Europeanisation through Cooperation? EU Democracy Promotion in Morocco and Tunisia

1 author:

Vera van Hüllen
Leuphana University Lüneburg

10 PUBLICATIONS   **108** CITATIONS

Europeanisation through Cooperation? EU Democracy Promotion in Morocco and Tunisia

Vera Van Hüllen

Available online: 09 Dec 2011

PLEASE SCROLL DOWN FOR ARTICLE

Europeanisation through Cooperation? EU Democracy Promotion in Morocco and Tunisia

VERA VAN HÜLLEN

The Arab spring has highlighted once more the European Union's failure to bring about democratic change in the Middle East and North Africa through its Mediterranean democracy promotion policy. However, Arab authoritarian countries engage to different degrees in cooperation on democracy promotion, giving the EU more or less influence on domestic institutional change related to political participation, respect for human rights, and the rule of law. A comparison of domestic change and cooperation in Morocco and Tunisia in 2000–2010 shows that the EU has been instrumental in supporting and potentially reinforcing domestic reform initiatives. Yet the EU cannot trigger domestic institutional change in the first place. The degree of political liberalisation determines the fit between the domestic political agenda and external demands for reforms. It reflects different 'survival strategies' between political inclusion and exclusion and is therefore a scope condition for rather than the result of cooperation and change.

The events unfolding in the Arab world since December 2010 have dramatically changed the outlook on the 'persistence' of authoritarianism in the Middle East and North Africa. Within a few months, popular uprisings led to the resignation of presidents in Tunisia and Egypt in early 2011. These precedents and the rise of protest movements in virtually every country in the region have put incumbent regimes under enormous pressure. International actors, and the European Union in particular, have been engaged in promoting democracy, human rights, and the rule of law in the Mediterranean since the 1990s. What good has EU democracy promotion done – if any – in preparing the ground for regime change and transformation in the region?

The EU has failed to bring about democratic transitions and thus to ultimately 'Europeanise' its Southern neighbours. Yet the focus on transition to democracy as an indicator for successful diffusion neglects the

Correspondence Address: vera.vanhuellen@fu-berlin.de

two-fold dynamic of cooperation and change. Already prior to the Arab Spring there were important dynamics of domestic institutional change in the region. At the same time, the EU and its Mediterranean partners have engaged in processes of cooperation in the field of democracy and human rights, giving the EU more or less influence on domestic institutional change related to political participation, respect for human rights, and the rule of law. A comparison of change in and cooperation with Morocco and Tunisia over the past decade shows that the EU has been instrumental in supporting and potentially reinforcing domestic reform initiatives in Morocco, but that it was beyond its means to trigger domestic institutional change in Tunisia. How can we account for the differential impact of the EU in authoritarian regimes?

The article argues that the domestic impact of the EU in authoritarian regimes is conditional upon a certain degree of political liberalisation in the first place. This argument resonates with previous findings on the role of domestic politics for the effectiveness of EU democracy promotion (Youngs 2009: 901; see also Kubicek 2003; Schimmelfennig and Sedelmeier 2005). However, it nuances the argument with regard to the context of authoritarian regimes where differential empowerment and electoral competition play less of a role. A better fit with the EU's agenda for domestic change does not only reduce the costs of cooperation with the EU. The EU's demand for reforms can also align with a survival strategy of authoritarian regimes based on careful liberalisation, as in the case of Morocco, which has chosen political inclusion rather than exclusion to ensure its political survival. In light of the recent developments, this ultimately raises the question whether 'successful' EU democracy promotion, i.e. supporting domestic change through cooperation, ultimately prolongs authoritarian rule. Reforms in Morocco have not yet transformed the fundamentally undemocratic nature of the incumbent regime while the breakdown of the Ben Ali regime has unexpectedly opened a window of opportunity for a democratic transition.

The first part of this article compares the extent to which Morocco and Tunisia have engaged in cooperation with the EU on domestic political reforms in 2000–2010. Cooperation with Morocco has developed smoothly whereas Tunisia has been a more difficult partner. The second part shows that this finding can be accounted for by the diverging degrees of political liberalisation, shaping the fit between domestic politics and external demands. It further demonstrates that the level of political liberalisation goes back to opposing 'survival strategies' of the two regimes and thus represents a scope condition for and not the impact of cooperation and change. The last part of the article considers statehood and power asymmetries as the other two scope conditions of this special issue. Statehood might be a necessary condition for international cooperation, but the degree of political liberalisation determines to what use regimes put the capacity to set and enforce collectively binding rules. By contrast, challenges to statehood in terms of stability can shape power asymmetries in bilateral

relations and thus increase the regime's willingness to cooperate with and approximate to the EU to secure international support.

EU Cooperation and Domestic Reforms in Morocco and Tunisia

The EU's Mediterranean democracy promotion policy is the prototype of a 'cooperative' approach that aims at the active engagement of the target regimes in promoting human rights, democracy, and the rule of law. Based on a joint commitment to human rights and democracy enshrined in the Barcelona Declaration (1995) and the bilateral Euro-Mediterranean Association Agreements (EMAAs), the EU has developed a set of instruments to promote democracy vis-à-vis its Mediterranean partners that draw on different mechanisms for direct influence (see Börzel and Risse 2012). The EU relies heavily on political dialogue and democracy assistance as 'partnership-based' instruments that depend on the active engagement of the target regime for their implementation. They aim at persuasion and capacity-building respectively to support domestic reforms and they are both closely linked to the EU's hope for a long-term socialisation effect. In addition, the EU clearly privileges the use of positive over negative political conditionality in the region, using incentives for 'reinforcement by reward' (Schimmelfennig and Sedelmeier 2005) instead of sanctions. While the EU remains vague on the more specific objectives of its democracy promotion policy, it ultimately implies regime change and transformation towards the European model of liberal (representative) democracy. However, most observers agree that in practice, democracy promotion as an objective in EU external relations takes a backseat compared to the EU's concern for stability in order to meet its economic and security interests (e.g. control migration, secure energy supplies). Furthermore, even measures marked as democracy promotion are sometimes ambiguous as it is not clear whether they are really intended to transform or rather to sustain the incumbent regime.

