

# EUROPE'S BURDEN

**Promoting  
Good  
Governance  
across  
Borders**

**Alina Mungiu-Pippidi**



## Europe's Burden

The EU is many things: a civilizational ideal to emulate, an anchor of geopolitical stabilization, a generous donor, and a historical lesson on cooperation across nations. A fixer of national governance problems, however, it is not. In this book, Professor Alina Mungiu-Pippidi investigates the efficacy of the European Union's promotion of good governance through its funding and conditionalities both within EU proper and in the developing world. The evidence assembled shows that the EU's supposed power to transform the quality of governance is largely a myth. From Greece to Egypt and from Kosovo to Turkey, EU interventions in favor of good governance and anti-corruption policy have failed so far to trigger the domestic political dynamic needed to ensure sustainable change. Mungiu-Pippidi explores how we can better bridge the gap between the Europe of treaties and the reality of governance in Europe and beyond. This book will interest students and scholars of comparative politics, European politics, and development studies, particularly those examining governance and corruption.

Alina Mungiu-Pippidi has fought the cause of good governance as a journalist, strategic litigator, and scholar. She designed the Index for Public Integrity and several corruption control campaigns for civil society. Her theory on corruption has been outlined in *The Quest for Good Governance*, also from Cambridge University Press, and in several book chapters and journal articles, notably in *Nature* and *Journal of Democracy*.



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*Promoting Good Governance across Borders*

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CAMBRIDGE  
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University Printing House, Cambridge CB2 8BS, United Kingdom

One Liberty Plaza, 20th Floor, New York, NY 10006, USA

477 Williamstown Road, Port Melbourne, VIC 3207, Australia

314–321, 3rd Floor, Plot 3, Splendor Forum, Jasola District Centre,  
New Delhi – 110025, India

79 Anson Road, #06–04/06, Singapore 079906

Cambridge University Press is part of the University of Cambridge.

It furthers the University's mission by disseminating knowledge in the pursuit of education, learning, and research at the highest international levels of excellence.

[www.cambridge.org](http://www.cambridge.org)

Information on this title: [www.cambridge.org/9781108472425](http://www.cambridge.org/9781108472425)

DOI: [10.1017/9781108665537](https://doi.org/10.1017/9781108665537)

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First published 2020

*A catalogue record for this publication is available from the British Library.*

*Library of Congress Cataloging-in-Publication Data*

Names: Mungiu-Pippidi, Alina, author.

Title: Europe's burden : promoting good governance across borders / Alina Mungiu-Pippidi, Hertie School of Governance, Berlin.

Description: Cambridge, United Kingdom ; New York, NY : Cambridge University Press, 2020. | Includes bibliographical references and index.

Identifiers: LCCN 2019028546 (print) | LCCN 2019028547 (ebook) | ISBN 9781108472425 (hardback) | ISBN 9781108665537 (epub)

Subjects: LCSH: Government accountability – European Union countries. | Political corruption – European Union countries – Prevention. | Public administration – Corrupt practices – European Union countries – Prevention. | European Union countries – Politics and government.

Classification: LCC JN30 .M867 2020 (print) | LCC JN30 (ebook) | DDC 353.4/6094–dc23

LC record available at <https://lcn.loc.gov/2019028546>

LC ebook record available at <https://lcn.loc.gov/2019028547>

ISBN 978-1-108-47242-5 Hardback

ISBN 978-1-108-45966-2 Paperback

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## Acknowledgments

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The research for this book was carried out within the ANTICORRP (anticorrrp.eu) Seventh Framework Research Project (2012–2017) funded by DG Research, which included a work package on the role of EU aid in good governance. I worked as principal investigator with colleagues from the German Institute for Global Affairs (GIGA) and my own team at Hertie School of Governance in Berlin.

However, it is only fair to state that my many years of struggling alongside the development industry in the Balkans, the Caucasus and the former Soviet Union, as well as frustrating expert meetings in Brussels, are also responsible for my insight into the informal institutions discussed here and my longtime acquaintance with the actors and realities presented.

After the end of ANTICORRP, quite a few NGOs helped me organize focus groups and interviews in Ukraine, Moldova, Romania, Tunisia and Brussels. I visited and interviewed Brussels officials in Brussels, in Rome, and in the field offices of various countries – many of whom preferred to remain anonymous – as well as prosecutors, judges, civil society activists, and journalists. A number of the resulting case studies and a preliminary report of the main statistical findings appeared online on Anticorrrp.eu in 2017, as well as in *Beyond the Panama Papers: The Performance of EU Good Governance Promotion* (Volume 4 of the *Anticorruption Report*, published by Verlag Barbara Budrich). The European Parliament's international trade committee, INTA, further commissioned me in 2018 to produce a state-of-the-art report on good governance conditionality and international trade, which informed findings in [Chapter 3](#) of the present book. The Swedish government's development expert committee, EBA, commissioned me to provide a "lessons learned" paper for the donor community after ANTICORRP, which eventually became the article "Seven Steps to Control of Corruption: The Road Map," published by *Dædalus* in July 2018 (147[3]: 20–34). The ideas in that paper I presented at length at OECD Integrity Week meetings for two years in a row (2017, 2018) and in a series of IMF and World Bank meetings in 2018, and they shaped the present conclusions as well.

