Is the League of Democracies a Bad Idea?
How Europe should respond

Michael Emerson & Richard Youngs

It sounds like a big idea – a League of Democracies. Europeans will naturally be interested in the question. But is it sound?

The idea of an official organisation of democratic states wishing to promote democracy worldwide has surfaced periodically in recent years. In 2000 the Community of Democracies was inaugurated and survives as a body committed to supporting democratic change (and we comment on this little-noticed initiative further below). Now the notion is gaining further currency. US Presidential candidate John McCain has advocated a League of Democracies. And analyst Robert Kagan, an advisor to McCain, has recently made a contribution on the subject in the Financial Times.[1] It is quite possible that the European Union will need to adopt a position on this proposal.

The various backers of the idea seem to have very different things in mind, ranging from a combative intent to join geo-political battle with the autocrats and bypass the UN Security Council with forceful interventions whenever there is a blockage there (McCain & Kagan), through to those who seem to want a softer but allied and more vigorous democracy promotion initiative.[2]

Some basic objections to the combative geo-political concept promptly came forward in response to Kagan, which may be summarised as follows:[3]

o With the current Bush administration now branded at the geo-political level by the Iraq disaster, and at the level of individual human rights by Abu Ghraib, Guantanamo and its refusal to join the International Criminal Court, any next Republican administration might better spend a few years in a state of contrition repairing the US brand first.

o Any proposal smacking of an interventionist UN-bypass organisation (i.e. as a mechanism to give legitimacy to actions that cannot pass the UN Security Council) will be seen as an act to sideline and further weaken that body, and meet widespread European objections, as well as from other old democracies such as Australia and Canada, and even more so with leading democracies of the third world such as Brazil and India.

o The technical and political question of which countries would be sufficiently democratic to be admitted would be intractable, with the continuum in grey shades between the black and white accounting for most of the world's 200 states. Mr Kagan recommends using the EU's criteria, but that would mean a very restricted club, with little representation from the third world. (Moreover the EU's entry criteria are themselves less objective and more subject to political haggling than Kagan seems to suppose).

o If the objective is to induce more grey countries to become whiter, would membership of such an organisation be a sufficient incentive to make a difference? No incentive seems conceivable that would be analogous to the EU accession process that has driven Central and South-Eastern Europe

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[1] Robert Kagan, "The case for a league of democracies", *Financial Times*, 14 May 2008.

[2] Thomas Carothers, "Is a League of Democracies a Good Idea?", Carnegie Endowment paper, Carnegie Endowment for International Peace, Washington, D.C., May 2008.

[3] Financial Times of 16, 17, 18, 19 and 29 May 2008, contributions by Kishore Mahbubani, David Howell, Douglas Hurd, Michael Shank, Volker Lehmann, Wayne Merry, David Hannay and Mark Mazower.

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to transform their polities into democracies. The World Bank and the US Millennium Fund already grant substantial 'governance-conditional' aid.

It is true the global democratisation movement, which spurted ahead in post-Communist Europe, has reversed in Russia and seems at best to have stalled in other continents.[4] This is both an analytical challenge for political scientists and a diplomatic challenge for those working on expansion of the democratic sphere. New elements in the landscape include the 'smarter authoritarianism', Russia's ideological offensive under the banner of 'sovereign democracy' and China's aid and investment packages such as in Africa undercutting the attempted conditionality of Western donors.

Missing the point

But a League of Democracies is not the answer to this 'democracy rollback'. New efforts internationally to coordinate democracy support would be welcome. But it is not clear that a new organisational structure would address the real problems that currently beset democracy promotion.

For a start, the League of Democracies risks replicating and cutting across the Community of Democracies. Founded in 2000 at the initiative of the United States and Poland, this body now has over 100 member governments and recently held its fourth ministerial meeting in Bamako, Mali. However the Community of Democracies has suffered from precisely the set of problems outlined above. Its impact has been limited and the organisation has not become a prominent player either in terms of pro-democracy diplomacy or through on-the-ground political reform initiatives. Negotiations over membership criteria have been highly fractious; 127 states were invited to Bamako but disagreements continued over whether some countries (for example Venezuela and Iraq) should be allowed in. As Annex A shows, of 192 countries surveyed by Freedom House, 88 are considered free, 60 partly free, and 44 not free. How should the partly free be treated? It is not clear in what way the League would be sufficiently different so as to avoid these problems. At best, institutional confusion would reign.