In the framework of the EMAAs, the EU conducts political dialogue with governmental actors at ministerial level in the Association Councils and, upon agreement between the two partners, at senior official level in specific human rights subcommittees. The EU uses two channels for democracy assistance in the Mediterranean. The EU's external cooperation programmes for the region, MEDA (*mesures d'accompagnement*), and its successor, the European Neighbourhood and Partnership Instrument (ENPI), allow for democracy assistance since the mid-1990s. They finance large-scale projects that are subject to financing agreements with the target country's government. While they mostly address state actors, measures can also be implemented with non-state actors. In addition, since the early 1990s, various programmes under the European Initiative (and later Instrument) for Democracy and Human Rights (EIDHR) have been designed to directly support civil society organisations, complementing the top-down with a bottom-up approach. The EMAAs establish a negative

conditionality based on the 'essential element' clause, making respect for democratic principles, human rights, and the rule of law a necessary condition for cooperation. However, the positive conditionality introduced with the European Neighbourhood Policy (ENP) in 2003 is much more important in practice. The EU sets out a range of incentives such as enhanced cooperation or contractual relations that are conditional upon the progress of political reforms. This positive conditionality is linked to a regular benchmarking and monitoring exercise through the ENP Action Plans and Progress Reports. Since 2005, the EU can grant financial rewards under the Democracy and later Governance Facility.

Taken together, the EU has established a highly standardised regional framework for cooperation on democracy and human rights with its Mediterranean partners. This framework applies to both Morocco and Tunisia in a similar way. Both their EMAAs entered into force comparatively early, in 2000 and 1998 respectively, providing the legal basis for bilateral cooperation around the same time. However, the implementation of political dialogue and democracy assistance as well as the EU's application of positive conditionality varies significantly between the two countries. The quality of the EU's cooperation with Morocco is much better than with Tunisia, giving the EU more influence on domestic political reforms. Furthermore, in comparison to other Mediterranean partners, Morocco is clearly a leader whereas Tunisia has been one of the laggards in the region regarding the extent and content of cooperation in the field of democracy promotion.[1]

Morocco

The EU and Morocco have longstanding bilateral relations that date back to the 1960s. Highlighting the special position of the Maghreb countries in Euro-Mediterranean relations, Morocco was one of the first countries to negotiate a new EMAA with the EU. By comparison with other countries in the region, Morocco has more actively engaged in the EU's democracy promotion efforts from the start, leading to a process of cooperation in which the implementation of political dialogue, democracy assistance, and conditionality is tightly linked to a domestic reform agenda.

Political dialogue.   Since the entry into force of the EMAA in 2000, the EU and Morocco have conducted Association Council meetings on a more or less annual basis. From 2003 on, partners spent more time on discussing matters related to democracy and human rights. In particular, they have dealt with specific Moroccan reform projects, e.g. the *Instance Equité et de Réconciliation* (IER) and the new family code (*moudawana*) as well as measures of bilateral cooperation, including democracy assistance projects on human rights, gender equality, and the judiciary (EU–Morocco Association Council 2010: 6). Despite earlier reservations that human

rights were primarily a domestic affair, the Moroccan delegation claimed in 2008 that Morocco needed Europe for its 'democratic success' and in particular its judicial reform, showing that Morocco counted on the EU's support for its domestic reform agenda (EU–Morocco Association Council 2009: 5).

In addition to the Association Council, partners created a Subcommittee on Human Rights, Democratisation, and Governance in 2006 that has met annually since. However, the lengthy negotiations indicate that political dialogue is still a sensitive issue for Morocco. Six other subcommittees had been set up quickly in 2003, but partners did not get beyond an agreement in principle on the creation of a human rights subcommittee for two more years. While the EU had expected Morocco to be the first country in the region to agree to such a subcommittee, the Moroccan delegation clearly had reservations about the treatment of 'individual cases' of human rights violations.

Democracy assistance.   Based on financing agreements with the Moroccan government, the EU has supported several projects contributing to political reform through MEDA and ENPI. The EU and Morocco mainstreamed democracy assistance into external cooperation under MEDA in 2000 with a first, large-scale project supporting the modernisation of the judiciary with €27.7 million. In addition, smaller projects have picked up national initiatives such as the national human rights plan (€2 million in 2005) and the IER (€8 million in 2008) or addressed civil society (€3 million in 2005). However, the attempt to implement a second large-scale project on modernising the judiciary in 2008 shows the limits of the EU's approach to support. The project was at first postponed to 2010 and then to the next programming period 2011–13 because the EU refused to disburse the originally envisaged budget support of €20 million to the Moroccan ministry of justice as the government had failed to table a substantive reform agenda for strengthening the rule of law (European Commission 2011c: 7).

In addition, the EU had provided support to non-state actors in a 'bottom-up' approach under the EIDHR. According to various project compendia, the EU has spent more than €5 million on democracy assistance under the EIDHR in 2000–2010 (European Commission 2011a, 2011b). Apart from a few macro-projects, there have been more than 30 micro-projects directly implemented by local civil society organisations. These projects addressed a variety of issues covering political participation, human rights, and the rule of law. The thematic priorities of women's rights and human rights in the judiciary complement other reform efforts such as the implementation of the new family code and the modernisation of the judiciary more generally.

Conditionality.   The link between cooperation and domestic institutional change is maybe most obvious in the ENP Action Plan, approved by the

EU–Morocco Association Council in 2005. As part of the benchmarking and monitoring process under the ENP, the Action Plan sets an agenda for cooperation by detailing Morocco's commitments to reform and the EU's commitment to support. In the chapter on political dialogue and reforms, Morocco and the EU list a number of specific reform projects related to democracy, human rights, and the rule of law, including legal reform, modernisation of the administration, and initiatives such as the IER.