Special friends and mentors, such as Fraser Cameron and Richard Youngs, who had worked before on these topics, have helped substantially to get me started. Marc Plattner and Larry Diamond have provided input ever since my first article on this topic in *Journal of Democracy*, which was called “EU Accession is No End of History” – long before the democratic backslide of East Central Europe had become visible to the world. Tanja Börzel from Freie Universität Berlin gave our team her candid review and encouragement in a Brussels seminar generously organized by Carnegie Endowment and the Open Society Institute. Tens of academics volunteered to read the mini-chapters regarding their countries’ institutional transformations – I thank the Greeks, Italians, Turks, and the rest who sent their critical insights, sometimes unsolicited and after hearing from friends what I was up to. I had a devoted editorial research team in Berlin: Ramin Dadašov worked on our models of globalization; Roberto Martinez Kukutschka worked on European crony capitalism; Aaron Burnett organized interviews; Jana Warkotsch worked on conditionality and MENA countries; Chris Norman, Natalia Alvarado Pachon, and Till Hartmann worked with the aid data; Elizabeth Miszta and Jacob Watson put the manuscript together, and our long-time editor Marcus Ferley provided the final touches. I owe thanks to Misi Fazekas at CEU and Barbara Budrich for allowing me to use figures from the *Anticorruption Report* in this book, and I need to thank our research officer, Cristina Marcuzzo at DG Research, for her trust in us during two intensive projects, ANTICORRP and DIGIWHIST. It was a privilege to work with the research teams of both projects. A seminar organized by Robert Rotberg at Harvard in 2017 and a talk on the Swiss model in Washington, DC, with Francesca Recanatini of the World Bank in 2018 fed me with great ideas and encouragement. Two anonymous reviewers from Cambridge University Press made precious comments that I was able (I hope) to address.

As I wrote this book entirely in 2018 after the end of ANTICORRP, none of the funders, colleagues, or interviewees are responsible for what I might have got wrong. My many thanks to everybody who shared their insights with me on what I eventually got right.

## Abbreviations

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ACA	anti-corruption agency
ACP	Africa, Caribbean and Pacific Group of States
ANAC	National Anti-Corruption Authority (Italy)
AKP	Justice and Development Party (Turkey)
BiH	Bosnia and Herzegovina
CCP	Coalition for a Clean Parliament (Romania)
CEEC	Central and Eastern European Countries
CEPEJ	European Commission for the Efficiency of Justice
CFSP	Common Foreign and Security Policy
CoC	Control of Corruption (a Worldwide Governance Indicator)
CoE	Council of Europe
CPI	Corruption Perception Index
CVM	cooperation and verification mechanism
DCFTA	Deep and Comprehensive Free Trade Area
DCI	Development Cooperation Instrument
DEVCO	Directorate for Development and Cooperation
DFID	Department for International Development (United Kingdom)
DG Home	Directorate-General for Migrant and Home Affairs
DG Just	Directorate-General for Justice and Consumers
DG NEAR	Directorate-General for Neighbourhood and Enlargement Negotiations
DPS	Democratic Party of Socialists (Montenegro)
EB	Eurobarometer
ECA	Europe and Central Asia ( <a href="#">Chapter 4</a> ); European Court of Auditors
ECD	European Consensus on Development
ECHR	European Court of Human Rights
ECJ	European Court of Justice
EEAS	European External Action Service
EED	European Endowment for Democracy

EIDHR	European Instrument for Democracy and Human Rights
EITI	Extractive Industries Transparency Initiative
ELIAMEP	Hellenic Foundation for European and Foreign Policy (Greece)
EMU	Economic and Monetary Union
ENP	European Neighbourhood Policy
ENPI	European Neighborhood and Partnership Instrument
EPAP	European Partnership Action Plan
ERCAS	European Research Centre for Anti-Corruption and State-Building
EU	European Union
EULEX	European Union Rule of Law Mission in Kosovo
FCPA	Foreign Corrupt Practice(s) Act (USA)
FDI	foreign direct investment
FSU	former Soviet Union
GCR	Global Competitiveness Report
GDP	gross domestic product
GF	Governance Facility
Ghana-ARAP	Ghana Anti-Corruption, Rule of Law and Accountability Programme
GIFMIS	Government Integrated Financial and Management Information System (Ghana)
GIGA	German Institute for Global Affairs
GNI	gross national income
GRECO	Group of States Against Corruption (Council of Europe monitoring body)
GSP	Generalized System of Preferences
HDI	Human Development Index
IMF	International Monetary Fund
INLUCC	Instance nationale de lutte contre la corruption (Tunisia)
IPA	Instrument for Pre-accession Assistance
IPI	Index of Public Integrity
KAAs	Kosovo Anti-corruption Agency
LAC	Latin America and the Caribbean
MCV	mechanism for cooperation and verification
MDG	Millennium Development Goals
MENA	Middle East and North Africa
MS	member state (of the European Union)
NABU	National Anti-corruption Bureau of Ukraine
NAD	National Anticorruption Directorate (Romania)

NIT	Nations in Transit (Freedom House Corruption Score)
ODA	official development assistance
ODC	other developing countries
OECD	Organisation for Economic Co-operation and Development
OHR	Office of the High Representative
OLAF	European Anti-Fraud Office
PAM	Public Accountability Mechanisms
PASOK	Panhellenic Socialist Movement (Greece)
RIS	Romanian Information Service
SAA	Stabilisation and Association Agreement
SPRING	Support for Partnership, Reforms and Inclusive Growth (EU project)
USAID	United States Agency for International Development
WB	World Bank
WGI	World Governance Indicators (from World Bank Institute)



# 1 The Blueprint

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## 1.1 The Making of Switzerland: With a Little Help from Friends

