

What not to do in the Middle East and North Africa

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>> Most European policy-makers are now candid about the miscalculations that led to their ill-fated support for autocrats in North Africa and the Middle East. They have promised a gear-change in the EU's policies towards Arab states. But the EU will soon need to move beyond hortatory platitudes. It will need to strike a balance between doing too much and doing too little. The vitality of current Arab civic movements lies in their undoubted internal genesis which should not be sullied. Europe will not be the primary shaper of the region's new politics and the challenge is to maximise its contribution at the margins and dovetail optimally with incipient domestic dynamics.

How to do this is a more complex matter than simply offering the range of possible policy upgrades that have been kicked around for many years. Notwithstanding their ostensibly drawing lessons from several waves of support for political reform across the globe, democracy promoters tend to repeat mistakes from one transition opportunity (actual or aborted) to the next. In light of this, basic policy guidelines might best be cast in terms of things the EU should avoid doing in the remoulded North Africa and Middle East.

PRECISION REQUIRED

European leaders have certainly reacted in their rhetorical proposals for all kinds of policy upgrades. The basic substance of their suggestions contains little that is new: advanced status agreements, or a set of newly-named associations; access to the EU single market; free(r) movement; increased amounts of aid, especially through the European Instrument for Democracy and Human Rights and the Neighbourhood Governance

HIGHLIGHTS

- European leaders have signalled intent to upgrade policy towards Arab states in the light of ongoing political change and social protests.
- Many welcome ideas have been suggested, but greater precision is required in thinking through exactly how the EU should deploy new resources in the Middle East and North Africa.
- Lessons taken from other political transitions around the world suggest a number of mistakes the EU should avoid committing in the region.

»»»»» Facility; and all kinds of people-to-people exchanges. The latest and best developed idea is the proposal for a Partnership for Democracy and Shared Prosperity, launched by the European Commission and high representative on 8 March.

Pleas for ‘helping political transition’ are accompanied by a standard listing of democracy’s well-known building-blocks – civil society, political parties, parliaments, constitution-building, the rule of law, civilian accountability of security services, elections - and generic calls for the EU to help strengthen all these areas. Fairly airy suggestions invariably follow that this be done through training and knowledge-sharing.

Concerns arise that those responsible for democracy support in national ministries and the external action service have so far been sidelined since the upheavals commenced. The European response will need to be built primarily from the knowledge of diplomats covering the Middle East and versed in the region’s specificities. But it will also need to draw lessons from previous efforts to assist political change. It cannot primarily be about tinkering with the EU’s set of formal policy frameworks.

If European governments are to divert resources into assisting political reform, precision is needed in thinking how and where such money can best be spent. Those who have invested serious research in this question have chronicled how many types of external support can be largely useless or even damaging. The community of policy-makers engaged in democracy support has come a long way during the last two decades. Refined understandings of how more effectively to accompany processes of political change must be taken on board. This means that a broader set of lessons needs to be learned well beyond the impulse to offer money for democracy capacity-building programmes.

A DECALOGUE OF DON'TS

As a modest contribution to the enormous amount of advice currently being offered, a number of these lessons are offered here, drawn from interna-

tional support in successful and failed transitions around the world. This is not an exhaustive list, but one which merely takes a first cut at honing in on some of the most pertinent issues for North Africa and the Middle East. The flip side of these ten ‘Don’ts’ are the ‘Dos’ that might usefully guide European policies.

1. Don’t raise expectations with fuzzy and meaningless rhetoric that cannot be delivered on.

Ukraine provides a good example of the EU raising hopes of significant post-transition rewards that it has failed to fulfil. The result is that democracy has suffered by association. Democracy is more robust in Turkey, but would have moved more smoothly towards consolidation had the EU not become so obtuse after opening accession talks in a blitz of grandiloquent rhetoric in 2005. Promises of generous rewards after Kenya’s break-through 2002 elections were also not fully met; consolidation remained elusive and brutal post-electoral violence broke out five years later.