The main problems impinging upon the effectiveness of current democracy promotion efforts are two-fold. First, in both the US and Europe the political will to prioritise support for democracy has weakened. In Europe many see the US intent on 'imposing democracy by force': in fact the problem with US policy is more often that it combines bombastic pro-democracy rhetoric with a shift back towards realist alliance-building in practice. Both the US and EU would do better to give some real substance to the structures they have already have in place rather than create a new big-bang initiative that would risk very soon turning out to be as hollow as the Community of Democracies. The need is to bolster existing institutional structures, rather than create new ones.

The second main problem is that donors now struggle to know how best to spend democracy assistance funds. Most donors provide a standard mix of democracy programmes covering civil society, elections, governance reforms, parliaments, parties, local government, judicial reform, media freedom, women's rights and security sector reform. But the results have invariably been limited. Again it is not clear how creating a new high-profile diplomatic club would actually address the need to reassess democracy-building strategies on the ground. Indeed, if anything, it is likely to deflect the focus away from what would be far more useful: low-profile and incremental efforts aimed at increasing the impact of monies already spent on democracy and human rights.

If the League is about excluding non-democracies from a norms-based club, it is not clear how this would benefit the democracy agenda. If it is designed to be a central mechanism to coalesce democracy funding, it would be better to pursue this in a low-profile manner through other existing institutions. If it is supposed primarily to provide an 'incentive' to reform for those excluded, it may well prove more of a *dis*incentive: most democracies in the developing world are themselves not keen on external support for their democracy promotion efforts.

Boosting existing institutions

Rather than create a new, US-led, highly politicized initiative, it would be much better to strengthen international coordination through existing multilateral and regional bodies.

The UN's mandate to support democracy has been narrow and the rules governing funding from the UN Democracy Fund highly restrictive. But a commitment does exist to improve the UN's work on democracy assistance and diplomatic efforts should concentrate on modestly widening the scope of the UN's work in this area.

The Organisation for Economic Cooperation and Development (OECD) has a highly relevant membership for the present topic. Beyond Europe, it includes Japan, Australia, New Zealand, South Korea and Mexico. It has accession talks and roadmaps with Chile Israel and Russia, and 'enhanced engagement' with Brazil, China, India and South Africa. Although economic in mission, it has so far confined its membership to advanced economies that are also

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[4] See the annexed figures from Freedom House, tracking electoral democracies in the period 1987-2007.

democratic, hesitating still over the admission of Russia.

The OECD has a Development Assistance Committee, which reviews members' aid policies and third world development trends. The OECD could be invited to create a Democracy Development Committee, which could review the democracy promotion activities of its member states, and draw up analyses and guidelines for democracy transition processes. It would assemble handbooks on advanced democratic practice. There is no shortage of political science text books, nor indeed of benchmark monitoring of democracy in the world such as the Freedom House rankings, World Bank governance indicators, Transparency International's corruption rankings, etc. The OECD would not have to reinvent the wheel. However there is no equivalent to the OECD's work on economic policy in the domain of political constitutions and democratic practice. An initial branching out of the OECD into 'democracy' in this way, which might follow classic OECD methods (professionally competent and respected peer review), could in due course if the business flourished lead to a renaming and branding of the OECD into the OECDD, with the additional letter standing for democracy.

The experience and instruments of the Council of Europe should also be looked at. Membership is subject to political conditionality, but this is less demanding than for EU accession. The credible intention to become democratic is the main test. Belarus is the only European country still refused admission, and Russia's increasingly authoritarian regime has met with criticism but not expulsion. There is a parliamentary assembly that takes up issues of democratic failings in member states. A major requirement is to accede to the Council of Europe's Conventions on Human Rights and Fundamental Freedoms, and to accept the jurisdiction of the European Court of Human Rights of Strasbourg, which are serious political and operational commitments. However the Court's workings are now encumbered with a huge number of Russian cases, and Russia blocks functional reforms of the Court intended to remedy this problem.