In order to reward progress in implementing the ENP Action Plan, the EU granted Morocco more than €75 million for additional projects under the Democracy and Governance Facilities in 2006–10, on top of the regular appropriations under MEDA and ENPI (European Commission 2009: 22). Thus, Morocco is one of the few countries in the region that has repeatedly benefited from the positive conditionality introduced with the ENP. Maybe more importantly, in 2008 the EU finally granted Morocco the Advanced Status (*statut avancé*) that Morocco had demanded for years. The 2008 Association Council adopted a joint document that identifies areas of enhanced cooperation, e.g. on political and security measures, and envisages among other objectives a new trade agreement (EU–Morocco Association Council 2009: 12, 20–34; see also Kausch 2009a; Martín 2009). This road map complements the ENP Action Plan adopted in 2005, especially during the negotiations of a follow-up document for the time after 2010 (EU–Morocco Association Council 2010: 7).

In particular the negotiation of the Advanced Status is seen as a successful example of 'reinforcement by reward' (Schimmelfennig and Sedelmeier 2005). As early as 2000, Morocco had requested an upgrade of bilateral relations going beyond the EMAA that had just entered into force, well before the ENP introduced the incentive of further integration. This request has been regularly repeated in the framework of the Association Council meetings. In 2007, the EU finally agreed to establish an ad hoc working group to conduct talks about the realisation of Advanced Status within the ENP, which tabled the proposal for the joint document adopted in 2008. The prospect of an Advanced Status might have overshadowed bilateral relations during those years, fuelling Morocco's willingness to engage in the EU's agenda for democracy promotion and thus allowing the EU to exert influence on its domestic political reforms through cooperation. However, observers in Brussels agree that the driving force has been the Moroccan demand and that the EU has been reinforcing a pre-existing motivation for cooperation rather than creating a new one (see van Hüllen 2010a).

To sum up, the EU's influence on domestic institutional change related to democracy and human rights in Morocco depends on the regime's willingness to actively engage in the EU's democracy promotion efforts, creating a joint agenda for cooperation. This picture of the EU's success in implementing its cooperative approach contrasts sharply with the experience of EU cooperation with Tunisia on democracy promotion.

Tunisia

Similar to Morocco, the EU and Tunisia look back on a long history of bilateral relations. Tunisia was also one of the first countries to negotiate a new association agreement in the early 1990s and the Tunisian EMAA was the first to enter into force in 1998. However, cooperation with the EU in the field of democracy and human rights has been extremely difficult so that the EU has had little opportunity to support domestic political change through the implementation of political dialogue, democracy assistance, and positive conditionality.

Political dialogue. Association Council meetings with Tunisia have taken place on a much less regular basis than with Morocco and political dialogue on matters related to democracy and human rights proved to be more difficult, especially before 2007. Before 2007, partners almost exclusively treated matters related to democracy and human rights in an informal part of the Association Council meetings. At the same time, the EU was more critical vis-à-vis Tunisia than Morocco in its statements prepared for these meetings. It repeatedly raised concerns about 'the persistence of certain measures which are not in keeping with respect for human rights' (Council of the EU 2005: 7) and it urged the Tunisian authorities to facilitate EU democracy assistance projects under MEDA and the EIDHR. In addition, the EU issued several critical statements on the regime's human rights policy in 2005, referring to the harassment of human rights non-governmental organisations (NGOs) and the open repression of freedom of expression and association in the context of the World Summit on the Information Society held in Tunis in November 2005. The situation culminated in a political crisis between 2005 and 2007, during which cooperation in the field of democracy and human rights was frozen. Political dialogue was interrupted, with no Association Council meeting taking place for almost two years.

The crisis was eventually resolved at the political level and ended with the resumption of political dialogue in 2007. Partners finally agreed on the creation of a Subcommittee on Human Rights and Democracy and both parties welcomed the resumption of dialogue at the next Association Council meeting. Since then, political dialogue on matters related to democracy and human rights between the EU and Tunisia has slightly improved, in terms of both more regular and more open meetings (EU–Tunisia Association Council 2010: 17). However, Tunisia has always been more reluctant than Morocco to identify areas of future reform, highlighting instead its achievements on women's as well as economic and social rights, while the EU has kept insisting on the need for a balanced development of the economic and political dimension.

Democracy assistance. Similar to cooperation with Morocco, the EU planned to mainstream democracy assistance into MEDA with two smaller

projects in 2000 on civil society (€1.5 million) and media (€2.15 million) and a large-scale project aimed at capacity-building of the judiciary (€30 million) in 2003. However, none of the three democracy-related projects was implemented smoothly: while the civil society project was cancelled, the European Commission complained repeatedly about the delay of the other two projects, which added to the tensions in political dialogue. Consequently, the European Commission did not commit any funds to democracy assistance projects under ENPI in 2007–10. In line with the resumption of political dialogue, the implementation of the justice programme finally started at the end of 2007 and was still ongoing in 2010 (European Commission 2010: 3). Implementation of the project apparently progressed well and, following a request by the Tunisia government, the EU committed €15–20 million for a second justice programme in 2011–13 (European Commission 2011d: 13, 24–6). This shows once again the importance of a local demand for EU support for enhancing the chances of cooperation on EU democracy promotion.

Implementation of democracy assistance projects in Tunisia was even more difficult under the EIDHR. Even though Tunisia was one of the so-called focus countries in 2002–04, the European Commission never issued a call for proposals for micro-projects and hardly any of the four macro-projects planned between 2001 and 2003 worth €1.7 million was implemented. Especially the implementation of three projects aimed at capacity-building for the Tunisian League for Human Rights was actively obstructed by Tunisian authorities, which was one of the issues raised in diplomatic statements by the EU that led to the political crisis reflected in the interruption of the political dialogue. Tunisia was initially not eligible for the new micro-project scheme in 2007, because it did not meet the criteria of having 'a certain context within civil society allowing for the development and activities of civil society organisations' (European Commission 2007: 9). Even after the EU abolished eligibility criteria, Tunisia is the only country among the EU's Mediterranean partners where the European Commission's delegation has not requested EIDHR funds until 2010.