2. Don’t ‘pick winners’. Western governments and other democracy promoters all say they have learned not to favour particular pro-reform sectors. But recent experience shows they often cannot resist the temptation to place most emphasis on backing those individuals seen as the most promising, moderate and charismatic reformists. This rarely ends well.

Georgia is probably the clearest case of this mistake: Western governments’ backing for Mikhail Saakashvili has ended up hindering more than assisting democratic consolidation. In Bosnia, the international community supported Serb leader Milorad Dodik and worked to sideline the established nationalist Serb party (SDS). This backfired when Dodik won the 2006 elections on a strongly nationalist platform that he adopted in order to outflank the SDS. As Dodik turned out to be even more nationalist than his predecessors, this miscalculation has become a major obstruction to the process of EU approximation. In the Democratic Republic of the Congo the EU invested 500 million Euros in a 2006 election that was quite patently set up so as to consolidate

President Kabila's power; the result has been a deterioration of internal and regional conflict.

3. Don't approach transitions too heavily through the lens of deal-making between elites.

This may be one important aspect of transition; many political scientists adhere to the view that democratic transition is an 'agent-driven' process predicated on successful pacts and shifting coalitional structures within the elite. But, notwithstanding all their protestations to the contrary, international democracy promoters have often become overly fixated on the elite level to the detriment of underlying institutional rules. The latter may appear less urgent in the heat of political protests and rupture. But where such procedural reform is relegated to a low-level priority and postponed too long then transitions tend to falter in their secondary stage.

Refined understandings of how more effectively to accompany processes of political change must be taken on board

Iraq provides a good example of huge amounts of political capital and time being invested in shaping balanced deals between different segments of the political elite, when some of the basic institutional pre-

requisites of democratisation have been left to fester without advancement. Sri Lanka shows that attempting to buy off a minority with financial disbursements is no substitute for a genuinely inclusive political solution: Tamil grievances have continued to mount since the end of conflict in 2009.

Democracy cannot be built through trade-offs between vertical structures of personal political fiefdoms. It should not be thought of as resulting from vertical pillars holding up a common roof of formally democratic constitutional process but rather from layers of horizontal accountability. These may take more time to build but ultimately produce the sturdier structure.

4. Don't turn away from reform opportunities by neglecting those states where democratic breakthrough has not yet occurred. Support for Tunisia and Egypt needs to be generous. But even greater effort and pressure will be required towards regimes demonstrating more success in fending off civic pressure. This means the EU must not apply different standards towards the 'hard cases'. For example, Saudi Arabia's undoubted, complex specificities and fragile set of domestic political-religious alliances should not justify its immunity to political liberalisation. So far, few signs are evident of new EU steps in states like Saudi Arabia or Syria. Several member states resist the case for increasing pressure on the Iranian regime in response to its brutal put down of protests.

The lesson from elsewhere is that windows of opportunity can easily close. Democratisation is not a smooth continuum with inbuilt self-sustaining and structural inevitability. In Venezuela, the EU missed the opportunity to reinforce the opposition after Hugo Chavez's defeat in the 2007 constitutional referendum, leaving the Bolivarian revolution more strongly embedded three years on. The international community missed a similar window with Kazakhstan, failing to exert leverage during the latter's 2009 OSCE chairmanship.

The EU has promised positive conditionality. But if many regimes do continue effectively to resist democracy European governments many have to consider what is needed for this to be effective. Positive conditionality has already been deployed as the Eastern Partnership's primary instrument, but has been of insufficient magnitude to halt political regression in Ukraine, Armenia, Georgia and Azerbaijan. The EU's move to positive conditionality in Belarus presaged brutally repressed elections in December 2010.