The Council of Europe, which suffers from problems of obsolescence in relation to the enlarging EU and globalisation, could provide a basis on which to build. It could host a new branch of activity for global activities. One evolutionary technique would be to open a 'window' for non-European countries to become involved in typical Council of Europe activity. There could be accession to the Human Rights Conventions, which are similar to but more developed than the UN Universal Code of Human Rights, and acceptance of the jurisdiction of the Court of Human Rights (or have an associated Court for associated states). In addition the Council of Europe has in the last two decades quietly done valuable professional work with its new member states on constitutional matters (with support from the Venice Commission), on the organisation and modernisation of judiciaries and penal systems, local government democracy, etc. It assembles ad hoc groups of experts and officials from the old and new democracies of Europe to pursue such issues in an atmosphere of professionalism without political polemic. It should be noted that while Russia is currently a 'politically difficult' member state of the Council of Europe, this has not impeded continuing activity that has a more professional and technical character in Russia itself in many fields such as the examples already quoted. Such activity could well be extended to a wider set of countries beyond Europe. Criteria for inclusion in such programmes would be based on the seriousness of intent of the applicant, which might in some cases for certain periods be quite sector-specific (e.g. on constitutional matters, aspects of the judiciary, etc.). A more ambitious variant would be to open the Council of Europe to applications for associate members from outside Europe.

The most striking strength of the Council of Europe system is that all its member states have accepted the supreme jurisdiction of the Court of Human Rights, and even Russia has so far accepted to implement the several judgements handed down against its government. A striking weakness in the case put forward by the United States for a strong world democracy and human rights regime has been its own refusal to allow international courts to have any jurisdiction at home. What if Guantanamo, Abu Ghraib and the 'extraordinary rendition' of Al Qaida suspects had been subject to the jurisdiction of international courts?

NATO represents itself as a military alliance of democracies. While traditionally confined to the transatlantic sphere, NATO now reaches out into other continents through a variety of dialogue and partnership activities: Mediterranean countries have a Dialogue with NATO and in the Gulf NATO interacts through its Istanbul Cooperation Initiative. NATO is also seeking ways in engaging increasingly with democratic nations such as Australia, Japan and South Korea although there is opposition within NATO to turning links with these 'contact countries' into 'global partnerships'. Closer to home, NATO pursues security cooperation and dialogue with all non-member states of the Euro-Atlantic area: most intensely through the politically-conditioned enlargement process through Membership Action Plans, while the Partnership for Peace programme extends defence reform assistance to others from Belarus to Central Asia.

The (former British) Commonwealth is a further model to bear in mind. Membership criteria have been fairly accommodating, and only the most egregious regimes are sanctioned. South Africa was outcast during apartheid, but is now a highly respected member. Zimbabwe has been a long saga of difficulty in getting

unanimous to support it, or to refuse its attendance at annual meetings. Pakistan has been pushed out and come back in. Annual meetings adopt declarations, and economic sanctions have been adopted on occasion. Mediation and advisory missions are organised. A key quality is the balance between the old democracies (Australia, Canada, New Zealand, UK), India as the huge new democracy, South Africa as a model for its continent, and the many other struggling members. It is demonstrably an inclusive organisation with many weak and hardly democratic states, and in this respect can be regarded as a sub-set of the UN. It organises advisory functions and on occasion mediation missions.

In the politico-military domain one may also bear in mind the excellent niche activity of the Swiss-led organisation for Democratic Control of the Armed Forces (DCAF), based in Geneva, which has 50 member states, including Russia, Ukraine, Nigeria, Indonesia, South Africa and Cote d'Ivoire.

The International Institute for Democracy and Electoral Assistance (IDEA) is a Swedish-led intergovernmental organisation, based in Stockholm, aiming to provide knowledge to democracy-builders and support democratic reform. It has 25 member states, including Botswana, Chile, Costa Rica, Ghana, India, Mexico and South Africa, as well as many European countries.

In post-Soviet Europe, Georgia and Ukraine took the lead in starting up the Community of Democratic Choice (CDC). Based on Georgia and Ukraine, this receives the encouragement of the US and several new EU member states, but hardly from the EU as such. It has been an attempt to consolidate the achievements of the Rose and Orange Revolutions, but has never really clarified its functions beyond meetings of political leaders and declarations, and loses credibility due to the failure of the Rose and Orange revolutions to have matured as well-functioning democracies.