There is one country in the world that is everybody's dream: Switzerland. The small Alpine republic is universally perceived as the world's highest achievement in democracy, human rights, the rule of law, and economic competitiveness. The end results of such achievements, of course, are prosperity and happiness, for which Switzerland also leads in global charts. Legend has it that some inner Swiss qualities have fashioned this miracle; perhaps some deeply ingrained virtue that the nation of clock makers possesses has spilled over into their splendid governance. Once achieved, the only other thing needed was protection from outside influence so that they could develop peacefully, which the Swiss then managed by means of their famous neutrality. The Swiss seem exceptional in having solved the main problem that nobody else, or only very few, have managed to solve and that is the kernel of the state-building challenge of our time. That solution is impartiality of the state to private interest, with the resulting capacity of balancing between various ethnic, religious, or economic groups so as to ensure ethical universalism as the norm – in other words everybody is treated equally and fairly. Building a Switzerland in Bosnia – or Iraq – has been many a reformer's dream but ultimately all have failed.

But that simple if powerful narrative is actually wrong. Even at first glance it is clear that happy Switzerland has not come about without difficulty, or overnight. By the mid-eighteenth century, Switzerland was a country dominated by privileges and restrictions on economic freedom (Tilly, 2009). Furthermore, it was plagued by religious, ethnic, and political conflict that would continue for more than a hundred years (Fischer, 1946). The public ethic was nonexistent: offices of governor were sold in return for the presumed benefit (in the form of bribes or

appropriation received) of the office; crimes were punishable mostly by fines, because that seemed more convenient for an ever-deficient budget. If top officials were caught embezzling funds, they were simply replaced by way of punishment and suffered no other further inconvenience (ibid.). To cap it all, there were no usable public roads, schools, or hospitals, because the absence of any centralized power and the lack of solidarity across territories and social groups meant that most Swiss cantons were plagued by the same problems that prompt collective action in developing countries during our times, namely that nobody wanted to pay for public benefits. Still, at the beginning of the nineteenth century the variously contentious and self-centered interest groups somehow managed to form a nation, and it was a highly successful one, which took off economically from the beginning of the nineteenth century until it nearly surpassed England, Europe's first industrial nation, as the most competitive European economy (Biocchi, 1973).

This was no homegrown miracle, although certainly at the end of day it was the Swiss themselves who managed it. Even by 1802, though, their course had not yet been set. The first French occupation initiated in 1789 introduced the basics of a revolution in government – equal rights, separation of powers, centralization – according to the new rational and enlightened philosophy best described by Baron de Montesquieu, an intellectual and a magistrate, in his magnum opus *De l'Esprit des lois* (*The Spirit of Laws*). The French replaced the political system of the thirteen-canton confederation with the centralized unitary state of the Helvetic Republic, which soon collapsed because of underfunding and permanent conflict between federalist and centralist factions. There was a succession of coups and a civil war, plus a temporary retreat by the French state, although the French later intervened again as “mediator of the Swiss Confederation.” In his words to the Swiss representatives in 1802, the First Consul Napoleon Bonaparte said:

Citizen representatives of the eighteen cantons of the Swiss Republic, the situation of your country is critical: moderation, prudence and the sacrifice of your passions are necessary for its salvation. [...]

Switzerland is not like any other state, neither in the succession of events over the centuries, nor in its geographical and topographical situation, and its extreme diversity of languages, religions and customs across its different parts.

Nature made your state a federation. Opposing it cannot be wise.

The circumstances and spirit of past centuries have made it that some nations are sovereign and others subject. A new environment and mood, changed from that of the past and closer to reason, have established the equality of rights between all parts of your territory.

The wish and interest of both you and the states surrounding you, therefore, favor:

1. The equality of rights between your eighteen cantons;
2. A voluntary and earnest renunciation of privileges on the part of patrician families;
3. A federal organization, so that each Canton organizes itself according to its religion, customs, interests and opinions;

The neutrality of your state, the prosperity of your commerce and a family-like administration are the only things that can make your people happy and sustain you.<sup>1</sup>

The federalists and the centralists each drafted a constitution, both of which were sent to Paris (Fischer, 1946). However, a third constitution was soon sent back from Paris, written by the first consul at the Malmaison Palace. That document, known as the Act of Mediation or Malmaison Constitution, was largely federalist but also introduced major changes that shaped the future of Switzerland. While restoring the federal system with largely independent cantons, the documents allowed for the creation of new cantons too, and the eventual addition of them led to the fading of the old line of conflict. The new political geography survived the conservative restoration of 1814–1815, as did the separation of powers and the abolition of privileges introduced earlier by the French. Some political equality between classes was lost, but it was gradually recovered in the following decades. In the end, present-day Switzerland resembles fairly closely the blueprint set by the Act of Mediation, certainly more so than all its other constitutional documents (Biucchi, 1973; Tilly, 2009). The Swiss industrial revolution followed closely and what is known in development theory as “take-off” unfolded gradually from the end of the eighteenth century until 1830, by which time the once primitive, highly constrained Alpine economy had reached global competitiveness (Biucchi, 1973, p. 628).