5. Don't fall for the chimera of partial reform. The EU must not continue to support limited, façade reform beneath its new pro-democracy rhetoric. It is profoundly disappointing to hear several European governments profess a new commitment to democracy, only in their next



»»»»» breath to opine that Morocco, Jordan, Bahrain and Kuwait have already been democratising for several years. The EU must not confuse regimes' rush to dole out huge subsidies to their restless populations as a genuine commitment to 'reform'. Unfortunately several member states appear minded to do just that.

There are many examples of support for partial reform backfiring. Limited reform was indulged in Kyrgyzstan after the regime was ousted in 2005; this led to ethnic violence and a further bloody regime change in 2010. While donor darling Mozambique has been widely praised for reforms since the civil war, the FRELIMO government has stalled on reforms; a return of instability is an increasing possibility.

6. *Don't neglect the dangers of state capture and persistent rentier resource management.*

The EU has often supported new democrats even as these have moved in to appropriate control over state resources in the same fashion as the departing regime. A key lesson from other transition experiences is just how easily pernicious state capture occurs in the wake of democratic breakthrough and how democracy promoters repeatedly fail to address the danger. The policy implication is that the EU needs not only to 'back reformers' but quickly to help develop institutional rules that prevent the political sphere (re)colonising state institutions.

The danger of state capture assumes a particularly acute form when related to the rentier dynamics of oil and gas management. Western powers often seek to keep the hydrocarbon sector quarantined from uncertain processes of political change. This merely prolongs the difficulties of consolidating stable democracy. In Nigeria, pressure for democratisation without parallel transformation of a rentier political economy produced deeply pathological outcomes. Elite-sponsored schemes to cream off the economic dividends of transition have discredited democracy amongst the population and fanned extremism. Windows of reform opportunity in Angola and Azerbaijan have also been scuppered by the failure to reform

the nature of political control over oil and gas.

7. *Don't securitise democracy-building.*

The security establishment needs to be democratised and made subject to strong measures of accountability, even where it appears that this may complicate an army-piloted transition. Experience shows that even where the army provides a genuinely beneficial role in preparing the ground for elections, if pressure for security sector reform is not brought to bear the army can later prove to act against consolidation. In Pakistan, concern with the militant threat has led Western governments to support a form of democratisation within which the security forces retain primary power. This has prevented the government from taking control of security and foreign policy, thereby sapping the legitimacy of civilian rule and fuelling extremist groups. International resources have focused on security-enhancement to the detriment of underlying social injustices that ultimately explain Pakistan's fragility. Western governments have come to realise this, and are shifting priorities, but arguably too late. Very similar temptations are likely to appear in Arab states and must be resisted.

Genuine security concerns arise in democratic transitions. But they are rarely solved by containment-based policies. Where the intertwining of state and security apparatus is not prised apart, instability merely festers and invariably becomes more politically entrenched and endemic. In Mexico and Central America, formal democratic transition was not accompanied by a concerted attack on security sector corruption, urban violence and financial mismanagement – all phenomena that now blight the region with shocking ferocity and render the advances in political rights less practicably valuable.

8. *Don't compound the difficulties of founding elections.*

Elections should not be rushed, but nor should their importance be under-estimated. It is not enough simply to declare a commitment to supporting new elections in Tunisia, Egypt and elsewhere. The record of electoral support during the last decade is mixed, at best. Providing pre-electoral technical assistance has been shown to be

woefully inadequate. Donors have invariably even ended up legitimising manipulated elections. They have failed to support the broader political context shaping the entire electoral cycle. They routinely fail to get to grips with the subtle forms of intimidation and influence that regimes (both incumbent and transitional) exert well before observers are deployed at the polls. A chronic failure to follow up on electoral observation missions regularly undermines the utility of pre-poll technical help. Post-2009 Albania provides a dramatic example. The EU also recently paid for two thirds of the preparations for elections in the Central African Republic and then failed to engage critically when the regime manipulated the poll.