These are some of the organisations that have some momentum of democracy work that could be enhanced. It is worth noting that all the major organisations cited above blend their concern for democracy with other vital functions of government: OECD with a linkage to economic policy, Council of Europe with a linkage to human rights law, and NATO with a linkage to security and defence. Given that these are well-established and respected organisations that bring benefits from their core functions, a concerted deepening of their linkages to democratic development looks like a more plausible and worthy approach than creating a new organisation.

On the other hand it is observed that Russia has used its membership of the OSCE to try to diminish this organisation's role in matters of democracy and human rights; and as mentioned above it has been working in a similar direction in a less high-profile manner in the Council of Europe. For these reasons there should be careful policies, notably in the OECD, to deepen existing engagement with the major countries such as Russia and China, while conditioning full membership on a democracy criterion. The same argument should apply to NATO. Engagement policies are entirely possible without handing a veto card in the governing councils of these organisations to the non-member partner states. But for this desirable engagement process to advance, it is necessary for the 'democrats' to manage their relations with the 'not-yet democrats' is a mutually respectful manner, rather than as part of a policy of ideological and geo-political confrontation. This point is the major objection to the apparent spirit and intent of Robert Kagan's argument.

A further important objective would be to gain some commitment to democracy from those bodies that have so far eschewed any notable support for democratic reforms. Despite having a Democracy Charter, the Organization of American States is still dominated by the principle of non-intervention in the domestic affairs of its members, demonstrated in particular by the cases of Venezuela and Cuba. ASEAN has become a little more outspoken on the case of Burma, but still essentially steers clear of politics. And the Southern African Development Community's caution has been laid bare in Zimbabwe's on-going saga.

Both the US and EU must invest greater effort in motivating and pressing such regional bodies to support democratic change. In the future, it is likely that Western powers will have less of a direct impact on political change in many parts of the world and will need to exercise what influence they retain in indirect fashion through the multilateral and regional bodies that could make more of a difference in some of the most intractably autocratic states.

Conclusion

In conclusion, there is a fundamental difference between two types of conceivable activity:

- To organise collective geo-political power of the old and new democracies to counter the new non-democratic powers and

- To work to strengthen democracy worldwide, and democracy promotion policies.

These two activities could overlap in practice, but there is still the question whether the large majority of the old and new democracies would want to do both. It is likely that a large majority of the old democracies outside the US and the new democracies of the third world will not want to go down the first track, which may therefore be labelled the 'bad idea', but could well be interested in renewed efforts down the second track.

At a general level of political philosophy there is unease, to say the least, outside the US with the long-established American trait to cast world politics into

black and white: the free or the not free, the terrorist or the non-terrorist, the good or the evil, those 'for' us or 'against', etc. While these diametrics seem to be instinctively distrusted in Europe, the misgivings have been amply reinforced by the experiences of recent years with policies aimed at the 'axis of evil' and the 'war against terror'.

On the other hand a fresh effort to give greater international institutional support for democratisation worldwide is both conceivable and desirable. The various examples quoted suggest that a concerted shift in priorities in favour of democracy could be engineered in multiple international organisations and national agencies. It is the nature of democracy that its dynamics should thrive on many movements and centres of initiative. Three major international organisations – OECD, Council of Europe and NATO – could lead a careful further development or re-calibration of their activities to support democracy development more actively through engagement with non-member states that have (or could have) associative arrangements with them. Precautionary policies should also restrict enlarged membership to democracies, to prevent the watering down of pro-democracy policies such as has recently been illustrated by Russia's role in the OSCE.

One can observe different parties in the US adopting symbolically different language on current ideas in circulation, with different authors proposing either a 'League' or a 'Concert' of democracies.[5] We for our part argue against a new organisation, but do advocate a strengthened concertation among relevant existing international organisations and seriously interested national governments to move pro-actively for democratic progress worldwide.

We would prefer to see the United States taking a low-profile but consistent position in favour of democracy; it should eschew 'grandstanding' new initiatives at the level of high politics, and rather focus on giving real substance to the plethora of commitments it has already made. We would equally like to see the EU adopt a higher-profile position, which could mean meeting the US 'halfway' in a useful convergence. The EU for its part certainly needs to demonstrate its political will to make existing institutions work to promote democracy – something that it has failed to do in recent years.

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[5] Carothers, op. cit.