The French intervention in Switzerland did not come without major costs to the Alpine republic, both economic and in human lives. The Swiss paid dearly for each French occupation and subsequent economic exploitation, but they saw benefits too. First there were ten years of peace following the Act of Mediation, and then Napoleon’s otherwise costly economic blockade of the British protected the Swiss cotton industry well enough to facilitate its take-off (*ibid.*, p. 630). In a society dominated by inequality between town and country, between patricians and the people, and between people belonging to various linguistic, ethnic, and religious groups, ethical universalism could hardly have come easily, and in fact it

<sup>1</sup> Letter of Napoleon Bonaparte, First Consul and President, to the representatives of the Cantons of the Helvetic Republic, St Cloud, December 10, 1802 (Monnier, 2002, pp. 28–30).

took far longer for it to become the dominant norm than the brief French Revolution and Empire lasted. But the foreign intervention, based on political principles derived from the Enlightenment, managed to impose a blueprint that Swiss liberals fought to put into practice for decades afterwards. The French Revolution was emulated in quite a number of Swiss cities, and it provided likeminded Swiss liberals with the wind in their sails that they needed for reform. Many Swiss liberals had lived in Paris and been part of the intellectual ferment informing both the Revolution and the subsequent Empire. The same modernization and government rationalization efforts were attempted, although with less success, in other places occupied by the French, from the kingdoms of Prussia and Naples to aristocratic polities such as Venice and Malta. But only in Switzerland, and in combination with that country's particular circumstances and domestic agency, did the French modernization of government succeed to such an extent that the resulting democratization process made it into the textbooks. In short, foreign intervention, both intentionally and unintentionally, managed to stimulate three processes that helped to advance the norm of ethical universalism. First was the transformation of all particularistic trust networks into a political system based on equality, second was the insulation of public policy from categorical inequalities, and third the elimination or neutralization of power centers, which could otherwise have exercised their veto over public policy to the detriment of social welfare (Tilly, 2009). In conclusion, Enlightenment missionary zeal, promoted by Napoleon's staff in territories from Egypt to Switzerland, and the naked national interest of the French combined quite harmoniously to allow the French to engineer the transformation of Switzerland into what it became. No inner quality of Swiss society would by itself have led the Swiss to that position.

## 1.2      **Topic of This Book**

While few would dare to confess it openly, the same sort of "Making of Switzerland" type of intervention is what we in the present-day development industry are trying to replicate under the fancy names of "institutional change" or "good governance promotion" or "state-building." As there was limited success resulting from the macroeconomic reforms agreed by the Washington Consensus in the last decade of the twentieth century, it became necessary to amend them through a more context-sensitive approach. Since then, a considerable though by no means internally consistent body of research by the Bretton Woods institutions and academia has led to claims that "poor quality of institutions" present the major obstacle to development and prosperity; "poor-quality

institutions” is the euphemism by which systematic corruption has meanwhile come to be known. Critics of the Washington Consensus, such as Dani Rodrik or Joseph Stiglitz, have presented evidence that policies actually matter less than the institutional environment, and that classic growth recipes such as privatization might underperform in the wrong context (Rodrik, 2006; Stiglitz, 1999). In that view, centered on institutions, “what matters are the rules of the game in a society, as defined by prevailing explicit and implicit behavioral norms and the ability to create appropriate incentives for desirable economic behavior” (Rodrik and Subramanian, 2003). IMF economists Paulo Mauro, Vito Tanzi, and Hamid Davoodi established the first connections between corruption and growth on one hand, and corruption and government spending on the other (Mauro, 1995; Tanzi and Davoodi, 1998). Meanwhile, prosperity has been found to be associated with the rule of law, particularly in Anglo-Saxon systems (La Porta et al., 1998).

The argument was put most eloquently in an international best seller by James Robinson and Daron Acemoglu, who see the reason that some nations fail and others succeed in the persistence of “extractive institutions” of the sort that governing elites tend to promote over “inclusive” ones (Acemoglu and Robinson, 2012). An “augmented Washington Consensus” had already replaced the earlier one by the turn of the millennium, highlighting the importance of the rule of law for development. In the meantime, such arguments expanded in the academic policy community in various shapes and forms and have gradually become the mantra of development agencies over the past twenty years. In their most straightforward form, a former World Bank president, James Wolfensohn, hit upon the idea of characterizing such suboptimal “institutions” (kleptocrats in government) in one word – “corruption” – and compared the spread of such governance contexts with cancer. However, while economists have some knowledge of how to create macro equilibria even if no universal keys to prosperity exist, building the rule of law and the control of corruption is virtually a virgin field for them.

Equally, repairing the institutional endowment of a developing country is a far more complex endeavor than removing the one-time kleptocrats in government, even if that is quite a challenge in itself with the exception of military occupation situations. Furthermore, replacing what historian Barrington Moore Jr. (1978) called “predatory elites,” in other words changing the political regime, is even more difficult. After the unprecedented spread of democracy with its third and fourth waves at the end of the twentieth century, it has become obvious that systematic corruption is more resistant to political competition than previously thought, and even new democratically elected elites find it easier to inherit the rents of the

previous kleptocrats than to change the system (Mungiu-Pippidi, 2006a). Governance, defined in this book as the set of formal and informal institutions determining who gets what in a society, is more difficult to change than either one single government or one single corrupt political regime. Therefore, given that major social change is endogenous only in exceptional cases (Nisbet, 1992), one is tempted to say that there is room in the world for more Napoleon-style interventions.

The subject of this book is the systematic intervention by the European Union intended to improve governance in other countries, in particular to engineer change from systematic corruption to public integrity. I am interested in the topic as a particular case of the general research question that asks whether human agency from outside a country can influence the transition of a society from *corruption as governance norm* – where public resource distribution is systematically biased in favor of authority holders and those connected with them – to *corruption as an exception*, a state therefore that is largely autonomous from private interest and in which the allocation of public resources is based on ethical universalism (everyone treated equally and fairly). More specifically, I am interested in the motivations, mechanism, and performance of EU good governance promotion. To understand it, I will match theories of change and mechanisms of EU development aid to the models of institutional quality evolution advanced in corruption and political development studies.