Conditionality. The ENP Action Plan approved by the EU–Tunisia Association Council in 2005 differs significantly from the Moroccan one regarding the joint objectives related to democracy and the rule of law, whereas other aspects in the chapter on political dialogue and reforms are treated similarly in both documents. There are only a few vague references to ongoing efforts at reform in Tunisia which do not identify specific objectives or measures of cooperation between the EU and Tunisia.

Given the EU's difficulties in implementing political dialogue and democracy assistance with Tunisian authorities, it is not surprising that Tunisia has not received any additional funds under the Democracy and Governance Facilities. However, at the seventh Association Council meeting in November 2008, the Tunisian delegation requested negotiations

on a '*partenariat renforcé*' (EU–Tunisia Association Council 2010: 6), apparently inspired by the Advanced Status agreed upon by the EU and Morocco only a few weeks earlier. The EU stalled the opening of negotiations for another 18 months, pointing out that Tunisia was not (yet) fulfilling the political conditions to move ahead because of persistent shortcomings in the area of governance, the rule of law, and human rights (European Commission 2010: 2–3). In March 2010, Tunisia finally submitted its proposal for the *partenariat renforcé* and the EU agreed to establish an ad hoc working group at the Association Council meeting in May (Council of the EU 2010: 2–3). Again, it linked an advanced status of EU–Tunisian relations to the progress of political reforms in Tunisia, including political pluralism and participation, the independence of the judiciary, and the protection of human rights.

In sum, Tunisia has always been more reluctant than Morocco to identify areas of future reform, making cooperation with the EU difficult and clearly limiting the EU's influence on domestic institutional reforms. On the contrary, Tunisian authorities have for the most part actively obstructed EU efforts at implementing democracy assistance under the EIDHR, blocking European funding for Tunisian human rights NGOs. Apparently, cooperation has slightly improved since 2007, but it was still much more limited in its scope compared with Morocco. Interestingly, the Moroccan Advanced Status seems to have triggered greater ambitions in Tunisia as well. This suggests a competitive dynamic in Euro-Mediterranean relations that might give the EU's positive conditionality a more important role than expected in the absence of the 'golden carrot' of membership.

Tracing the process of cooperation for the period from 2000 to 2010, it is obvious that the variation in cooperation is mainly due to different choices by the target regimes, rather than substantially different approaches by the EU. While Morocco seemed almost eager to cooperate with the EU in the field of democracy and human rights and to obtain EU support for domestic reform initiatives, Tunisia was highly reluctant to engage in cooperation, closing the doors for external influence by rejecting the need for political reforms. In order to account for this variation, it is necessary to analyse the Mediterranean partners' very different demand for cooperation. Neither of the two partners should fear EU sanctions, given the EU's overall 'positive' approach to cooperation in the region. Even in light of extremely difficult or no cooperation, the EU has not taken any measures that could qualify as outright sanctions. Both regimes appreciate the EU and some of its member states as their most important international partners, especially in trade, and have strategically turned to the West. Nevertheless, their reaction to the EU's offer of cooperation has differed greatly, giving the EU more or less influence on domestic institutional change in Morocco and Tunisia. As the next section will show, the willingness of authoritarian regimes to actively engage in external democracy promotion efforts primarily depends on the degree of political liberalisation, affecting the opportunity for and costs of cooperation.

Political Liberalisation and Survival Strategies

EU cooperation in the field of democracy promotion with Morocco and Tunisia takes place against the background of different degrees of political liberalisation. This section will first show how far the role of pluralism and political participation and contestation differs between the two countries and how this affects the prospects of cooperation and the EU's influence on domestic institutional change. It then argues that the diverging degrees of political liberalisation are not so much due to the EU's influence, but rather the result of opposing survival strategies of the two regimes.

Regarding the 'democratic quality' (see Börzel and Risse 2012) of Morocco and Tunisia until 2010, both regimes were clearly non-democratic – awaiting the elections of the constitutional assembly later in 2011, it remains to be seen if the breakdown of Ben Ali's regime in Tunisia indeed leads to a democratic transition. However, over the past decade, the countries differed significantly in their degree of political liberalisation, which captures the status of political rights and civil liberties in the organisation of domestic politics. While Morocco and Tunisia are both (still) far from the ideal of a liberal (representative) democracy with a meaningful competition for political power, the incumbent regimes allowed very different degrees of pluralism and (limited, controlled) participation and contestation through media, civil society, and political parties. According to macro-level indices, such as Freedom House's Freedom in the World index and the World Bank's Worldwide Governance Indicator for Voice and Accountability, Moroccans enjoyed significantly more political liberties than Tunisians (Freedom House 2011; World Bank 2011). While Morocco has consistently been 'partly free' over the last 20 years, Tunisia has been classified as 'non-free' since the mid-1990s according to Freedom House.

Critics point to the fact that despite Moroccan pluralism, political power is 'under the effective control of the monarchy' (Najem 2003: 187) and not subject to political contestation. Freedom of expression and association is only granted within clear limits, making the monarch, Islam, and the Western Sahara the three big taboos in public debates (Kausch 2009a: 169). However, the plurality of opinions expressed in the national media, the existence of a lively civil society including active human rights organisations, and the holding of competitive multi-party elections contrasts sharply with the streamlined press, the tight control of civil society organisations, and the de facto one-party system in Tunisia under Ben Ali (Brumberg 2003; Layachi 2000; Najem 2003). Despite its comparably good record on socio-economic and women's rights, the Tunisian regime has never significantly opened up the political space and exposed itself to any form of contestation (Entelis 2005; Sadiki 2002).

