the construction of Europe*. Cambridge: Cambridge University Press.

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Freedom and the construction of Europe, written by a broad array of international scholars coordinated by Quentin Skinner and Martin van Gelderen, represents a seminal and comprehensive reading on the theory and practice of religious and political freedom in early modern Europe. The book explores in depth the importance, the complexity and the diversity of debates encompassing religious freedom, constitutional liberties and the political and philosophical nature of a freeman and free states in shaping the modern political practices across Europe. Therefore, its fundamental arguments are organized, firstly, around the conflictual/ harmonic relation between politics and religion, secondly, the continuous contestation of the original meanings of the concept of freedom seen as opposite to servitude, tyranny, predestination and civil supremacy in church and finally, the nature of freedom perceived as the absence of dependence or of the arbitrary rule.

The book is organized in two volumes, each of them coordinated by one of the two editors. Volume I, coordinated by Martin van Gelderen, professor of European Intellectual History at the University of Göttingen examines the intellectual debates across Europe between religious freedom and civil liberty as well as the concept of freedom and particular types of liberties in constitutional thought. All sixteen essays argue cogently the peculiar relationship between freedom and religion. A number of contributions focus on Martin Luther's theological discussions on spiritual and civil freedom trying to elucidate the implications of the Protestant liberty over a Christian man (p. 20). A close attention is also given to the natural religion seen on the edge of freedom and reason, where Hobbes's, Pufendorf's and Locke's arguments are central in the last two essays that conclude the first part (p. 115). The following essays that compose the second part of this first volume emphasize the debates about constitutional liberties and freedom of polity in modern Europe. They continue

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to point out in a comprehensive manner the relation between politics and religion and between church and civil government in some particular historical moments. Finally, the last essay returns to the central idea of this book and examines the Calvinist debates on civil liberties and liberty of conscience (p. 296). The second volume, coordinated by Quentin Skinner, Barber Beaumont Professor of Humanities at University of London examines different conceptions about freedom of thought and action and their relation with different interpretations of citizenship. This volume gives a close attention to the general conceptions of free person and freedom of action by considering the implication of the idea of freedom of will in Jesuit philosophy (p. 26), Descartes' free-will controversy (p. 65) and the problematic of the free citizens and state and the relation between freedom and freeman (p. 105). Finally, the last essays of this second volume encompass the general topic of the book stressing with precision a more general story of the concept of freedom and its important role in the political and philosophical customs of non-European civilizations, namely the Islamic egalitarian polity (p. 283).

As we could see, the topics addressed in this book are closely picked and analyzed. On the one hand, they underline the particular debates about the religious freedom and constitutional liberties, the intellectual conflicts surrounding the freedom of will and on the other hand, they also refer to more general subject matters like the civil liberty seen as independence from arbitrary will and distinction between freedom and dependence. With a particular focus on the political and philosophical facets of freedom, this intellectual endeavor is accessible both to students and researchers specialized in political science, conceptual history and modern philosophy.

The book has two outcomes. The first one is to offer the readers a comprehensive and exhausting understanding of the main intellectual debates about the various meanings of the concept of freedom. Both of the two volumes propose for acceptance a broad array of interpretations regarding the concept of freedom that are different enough one from another. On these grounds, we could see that the first volume considers a collection of meanings emphasizing the close, and sometimes, conflictual relation between religion and freedom; the second one leaves behind almost all the traditional interpretations of freedom and embark in a Skinnerian conceptual history about freedom and citizenship leaving a visible trace in the political and traditional European context.

The second outcome of the book is to provide useful academic materials worth reading in order to produce a better and newly understanding of individual liberty and rights. For a researcher interested in the conceptualizations of freedom finding reliable and worth reading academic sources could represent a

challenging task since we are witnessing an abundance of articles and books that are written on this particular subject. Therefore, this study succeeds, without any theoretical and methodological constraints, in accomplishing both of these endeavors.

Another aspect that makes the book even more valuable is the innovative theoretical framework where the scholarly contributions manage to leave behind the traditional meanings of the concept of freedom and construct an even more complex and extensive conceptual history. Using carefully a methodology specific to conceptual history (e.g. discourse analysis, theory development, historical research and critical research), the book emphasizes also other diverse meanings and intellectual materials attached to the concept of freedom that were rarely used (immunities, privileges).

Besides the innovative theories, the usage of proper methodology and the richness of meanings analyzed, the book has also a minor shortcoming. Considering the high number of international contributions, one could easily see that because of the different schools of thought that each scholar adheres to, sometimes the essays seem opposite one from another, which could represent a risk for a cursive reading.

Despite the discrete title for such an endeavor and despite the diversity of scholarly contributions from all over the world, the book succeeds in highlighting some of the most controversial meanings embraced by the concept of freedom and its intimate relation with religion. All in all, the main purpose of the book is to supply the readers with a comprehensive understanding of the main intellectual sources about individual liberty and rights and to provide new methods and instruments of reflecting on the academic debates surrounding the concept of freedom in early modern Europe.

Taking everything into consideration, *Freedom and the construction of Europe* is a valuable contribution for the sphere of history of concepts and a book of reference for any researcher in this field. Both academia and political practitioners would find this study worth reading and very useful to have it in their personal library.