The focus of this book is on the European Union for four main reasons.

First, the EU is the world's leading provider of official development assistance (ODA). OECD figures show that official development assistance provided by the EU and its member states reached EUR 75.5 billion in 2016, with EU collective ODA representing 0.51 percent of EU gross national income (EC, 2017c). While 25 percent of the recent growth of EU collective ODA between 2015 and 2016 was due to in-country refugee costs in the face of the EU's unprecedented migration crisis, between 2002 and 2014 the ODA dispersed only from EU institutions to developing countries tripled from just above USD 5 billion to over USD 16 billion. Moreover, around 12 percent of the total annual ODA from EU institutions was allocated to the government and civil society sector, which includes among other things development of public sector and administrative management, development of anti-corruption organizations and institutions, and legal and judicial development. Only humanitarian aid has received slightly more contributions in recent years than good governance aid. While USAID (United States Agency for International Development) sponsored projects worldwide between 2007 and 2013 that included anti-corruption activities amounting to about USD 6.7 billion (of which Iraq received one billion alone), in the

same period the EU spent even more, with countries such as Turkey, Kosovo, and Palestine receiving billions of euros to strengthen the rule of law and control of corruption. Turkey alone received nearly EUR 1 billion to support the rule of law over the last decade.

Second, the EU has important conditionalities related to the rule of law and control of corruption in relation to its financial assistance. Indeed, “norms promotion” is a cornerstone of EU assistance, and the EU’s foreign policy in general boasts of its “normative power,” “soft power,” or “smart power”: in other words, the power to elevate others to EU values. Good governance conditions for EU financial assistance are clearly stipulated within political conditions: for instance, in the Cotonou Agreement with the so-called ACP countries (Africa, Caribbean, Pacific), in the European Neighborhood Policy (ENP) documents (for Eastern European and Mediterranean countries), and in the association and deep free trade agreements, aside from the general Copenhagen criteria for enlargement of the EU. The support from the EU to over 120 countries is generally conditional, albeit to very different extents, on good governance, or is even dedicated to it. EU aid activity represents therefore an excellent population of cases for evaluating the building of good governance and lessons learned.

Third, we find that beyond that group, EU Member States themselves present excellent cases to answer this research question, as quite a number of EU policies – for instance, the fiscal regulatory framework, the competition policies, and the absorption of EU funds – in fact demand good control of corruption and governance of high quality. Certain EU scholars have been arguing that the quality of the governance processes was deliberately developed to be an important criterion for the evaluation of the EU’s overall democratic legitimacy, as a means by which EU-level institutional players have sought to counter claims about weak input from below leading to democratic deficit (Schmidt, 2013). The union has the unprecedented ambition to bring even its member states to comparably high quality of governance, due to the need to manage the common currency, the euro. An instrument to monitor governance, the European Semester, was thus developed by the European Commission to advise EU member states on matters that go far beyond fiscal governance, such as the business environment and public administration.<sup>2</sup>

Finally, the European Union, although a relative newcomer to the world of international powers, is by default the intellectual heir to the Enlightenment government cause of First Consul Bonaparte. Before

<sup>2</sup> See <https://ec.europa.eu/info/strategy/european-semester>.



Brexit, the EU was the one intergovernmental organization where the former major colonizing powers of the world pooled their sovereignties in a union of the “civilizers” and “modernizers” of the past three centuries. Their empires may be long gone, but promoters of the Napoleonic Code and its administrative philosophy, of the human rights concepts of the Scottish Enlightenment, of Max Weber’s impersonal bureaucracy and capitalist ethics are all still being produced by British, French, and German universities. The best and brightest are recruited by the European Commission or the development agencies and charities that are its subcontractors in the field. This is the world’s largest accumulation of experience of the deliberate sponsoring of governance transformation abroad. Of course, few would wish to state that present-day development efforts have anything to do with the older attempt at “modernization” or “civilization,” tainted as it is by its association with imperialism, its patronizing character and the overall lack of modesty of such endeavors. However, awareness exists in the most enlightened strata of the development community that playing the enlightened conqueror (or the “Raj”) is the name of the game (Knaus and Martin, 2003). While it was a characteristic of the nineteenth century to set over-ambitious objectives and to consider that no barriers exist to science and rational thought, we can trace the same transformational aspiration with only short intermissions right up to our own days, when in place of empires we find the “EU” or the “international community” or other equivalent syntagma. The overall goal of bringing Western progress and enlightenment to everybody continues, its proponents undeterred by events of the past or any realization of the world’s enormous diversity and the counter-reactions they provoke, such as the revival of Islamic fundamentalism. To the grand objectives that Napoleon himself proclaimed, such as the promotion of freedom, equality, and prosperity, even more ambitious ones have since been added – for instance controlling the Earth’s climate.

The map of our inquiry is therefore quite extensive.

First, we examine the EU proper, where the common market and its level-playing-field competition policies, policed by the Luxembourg Court of Justice, are supposed to exercise an influence over control of corruption. More open competition has been alleged to lead to less corruption (Ades and Di Tella, 1999), and the EU’s common market is a test case for that proposition. If it is valid, the most corrupt countries in the EU should have been the first to evolve, initially after their integration into the common market, and then after joining the euro and coping with the fiscal constraints imposed by it. In fact, the two cases that best fit this inquiry are Greece and Italy; other potential cases such as Portugal, Ireland, Spain, and Cyprus had far better corruption



indicators long before they joined. Both Greece and Italy are also long-standing EU members, so that there has been sufficient time since they joined the common market for some impact to have materialized.