Annex A: Rankings of political freedoms by Freedom House

1. Free
Andorra, Australia, Austria, Bahamas, Barbados, Belgium, Belize, Bulgaria, Canada, Cape Verde, Chile, Costa Rica, Cyprus, Czech Republic, Denmark, Dominica, Estonia, Finland, France, Germany, Ghana, Greece, Grenada, Hungary, Iceland, Ireland, Israel, Italy, Japan, Kiribati, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Mauritius, Micronesia, Nauru, Netherlands, New Zealand, Norway, Palau, Panama, Poland, Portugal, St Kitts and Nevis, Saint Lucia, San Marino, Slovakia, Slovenia, South Korea, Spain, Sweden, Switzerland, Tuvalu, United Kingdom, United States, Uruguay (58)

2. Free
Antigua, Argentina, Benin, Botswana, Brazil, Croatia, Dominican Republic, El Salvador, Guyana, India, Indonesia, Jamaica, Latvia, Lesotho, Mali, Mexico, Monaco, Mongolia, Namibia, Peru, Romania, Saint Vincent and Grenadines, Samoa, San Tome and Principe, Senegal, South Africa, Suriname, Taiwan, Trinidad and Tobago, Vanuatu (30)

3. Partly free
Albania, Bolivia, Colombia, East Timor, Ecuador, Guatemala, Honduras, Liberia, Macedonia, Moldova, Montenegro, Mozambique, Nicaragua, Niger, Papua New Guinea, Paraguay, Serbia, Seychelles, Sierra Leone, Turkey, Ukraine, Zambia (22)

4. Partly free
Bosnia and Herzegovina, Burundi, Comoros, Georgia, Guinea-Bissau, Haiti, Kenya, Kuwait, Madagascar, Malawi, Malaysia, Mauritania, Nigeria, Philippines, Solomon Islands, Sri Lanka, Tanzania, Venezuela (18)

5. Partly free
Afghanistan, Armenia, Bahrein, Bangladesh, Burkino Faso, Central African Republic, Congo (Kinshasa), Djibouti, Ethiopia, Gambia, Jordan, Kyrgyzstan, Lebanon, Morocco, Nepal, Singapore, Togo, Tonga, Uganda, Yemen (20)

6. Not free
Algeria, Azerbaijan, Bhutan, Brunei, Cambodia, Cameroon, Congo (Brazzaville), Egypt, Fiji, Gabon, Guinea, Iran, Iraq, Kazakhstan, Maldives, North Korea, Oman, Pakistan, Qatar, Russia, Rwanda, Tadjikistan, Thailand, United Arab Emirates (24)

7. Not free
Belarus, Burma, Chad, China, Cote d'Ivoire, Cuba, Equatorial Guinea, Eritrea, Laos, Libya, Saudi Arabia, Somalia, Sudan, Swaziland, Syria, Tunisia, Turkmenistan, Uzbekistan, Vietnam, Zimbabwe (20)

Totals: free 88, partly free 60, not free 44; all countries 192

Source: Freedom House, "Freedom in the World 2008", (http://www.freedomhouse.org/uploads/fiw08launch/FIW08Tables.pdf).

Tracking Electoral Democracies

Number of Electoral Democracies
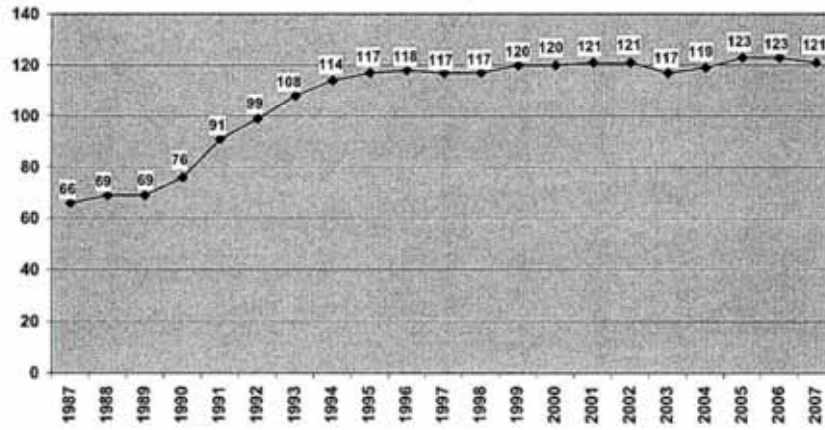
Percentage of Electoral Democracies