The degree of political liberalisation shapes the context for engagement with international actors on matters related to democracy and human rights, directly affecting the potential costs of cooperation for authoritarian

regimes. It determines the fit between domestic politics and external demands for cooperation and change and thus the target regime's willingness to engage in cooperation. For Morocco, it was much easier and less costly to accommodate the EU's idea of cooperation on democracy promotion, whereas the implementation of EU efforts could have a disruptive effect in Tunisia.

The greater dynamic in domestic politics, reflected in a higher degree of political liberalisation, has opened the door for Morocco's cooperation with external actors. The EU's offer for cooperation in the field of democracy and human rights has been met by a Moroccan demand for external support. Especially since the late 1990s, Morocco has admitted to the need for changes and started to adopt political, economic, and social reforms. In fact, the 'issue of reforms has become one of the centre pieces of political debate in and about contemporary Morocco' (Maghraoui 2009: 143). This allowed the Moroccan regime to actively engage in the EU's democracy promotion efforts in order to secure external support for its own domestic reform agenda. The implementation of political dialogue and democracy assistance fits well into the pluralist organisation of political life and it might even generate additional legitimacy for the regime, demonstrating its willingness to liberalise further without necessarily having to democratise.

By contrast, Tunisia under Ben Ali has always denied the need for change and reforms leading to more political liberalisation. Highlighting its achievements in certain fields of human rights, in particular socio-economic and women's rights, Tunisia has refused any such suggestion as an inappropriate interference in domestic affairs. Thus, cooperation on democracy promotion was much more costly for the Tunisian regime than for the Moroccan one. Allowing even for a small political opening, e.g. through political dialogue or democracy assistance targeting civil society organisations, could have disruptive effects on the tightly controlled political life. The comparison of Morocco and Tunisia illustrates the importance of a domestic reform agenda that resonates with the idea of political dialogue and democracy assistance and which external actors can take up in their efforts to support domestic change.

The respective degrees of political liberalisation, capturing the role of participation and contestation in domestic politics, can account for the diverging quality of EU cooperation on democracy and human rights with Morocco and Tunisia, granting the EU more or less influence on domestic institutional change in the two countries. To further complicate matters, the degree of political liberalisation is also one of the most likely indicators for a greater effect of the EU's democracy promotion efforts. If external democracy promotion is effective in bringing about democratic change, this should be reflected in an increasing degree of political liberalisation. So, does the degree of political liberalisation really explain cooperation and change in the field of democracy and human rights or, on the contrary, does

better cooperation with Morocco explain the regime's higher degree of political liberalisation due to the EU's greater influence?

The degree of political liberalisation has not significantly varied in either country in 2000–2010 (see Kaufmann *et al.* 2009: 33). So neither cooperation nor domestic change has had a measurable impact on macro-level indices for political liberalisation. Adopting a more long-term perspective to allow for a time lag in impact only reinforces this impression, as the situation did not change much compared to the 1990s. As the EU only started to promote democracy in the Mediterranean around 1995 and as its efforts were extremely limited before 2000, the degree of political liberalisation cannot be the result of a direct influence by the EU through its democracy promotion policy.[2]

Instead, these different situations in Morocco and Tunisia can be interpreted as the result of divergent 'survival strategies' (Brumberg 2003: 35). Especially when confronted with the economic crisis of the 1980s, the regimes chose different ways to address the threat this posed to their legitimacy (Layachi 2000). While in Morocco the regime has traditionally chosen a path of careful political inclusion to generate input legitimacy, Tunisian authorities mostly relied on socio-economic development to obtain popular support (output legitimacy) and compensate for a repressive strategy of political exclusion.

In fact, both countries have opted for the co-optation of oppositional movements and political liberalisation at some point, but 'Morocco has a much longer history ... of seeking to control radicalism through formal political processes' (Willis 2006: 144). At the same time, the regime has always been successful in creating 'divided structures of contestation' (Lust-Okar 2007: 40) to avoid the concentration of power in one party or in a united opposition that could effectively challenge the monarch's political authority (Cavatorta 2009). The Moroccan constitution of 1956 established a multi-party system and the regime has successfully managed to co-opt radical movements by legalising them as political parties, integrating them into the political process under the condition that they do not challenge the authority of the monarchy itself. This happened with the radical left in the 1960s and again with Islamists in the late 1980s. Especially the creation of the *Partie de Justice et Développement* (PJD) in 1998 out of the Islamist organisation *Al-Islah wa At-Tajdid* (Reform and Renewal Movement) highlights the regime's preoccupation with its own survival rather than with radicalism as such. While the PJD had a more radical agenda than the larger and very popular Islamist movement *Al-Adl wal Ihsan* (Justice and Spirituality), '[t]he key issue that swung the regime's acceptance of the party was its willingness to accept the particular role of the monarchy' (Willis 2006: 145).

The economic crisis of the 1980s triggered more generally a process of careful political liberalisation. Especially the succession of Mohamed VI to the throne in 1999 created the sense of a new era in Morocco and among its

international partners, even though Hassan II had already initiated some political reforms during the last years of his reign (see Campbell 2003; Desrues and Moyano 2001). These included constitutional reforms in 1992 and 1996, allowing for more pluralism and political and civil rights, and first attempts to tackle the regime's disastrous human rights record since the 1960s. After the 1997 parliamentary elections, Morocco saw its first '*alternance*' when the *Union Socialiste des Forces Populaires* won the majority of seats and Hassan II appointed Abderrahmane Youssoufi as prime minister (Willis 2009: 230–31). This impression of opening up was supported by the succession of Mohamed VI to the throne in 1999, promising further liberalisation measures.