Second, we examine new member states and accession countries, in other words, countries that joined the EU after the 1993 Copenhagen summit, which first spelled out governance (in particular the rule of law) as a key condition for joining. Furthermore, specific conditionalities on corruption and independence of justice were specified for a number of accession countries, some of which joined later, for instance the Eastern Balkan countries (Romania and Bulgaria), the Western Balkan countries (of which Croatia joined), and Turkey. Those cases warrant attention.

Third, we consider the rest of the world where the EU offers development aid. Originally, the EU favored apolitical trade agreements and development aid in dealing with partner countries, based on the principle of noninterference in partner countries' systems. Like many of the other major suppliers of development aid, both individual countries and multilateral donors, from the mid-1990s the EU began to include the promotion of democracy and good governance as aims of its development aid. Before then those matters were sidelined in favor of economic cooperation (Kleemann, 2010). The 1992 Maastricht Treaty was the first to mention promotion of democracy as an explicit aim of development cooperation, but it was the Copenhagen Criteria that not only made liberal democracy a starting point for accession negotiations, but also provided the blueprint for much of what would later become good governance conditionality. Bolstered by the apparent success of democracy promotion in the context of the accession process, by the late 1990s good governance promotion was firmly established within EU development cooperation across the globe and within all of its agreements with the widely varying partner countries (Freyburg et al., 2009).

Of course, there may be important differences across regions. For instance, Eastern European and Mediterranean countries are the object of the European Neighborhood Partnership, which has a strong focus on good governance. More than seventy ACP countries have benefited from a special treaty with the EU, the Cotonou Agreement, which among its provisions includes good governance. While the requirements of good governance are weaker than for EU accession countries, they are still present, with dedicated aid programs or specific conditionalities, so I hypothesize that we shall find differences across the different groups according to the depth of their relationships with the EU.

Based on original research by the EU FP7 ANTICORRP project,<sup>3</sup> this book aims to shed light on contemporary practices of good governance promotion and their effects, by focusing on the EU's good governance promotion and its impact on old and new member states and countries of the developing world that receive EU aid. The collected data covers more than 120 net recipients of EU ODA between 2002 and 2014, for which most of the listed disaggregated data is available, and all EU member states for a common period of twenty years, or longer in certain cases. The sample of countries spans five continents and includes national populations ranging from fewer than a million to 1.3 billion. But while the data collection is probably unprecedented for EU assistance and anti-corruption policies, both at global and country level, this book also aims to provide analytical narratives of the interventions intended to change governance across borders. External intervention is only one part of the governance transformation story, and frequently only a small part. Unless we manage to fit the story of intervention within the broad national story, we shall not understand either why countries change or why they do not. Our aim here is to understand the EU's theory of change, the means and mechanisms of intervention and their final impact, if any. The earlier literature on conditionality and EU smart power was infused with an extraordinary optimism, which within just a few years was refuted by facts. The backsliding of Hungary and Poland, both early transition achievers; disappointment with Turkey and the Arab Spring countries; the persistence of corruption in countries ranging from Greece to Ukraine, let alone in more distant countries to which the EU is an important donor – all of these circumstances give a clear warning that ideology is detrimental to science and that even advanced statistics can be used to distort clear facts when the conclusions are foregone.

This book will now proceed as follows. First, I will discuss the concepts related to EU good governance promotion and establish my conceptual framework across time, strategies, and areas where there might be different understandings ([Chapter 1](#)). Next, I will operationalize that conceptual framework and establish indicators so that it will be possible both to identify the benchmark (good governance and control of corruption) and how changes to it can be traced over time ([Chapter 2](#)). Then I will look at the theories of change and their tools: in other words, at the strategies and instruments of EU good governance promotion ([Chapter 3](#)). That analytical framework will then be used across all the cases to show how good governance progressed over fifteen years of EU aid development, ending with the most recent trends ([Chapter 4](#)).

<sup>3</sup> See [www.anticorrrp.eu](http://www.anticorrrp.eu).

The second part of the book will be dedicated to analytic narratives, where selected case studies from the different geographical and political areas described will be analyzed in depth, trying to distinguish the impact – or lack of it – of Europe in the specific governance evolution narratives in those contexts.

## 2 The Concepts

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So far, I have used the vague and generic term “good governance promotion.” But what exactly does that mean, and how can we distinguish it among Europe’s complex, manifold development interventions in the rest of the world? Let me give an example. In the summer of 2008, I was visiting Christian Orthodox monasteries in Kosovo that have been designated as UNESCO Heritage Sites. Because of the war and subsequent peace arrangements, the monasteries were now completely isolated from any Serb Christian Orthodox community and an international peace force was protecting them. Talking to the Italian officer in charge of the mission, I remarked on the impressive restoration work going on at one of the monasteries, to which he replied that this was only the last phase. He then explained that the Italian masons were in fact finishing and repairing the work of a previous generation, who had carried out extensive restoration at the same monastery during the Italian occupation of Albania in the Second World War. This was the sort of highly specialized work for which only a country with remarkable historical heritage would be likely to be able to muster the human resources. Remarkably, then, the restoration of the medieval Byzantine churches was funded and executed by two Italian missions more than sixty years apart during two quite separate interventions that were completely different in all other respects, one of them having occurred during a forcible occupation and the other the result of a UN peace and reconciliation mandate. The point that struck me, as I talked to the Italian officer, was that few interventions are simple, singular, and without history; and understanding their complexities even far back in time is important if we are to assess them properly. This chapter will thus review and revise the most frequently used concepts as far as European or, more generally, Western intervention is concerned.