The international community has often judged it wise to be relatively soft on imperfections in a country's first election after democratic breakthrough, for fear of destabilising the new regime. But this can prove a mistake, to the extent that it allows a new elite to load the institutional dice in its favour and can establish electoral blemishes that are harder to reverse later on. Donors also tend to withdraw their support after two elections, taking this to be the point of democratic consolidation, only for an authoritarian pushback to then rear its head.

As European governments and the external action service are already sending electoral experts to the region they should be careful not to confuse local choices. There is a long-running debate over the appropriateness of different electoral systems. Proportional representation tends to be better at dislodging the power of a dominant party. First past-the post constituency systems tend to be better at injecting stability into highly fragmented party systems. Local actors must make the choices over electoral design. Recipients often complain that they are bombarded with technical assistance based around competing systems and that this simply confuses these choices. Some electoral support may be better undertaken by new democracies such as Indonesia or South Africa who have impressive and arguably more relevant experiences in electoral reform than do European countries.

9. *Don't forget political parties.* A recurring problem is that donors focus on the state and on civil society but drastically under-fund political society. Political parties form the crucial link between civic organisation and the state. It is already evident in North Africa and the Middle East that there is an urgent need to agglomerate spontaneous civic movements into broad and inclusive political organisations. Despite referring to the importance of supporting the building of political parties, donors in practice always gravitate overwhelmingly to civil society support.

In sub-Saharan Africa, for example, political parties have been seriously over-looked. Parties continue to be dominant (Tanzania), or personalised-ethnic in nature (Kenya) or apparently optional (Uganda). The weakness of the party system today constitutes a barrier to democratic consolidation and stability in Africa, in many cases two decades on from formal transitions.

10. *Don't conflate democratisation with Europeanisation.* It may well be that new Arab governments want to adopt some EU rules and regulations. But the EU should not think that the all-encompassing export of the EU *acquis* will necessarily help democratisation. Recent experience suggests that the tendency to proselytise Europeanisation can be prejudicial to local democratic capacity. The EU has foisted a broad range of its *acquis* onto Ukraine in recent years but this has failed to temper growing corruption and institutional brittleness. Some Moldovans complain that the equating of democratisation with Europeanisation militates against a necessary, balanced relationship with Russia. This approach often generates the perception that the EU seeks to 'sell' institutional processes under the guise of 'rule of law' reform that speak more to the interests of European investors than local access to justice.

This entails another, related lesson: don't superimpose templates on traditional structures/identities. Experience suggests that if efforts are not made to incorporate such traditional forms into mainstream democratic and human rights



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»»»»» standards they can re-emerge as potent reform-spoilers. In Libya and elsewhere the role of enduring tribal identities is already becoming apparent as state structures collapse. Many traditional forms may be extremely illiberal, but rather than trying to circumvent them donors should bring them into mainstream democracy-building initiatives. Good practice can be found in support for Ghana's second legislative chamber made up of traditional leaders and the role played by tribal chiefs in Botswana.

The need to pursue this inclusion with political Islam, in particular, has already been endlessly repeated by both analysts and diplomats: the new circumstances make it even more necessary to follow through this element of policy. In conceptual terms this engenders a difficult injunction to policy-makers: don't assume that the relationship between democracy and secularism will be exactly the same in the Middle East as in Europe.

This leads on to a final word of caution. Extremely prominent in EU responses to the upheavals is the

offer to share with Arab countries European experiences of transitions. This should not be the main pillar of a new EU policy. Our research in FRIDE, recently interviewing recipients of democracy aid across 18 states, reveals that civil society organisations believe strongly that generic training and transition knowledge-sharing produce relatively limited results. Gauging from our more than seven hundred interviews, Arab civil society groups are likely to prefer meaningful and concrete political backing to confront reform-spoilers over an endless stream of seminars on eastern and southern European transitions. Ministers and policy-makers are already rushing to project European experiences of transition. While in some measure this may be useful, they might better focus finite resources and diplomatic capacity on the areas of policy that are likely to have a more profound influence over the Middle East's future.

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