By contrast, Habib Bourguiba and the *Neo Destour* party established a single-party system in post-independence Tunisia in 1956, uniting the country under a 'national-populist social pact' (Heydemann 2007: 31). Tunisia was one of the few countries in the region that managed to successfully implement the structural adjustment programmes prescribed by the World Bank in the 1980s and to generate socio-economic development levels well above the regional average (Dillman 1998). It avoided growing socio-economic disparities and tensions by implementing 'costly social programmes' (Layachi 2000: 18). However, economic liberalisation was not paralleled by political liberalisation, leading to the 'Tunisian paradox' (Entelis 2005: 550; Kausch 2009b: 3), clearly challenging any expectations of modernisation . Hopes for political liberalisation were high when Zine El Abidine Ben Ali assumed power in a constitutional 'medical coup' and acceded to the presidency in 1987 (Najem 2003: 194; Willis 2006: 198). He promised a process of political liberalisation and initiated political reforms, but soon a crackdown on the Islamist opposition movements followed (Allani 2009). Despite a quota of seats for opposition parties in the parliament, President Ben Ali could by 2010 still rely on de facto single-party rule by the presidential Constitutional Democratic Rally (*Rassemblement Constitutionnel Démocratique*).

More generally, the Moroccan monarchy and Ben Ali's regime relied on very different sources of 'autocratic legitimacy' (Schlumberger 2007: 15) over the decades. While Morocco opted for a strategy of political inclusion to overcome the challenges of the 1980s, Tunisia chose a double strategy of economic inclusion and political exclusion (Layachi 2000). Neither of them could truly claim democratic input legitimacy, but the Moroccan regime has 'established an electoral system as the keystone of royal power based on limited political participation' (Sater 2009: 381). The Tunisian 'façade democracy' (Durac and Cavatorta 2009: 15; Entelis 2005: 549) relied to a much greater extent on output legitimacy to balance its repression of contestation.

Statehood and Power Asymmetries

Even though the degree of political liberalisation can well account for the variation in cooperation and change found between Morocco and Tunisia,

the concluding section will at least briefly consider the role of the other two major scope conditions identified in this special issue, namely statehood and power asymmetries. The 'dependence' of Mediterranean partners on the EU is generally considered as low (Youngs 2009: 911), but more importantly, socio-economic interdependence with the EU plays out in a similar way for Morocco and Tunisia (Bendiek 2008: 13) so that these factors cannot easily account for variation across the two countries. In contrast, the degree of statehood varies significantly, as measures of 'Political Stability and Absence of Violence' and 'Government Effectiveness' in the World Bank's Worldwide Governance Indicators show (World Bank 2011). Over the past decade, Tunisia has consistently scored better than Morocco on both the stability and the state capacity dimensions of statehood, ranking in the upper half in a worldwide comparison.

For neither country are difficulties in cooperation with the EU in the field of democracy and human rights a problem of capacity. Especially with Tunisia, overall cooperation with the EU is very advanced, e.g. regarding Tunisia's generally high absorption capacity for MEDA and ENPI funds and the fact that Tunisia was the first Mediterranean partner to join a free trade area for industrial products with the EU in 2008. The EU itself has repeatedly affirmed Tunisia's role as a pioneer in Euro-Mediterranean relations, which does not, however, extend to cooperation in the field of democracy promotion. On the contrary, the successful obstruction of democracy assistance projects with non-state actors by Tunisian authorities around 2005–07 reflects the capacity to govern effectively, both in terms of passing new legislation and using prosecution of human rights defenders and organisations as a means of repression (Kausch 2009b: 6). These examples support the argument that, while a minimum of state capacity might be a prerequisite for international cooperation, high levels of state capacity do not guarantee better cooperation. In terms of capacity, strong statehood is an enabling factor for cooperation, but does not affect the regime's attitude towards external demands for cooperation and change as such. Thus its effect depends on the regime's (un)willingness to engage in cooperation in the first place (see Noutcheva and Düzgit 2012; Spendzhar-ova and Vachudova 2012). If the regime is inclined to cooperate, high levels of capacity will reinforce its ability to do so, but if there is no willingness, capacities alone are insufficient or even counterproductive. This highlights the predominant role of political liberalisation in shaping the target regimes' preferences and the outcome of interaction.

Finally, a closer look at the aspect of political stability reveals a complex interplay of statehood and power asymmetries. If limitations to statehood capture an immediate threat to the regime's legitimacy and survival, they can create a specific need for external support which could prompt the regime to adopt a more cooperative stance vis-à-vis the EU's democracy promotion efforts. And indeed, the largely consolidated statehood and the high level of socio-economic development in Tunisia put the regime in a

stronger position when facing external demands. By contrast, Morocco needs international support in the Western Sahara conflict and grapples with much greater social and economic disparities. The structural adjustment programmes designed to overcome the economic crisis in the 1980s essentially increased socio-economic exclusion, which was not the case in Tunisia (Joffé 2009; Layachi 2000: 25–32). After his succession to the throne in 1999, Mohamed VI made poverty reduction and human development a priority of his reign, 'since popular unrest could become a breeding ground for the advance of anti-system movements' (Desrues and Moyano 2001: 26–7). In addition, the EU's latent support for Morocco in the Western Sahara conflict is vital for the regime as Morocco's sovereignty over the Western Sahara is one of the monarchy's pillars of legitimacy (see Darbouche and Zoubir 2008; Willis 2009). In sum, compared to Tunisia, Morocco more urgently needs the EU's support to tackle a range of issues that could well undermine the regime's domestic legitimacy and thus its stability. Morocco clearly depends on the EU's support for handling the Western Sahara conflict and for furthering socio-economic development. This 'dependence' based on threats to the regime's legitimacy and survival might help to account for the 'apparent enthusiasm that Morocco has adopted in trying to follow these [European] models in comparison to most of its neighbours' (Willis 2009: 232).

Conclusions

Taken together, the Moroccan monarchy has early on chosen co-optation and selective political inclusion to moderate oppositional movements, but it has neglected economic inclusion. Especially since the 1990s, a strategy of – limited and controlled – political liberalisation has generated 'fake' input legitimacy, allowing political competition without exposing the regime itself to contestation and touching upon the distribution of real power. So the implementation of political dialogue and democracy assistance fits well into the pluralist organisation of political life and it might even generate additional legitimacy for the regime, demonstrating its willingness to further liberalise without necessarily having to democratise. In addition, the regime faces serious challenges and needs external support, in particular to hold up its position in the Western Sahara conflict and to generate socio-economic development to fight poverty and social disparities.