### 2.1 Intervention

The concept of intervention is the first that needs clarification. In his history of the global Cold War, Arne Westad defines intervention as “any

concerted and state-led effort by one country to determine the political direction of another country” (2005, p. 3). Westad’s minimal definition fits both Soviet and US interventions during the Cold War, and indeed it also covers Napoleon’s interventions in support of liberalization, as well as the Austrian contrary interventions in support of conservative regimes during the 1848 revolutions. But should we not introduce some further qualifications? One possible ground for qualification might be about *ends*: should we not differentiate between interventions that end with the democratic liberalization of a country, and those that end with the opposite? Another qualification might appropriately be applied to *motives*. Surely it is worth distinguishing between interventions based on the self-interest of the intervening power and those that are purely altruistic, in other words liberal or humanitarian interventions. The consequences of such different types of motivations (to suppress a revolution, as in 1848, as opposed to aiding it, for instance) vary radically. Another possible ground to be considered refers to *means*: should military force, diplomatic activity, and indeed simple assistance for development (economic aid, sharing of expertise) all be ranged under “intervention”? Henry Kissinger famously considered economic aid to be a type of intervention, and he boosted it to help countries in the developing world resist the Soviet Union (*ibid.*, p. 35).

A clear specification of motives is not easy to add to any definition because motives for an intervention are often complicated to assess, and they might appear rather differently when judged retrospectively. The intervention of the French under the Directorate and Empire in Switzerland had ambiguous motives – exploitation, occupation, and political emancipation all at once. Indeed, historians in general and the Swiss in particular have continued to debate the pros and cons of that intervention ever since it occurred. Most literature, including in French, tends to see French interventions in Europe, from Italy to Russia, as being based on some geopolitical reason. Still, it is undeniable that, following the Revolution, Napoleonic governance deeply influenced the process of the modernization of European governments, consisting in centralization, bureaucratization, and the adoption of a civil code modeled after the French one. Intervention ranged from deeply transformative, whether successful or not (Naples, North Italy, Scandinavia, Prussia, Belgium), to superficial (e.g., Poland, Westphalia, and Spain), where French reform initiatives tended to be minimal (Davis, 2006). That did not prevent Napoleon’s regime from exploiting those countries, which paid tribute in money and conscripts to sustain his wars.

The distinction between particularistic self-interested motivation and universalistic grounds for intervening in another country might

be quite narrow when the ends are not specified and when the final goal is not conquest and indefinite occupation. While Immanuel Kant, in his “Fifth Preliminary Article for Perpetual Peace,” argued that “no nation shall forcibly interfere with the constitution and government of another” as such an intervention would “violate the rights of an independent people” and constitute “an obvious offense and would render the autonomy of every nation insecure,” he also argued that perpetual international peace depends on all states developing “republican” constitutions, and that all states have a duty to become “republican” (Kant, 1983 [1795], pp. 109–115). In other words, intervention is destabilizing for the international world order, and undesirable if a country has its own rule of law and constitutional (“civil”) order. But if a country does not have that, and its neighbors and the global order itself suffer from the fact, that then opens the door to a certain interventionist logic. While the classical arguments for intervention are generally humanitarian (to stop ongoing atrocities or “genocide,” from the intervention of the European powers in Ottoman Greece in the early nineteenth century to that in Kosovo at the end of the twentieth century), once an international legal framework was developed through United Nations conventions, the argument could be made that gross or brutal infringements of its principles in a country may destabilize the international world order. Civil wars, violent repression, and large-scale corruption are associated with mass migration, refugees fleeing to neighboring countries, and brain drain. Within a global world order and a globalized capitalist economy, the line between domestic and external is blurred and, in principle, negative externalities for domestic policies can always justify “interventions” in favor of restoring a decent constitutional order. In recent decades, where military intervention was under consideration, the argument has been made more often about terrorism and weapons of mass destruction; but in the civil intervention in Bosnia, for instance, the principal objective of the international community was the implementation of the Dayton constitutional reform agreement.

Motives, as well as means, have always been controversial and the nineteenth-century debate on intervention still resonates today. In the wake of the French intervention in Syria, John Stuart Mill wrote in *Fraser’s Magazine* in 1859 that for the most advanced country in the world, as both he and nearly everyone else saw Britain at the time, “the declared principle of foreign policy is, to let other nations alone.” But Mill’s further reasoning traveled in the opposite direction, too, like Kant’s:

Any attempt it [a country] makes to exert influence over them [other countries], even by persuasion, is rather in the service of others, than of itself: to mediate in the quarrels which break out between foreign States, to arrest obstinate civil wars, to reconcile belligerents, to intercede for mild treatment of the vanquished, or finally, to procure the abandonment of some national crime and scandal to humanity, such as the slave-trade. Not only does this nation desire no benefit to itself at the expense of other, it desires none in which all others do not freely participate. It makes no treaties stipulating for separate commercial advantages. If the aggressions of barbarians force it to successful war, and its victorious arms put it in a position to command liberty of trade, whatever it demands for itself it demands for all mankind. The cost of the war is its own; the fruits it shares in fraternal equality. (Mill, 1984 [1859]).

In other words, while intervention is bad generally, and especially if it is self-interested, intervention on behalf of ethical universalism is not only morally acceptable, but sometimes inevitable.