Ben Ali's regime in Tunisia, by contrast, continued to rely on a combination of political repression and output legitimacy generated through successful socio-economic development. Thus, the implementation of political dialogue and democracy assistance would have been much more costly for the Tunisian regime than for the Moroccan one. Allowing even for a small political opening could have had disruptive effects on the tightly controlled political life. However, the effectiveness of the Tunisian survival strategy depended on 'continued economic prosperity' (Willis 2006: 140).

And indeed, the popular uprising that started in 2010 and led to the resignation of Ben Ali in January 2011 was motivated in part by dissatisfaction with the economic situation, undermining popular support for the regime. However, at the moment of writing it is not yet clear whether the 'jasmine revolution' will bring about a democratic transition – and whether the new regime will grant the EU more or even less influence on political reforms related to political participation, human rights, and the rule of law.

Overall, the role of political liberalisation for providing the EU the chance to exert some influence on domestic political reforms through cooperation and support clearly qualifies the prospects for successful EU democracy promotion. Where, from a normative point of view, external democracy promotion efforts are needed most the EU's 'cooperative' approach is doomed to fail. At the same time, it remains to be seen how far the EU's support for domestic political reforms translates into political liberalisation or democratisation in the long run. If the domestic reform agenda is indeed solely geared towards regime survival, the EU's efforts do ultimately stabilise authoritarian regimes (see Börzel and Pamuk 2012).

Acknowledgements

Notes

1. The remainder of this section draws heavily on the empirical analysis of EU democracy promotion in Morocco and Tunisia until 2008 documented in detail in the author's doctoral dissertation and in particular parts of chapters six and seven (van Hüllen 2010a: 132–81, 232–43; see also van Hüllen 2009, 2010b). In the following, references to primary sources are only included for more recent data on cooperation in 2009–10.
2. This does not preclude that the EU might play a role in bringing about the different levels of political liberalisation in Morocco and Tunisia, e.g. through mechanisms of emulation, but it clearly shows the limits of the EU's attempts at directly promoting democracy and human rights.

References

Allani, Alaya (2009). 'The Islamists in Tunisia between Confrontation and Participation, 1980–2008', *The Journal of North African Studies*, 14:2, 257–72.

Bendiek, Annegret (2008). *Wie effektiv ist die Europäische Nachbarschaftspolitik? Sechzehn Länder im Vergleich.* Berlin: SWP.

Börzel, Tanja A., and Yasemin Pamuk (2012). 'Pathologies of Europeanisation. Fighting Corruption in the Southern Caucasus', *West European Politics*, 35:1, 79–97.

Börzel, Tanja A., and Thomas Risse (2012). 'When Europeanisation Meets Diffusion. Exploring New Territory', *West European Politics*, 35:1, 192–207.

Brumberg, Daniel (2003). 'The Trap of Liberalized Autocracy', in Larry Diamond, Marc F. Plattner and Daniel Brumberg (eds.), *Islam and Democracy in the Middle East*. Baltimore and London: Johns Hopkins University Press, 35–47.

Campbell, Patricia J. (2003). 'Morocco in Transition. Overcoming the Democratic and Human Rights Legacy of King Hassan II', *African Studies Quarterly*, 7:1, 38–58.

Cavatorta, Francesco (2009). '"Divided they Stand, Divided they Fail". Opposition Politics in Morocco', *Democratization*, 16:1, 137–56.

Council of the EU (2005). *Relations with Tunisia – Establishment of the European Union's Position for the Fifth Meeting of the EU–Tunisia Association Council* (Brussels, 31 January 2005), 5618/05 TU 3, Brussels, 25 January.

Council of the EU (2010). *Relations avec la Tunisie – Adoption de la position de l'Union européenne en vue de la huitième session du Conseil d'Association (Bruxelles, le 11 mai 2010)*, 9143/10 LIMITE TU 25, Brussels, 4 May.

Darbouche, Hakim, and Yahia H. Zoubir (2008). 'Conflicting International Policies and the Western Sahara Stalemate', *The International Spectator*, 43:1, 91–105.

Desrues, Thierry, and Eduardo Moyano (2001). 'Social Change and Political Transition in Morocco', *Mediterranean Politics*, 6:1, 21–47.

Dillman, Bradford (1998). 'The Political Economy of Structural Adjustment in Tunisia and Algeria', *The Journal of North African Studies*, 3:3, 1–24.

Durac, Vincent, and Francesco Cavatorta (2009). 'Strengthening Authoritarian Rule through Democracy Promotion? Examining the Paradox of the US and EU Security Strategies: The Case of Bin Ali's Tunisia', *British Journal of Middle Eastern Studies*, 36:1, 3–20.

Entelis, John P. (2005). 'The Democratic Imperative vs. the Authoritarian Impulse. The Maghrib State between Transition and Terrorism', *The Middle East Journal*, 59:4, 537–58.

EU–Morocco Association Council (2009). *Projet de Procès-Verbal de la septième session du Conseil d'Association UE-Maroc en date du 13 octobre 2008 à Luxembourg*, UE-MA 2701/09, Brussels, 3 December.

EU–Morocco Association Council (2010). *Projet de Procès-Verbal de la huitième session du Conseil d'Association UE-Maroc en date du 7 décembre 2010 à Bruxelles*, UE-MA 2705/10, Brussels, 13 December.

EU–Tunisia Association Council (2010). *Projet de Procès-Verbal, La septième session du Conseil d'Association UE-Tunisie, 11 novembre 2008, Bruxelles*, UE-TU 2601/10, Brussels, 10 May.

European Commission (2007). *European Instrument for Democracy and Human Rights (EIDHR). Strategy Paper 2007–2010*. Brussels: EC.