And what about the means of intervention? Can we introduce any qualifications here? The first pure “liberal” intervention by Europeans is universally considered to be the assistance given to the Greek rebellion intended to establish independence from the Ottoman Empire, which led to the defeat of the Turkish fleet at Navarino by an international coalition. That was followed by large-scale state-building after part of Greece had gained independence. King Otto of Greece, a Wittelsbach, took ship aboard the British frigate *Madagascar* and set out from his native Bavaria in 1832 with 3,500 Bavarian troops and three Bavarian advisors. His task was to build a modern Greek state, and he went on with the job until 1862, when he was evacuated from Greece on another British warship. However, he did leave behind a constitution, courts, and his own special creation, the University of Athens. That sequence, of military intervention on a humanitarian/pro-democracy rationale followed by state-building, was invented in the nineteenth century. It was attempted both when motives were more self-interested, as in the case of Napoleon Bonaparte’s interventions, or more altruistic, as in the case of the Greek war of independence. Altruism was the rationale later in Syria, where weakening of the Ottoman state led to Islamic persecution of Christians so that Napoleon III could justifiably intervene with an international mandate to protect them. In that case, the French emperor dispatched his soldiers to “effect the triumph of the rights of justice and humanity” (Bass, 2008, p. 156). Meanwhile the overwhelmed but reform-minded Ottomans, forced to look on while a foreign power intervened to restore law and order in their territory, agreed that a complete overhaul of their institutions was needed in order for them to catch up with the

more modern Western Europe (*ibid.*, p. 191). The state-building repertoire deployed in those early interventions was indeed remarkable, ranging from original constitutional devices aimed at creating fair and nonconflicted representation (as in Switzerland and present-day Lebanon) to the introduction of a post office or mandatory vaccination. But still, it makes sense to differentiate between the military intervention at Navarino, after which things could simply have come to a halt as happened in many other military interventions, and the civilian intervention in which the Bavarians, supported by the British, attempted to build a modern state in the former Ottoman domain.

Undoubtedly, it is sometimes difficult to disentangle military from civilian objectives: they often come paired with each other, as in Afghanistan, Iraq, or the Balkans. It is equally hard to distinguish the self-interested from the altruistic, for example in the Allies' occupation of Germany at the end of the Second World War, followed by the Marshall Plan. All were in fact planned together with the sequential objectives of removing dictatorships and then instituting free elections, as in "regime change." Such difficulties are smaller, however, for the specific type of intervention that is the subject of this book. I call "intervention" the attempt, by another country or by an intergovernmental organization or foreign entity, to change governance in a country, with varying possible motives and means but with the self-avowed goal of the promotion or restoration of ethical universalism: the principle of equal and fair treatment of individuals by the state. According to the degree of development of the society where the intervention takes place, the goals might range from the abolition of slavery or feudal institutions, as in certain nineteenth-century interventions (some accompanying colonialism), to the restoration of constitutional order or the rule of law. The reforms accompanying such interventions also vary considerably, from land reform by the United States in Taiwan or South Korea to the European Union's attempt to build the rule of law and control corruption in the Balkans. By and large, such reforms have similar aims, namely the elimination of privileges, favoritism, and discrimination by authorities. Therefore, in the context of this research and book, I do not consider military intervention on either humanitarian or self-interested grounds, but only the attempt to effect decisive change to the institutional quality of a country to bring about more ethical universalism in government. Tools might include development aid, conditionality and sanctions policies, membership in trade alliances or offers of privileged trade status, and even direct government by external powers, as in Kosovo or Iraq. In the specific case of corruption, I look at the European Union interventions that have aimed to promote change in



a country so that it moves from institutional or systematic corruption to a condition in which corruption is the exception. In fact, as I shall explain, corruption cannot be examined as an isolated issue but rather must be addressed in the context of the rest of governance.

## 2.2 Modernization and Westernization

Many of the attempts to change governance in developing countries are labelled “modernization,” and long before American social scientists developed the concept as a dominant paradigm in development (“modernization theory”) nineteenth-century policymakers and journalists used the term in reference to both advanced states and countries emulating them.

It is therefore important to delimit the concept and explain its use in the present research. In Victorian times, the term was used for societal and governmental change on the Western model, in other words, Westernization – and before the ascent of US global power, Europeanization. For example, the Ottoman Empire had to be “modernized” by taking up Western technology and institutions, or else it would not have been able to compete with Russia in the east (Bass, 2008, pp. 192–193, 348). In the twentieth century, Samuel Huntington gave a neutral but broad definition, seeing modernization as “a multifaceted process involving changes in all areas of human thought and activity” (Huntington, 1968, p. 52). However conceptualized – whether as industrialization, economic growth, rationalization, structural differentiation, political development, social mobilization, secularization, or some other process – modernization is fundamentally about the *transformation* of national states and societies. What they are transformed *into* is considered a closed question by those who believe in the linearity and unidirectionality of social change, but others see the question as an open-ended one. For example, although certain Gulf monarchies have undergone important changes over the last twenty years, Qatar or the United Arab Emirates could hardly qualify as “modern,” despite being technologically advanced; for one thing, it is only a few years since the budget of the monarch was separated from the budget of the state in those countries. Modernization, then, is a transition, or rather a series of transitions: from primitive subsistence economy to technology-intensive industrialized economy; from subject to participant political cultures; from closed, ascriptive status systems to open societies and merit-oriented systems; from extended to nuclear kinship units; from religious to secular ideologies; and so on (cf. Lerner, 1958, pp. 43–75; Black, 1966, pp. 9–26; Eisenstadt, 1966, pp. 1–19; Huntington, 1968, pp. 32–35; Tipps, 1973,