European Commission (2009). *Mise en oeuvre de la politique européenne de voisinage en 2008. Rapport de Suivi Maroc*, SEC(2009) 520/2, 23 April. Brussels: EC.

European Commission (2010). *Mise en oeuvre de la politique européenne de voisinage en 2009. Rapport de Suivi Tunisie*, SEC(2010) 514, 12 May. Brussels: EC.

European Commission (2011a). *The European Instrument for Democracy and Human Rights (EIDHR). Compendium 2007–2009, Promoting Democracy and Human Rights in the European Neighbourhood and Partnership Countries and in Kazakhstan and Tajikistan*. Brussels: EC.

European Commission (2011b). *The European Instrument for Democracy and Human Rights (EIDHR). Compendium January 2007–April 2009, Promoting Democracy & Human Rights Worldwide*. Brussels: EC.

European Commission (2011c). *Mid-Term Review of the Country Strategy Paper Morocco 2007–2013 and National Indicative Program 2011–2013*. Brussels: EC.

European Commission (2011d). *Tunisie. Programme Indicatif National 2011–2013*. Brussels: EC.

Freedom House (2011). *Freedom in the World Comparative and Historical Data*, available at http://www.freedomhouse.org/template.cfm?page=439 (accessed 15 July 2011).

Heydemann, Steven (2007). 'Social Pacts and the Persistance of Authoritiarianism in the Middle East', in Oliver Schlumberger (ed.), *Debating Arab Authoritarianism. Dynamics and Durability in Nondemocratic Regimes*. Stanford, CA: Stanford University Press, 21–38.

Joffé, George (2009). 'Morocco's Reform Process. Wider Implications', *Mediterranean Politics*, 14:2, 151–64.

Kaufmann, Daniel, Aart Kraay, and Massimo Mastruzzi (2009). *Governance Matters VIII. Aggregate and Individual Governance Indicators 1996–2008*. Washinton, DC: The World Bank.

Kausch, Kristina (2009a). 'The European Union and Political Reform in Morocco', *Mediterranean Politics*, 14:2, 165–79.

Kausch, Kristina (2009b). *Tunisia. The Life of Others. Project on Freedom of Association in the Middle East and North Africa*. Madrid: FRIDE.

Kubicek, Paul J., ed. (2003). *The European Union and Democratization*. London: Routledge.

Layachi, Azzedine (2000). 'Reform and the Politics of Inclusion in the Maghrib', *The Journal of North African Studies*, 5:3, 15–42.

Lust-Okar, Ellen (2007). 'The Management of Opposition. Formal Structures of Contestation and Informal Political Manipulation in Egypt, Jordan, and Morocco', in Oliver Schlumberger (ed.), *Debating Arab Authoritarianism. Dynamics and Durability in Nondemocratic Regimes*. Stanford, CA: Stanford University Press, 39–58.

Maghraoui, Driss (2009). 'Introduction. Interpreting Reform in Morocco', *Mediterranean Politics*, 14:2, 143–9.

Martín, Iván (2009). 'EU–Morocco Relations: How Advanced is the "Advanced Status"?', *Mediterranean Politics*, 14:2, 239–45.

Najem, Tom Pierre (2003). 'State Power and Democratization in North Africa. Developments in Morocco, Algeria, Tunisia, and Libya', in Amin Saikal and Albrecht Schnabel (eds.), *Democratization in the Middle East. Experiences, Struggles, Challenges*. Tokyo: United Nations University Press, 183–201.

Noutcheva, Gergana, and Senem Aydin Düzgit (2012). 'Lost in Europeanisation? The Western Balkans and Turkey', *West European Politics*, 35:1, 59–78.

Sadiki, Larbi (2002). 'Bin Ali's Tunisia. Democracy by Non-Democratic Means', *British Journal of Middle Eastern Studies*, 29:1, 57–78.

Sater, James N. (2009). 'Parliamentary Elections and Authoritarian Rule in Morocco', *The Middle East Journal*, 63:3, 381–400.

Schimmelfennig, Frank, and Ulrich Sedelmeier, eds. (2005). *The Europeanization of Central and Eastern Europe*. Ithaca, NY: Cornell University Press.

Schlumberger, Oliver (2007). 'Arab Authoritarianism. Debating the Dynamics and Durability of Nondemocratic Regimes', in Oliver Schlumberger (ed.), *Debating Arab Authoritarianism. Dynamics and Durability in Nondemocratic Regimes*. Stanford, CA: Stanford University Press, 1–18.

Spendzharova, Aneta, and Milada Anna Vachudova (2012). 'Catching Up? Consolidating Liberal Democracy in Bulgaria and Romania', *West European Politics*, 35:1, 39–58.

van Hüllen, Vera (2009). *EU Democracy Promotion in the Mediterranean. Cooperation against All Odds? KFG Working Paper Series, No. 9*. Berlin: Kolleg-Forschergruppe 'The Transformative Power of Europe'.

van Hüllen, Vera (2010a). *It Takes Two to Tango. The European Union and Democracy Promotion in the Mediterranean, Dissertation am Fachbereich Politik- und Sozialwissenschaften 15.09.2010*. Berlin: Freie Universität.

van Hüllen, Vera (2010b). *More than Cheap Talk? Euro-Mediterranean Cooperation on Human Rights and Democracy, Working Paper del Observatori de Política Exterior Europea, No. 86*. Bellaterra (Barcelona): Institut Universitari d'Estudis Europeus.

Willis, Michael J. (2006). 'Containing Radicalism through the Political Process in North Africa', *Mediterranean Politics*, 11:2, 137–50.

Willis, Michael J. (2009). 'Conclusion. The Dynamics of Reform in Morocco', *Mediterranean Politics*, 14:2, 229–37.

World Bank (2011). 'Worldwide Governance Indicators, available at http://info.worldbank.org/governance/wgi/index.asp (accessed 18 January 2011).

Youngs, Richard (2009). 'Democracy Promotion as External Governance?', *Journal of European Public Policy*, 16:6, 895–915.