

Making the European Neighbourhood Policy Work in Moldova: The Local NGOs' Contribution

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Chapter I: Introduction

What Jacques Delors described as a „UPO”(Zielonka 2008, 472) – which is the acronym for ‘unidentified political object’ – is in very general lines what a century ago probably would have more appropriately meant ‘unrealizable preposterous objective’. However, the reality shows us that an apparently unrealizable economic, political and even military project was able to emerge, thus giving birth to a genuinely new kind of international actor: the European Union (EU). After centuries of inter-state quarrels and wars that reached their apogee during the First and the Second World Wars, the West-Europeans understood that time for economic growth through peace, cooperation and stability had come and that these objectives could be reached only by uniting the Continent under a dome consisting of overarching values that by 2007 managed to include a fair share of the Eastern Europe as well.

With almost half a billion inhabitants, 27 Member States and one of the largest markets in the world, the EU emerges as an entirely new type of international actor which strives not only to enhance its image and ‘actorness’(Bretherton and Vogler 2006, 30) in a world largely dominated by the nation-states, but also to promote the values that are forming its quintessence in a world that hasn’t seen such a political entity before. Furthermore, these values in question are believed to play a key role in building a solid image and, due to their universal applicability (Barroso 2008), the European values have the potential to create a common language spoken by the Union in its dialogue with third parties with whom it engages in relations which involve trade, military cooperation, international aid, environment etc., thus assuring the EU’s economic, military, energetic and even environmental security.

Be it – what is critically described as – an ‘economic giant, a political dwarf and a military worm’, the EU is nevertheless projecting abroad a new type of power, more commonly known (but not totally agreed upon) as ‘normative power’ which consists of peace, liberty, democracy, the rule of law and the respect for human rights and which are roughly the core values that create an identity for the EU (Manners 2002, 242). It has to be one’s understanding however that the Union is not the only party that shows the will to engage in external relations with other partners: given the fact that due to its very appealing economic growth, stability and the other characteristics that made the EU what it is today, the states surrounding it are eagerly trying to enhance their relations with the Union, or even to become Member States, hence the

reasoning behind what Barroso described as a ‘non-imperial empire’¹ - an international entity that doesn’t conquer, but which attracts.

The EU may be a genuine type of what the president of the European Commission described as an ‘empire’, but like any other international entity of this kind, it cannot overstretch and therefore, not all the surrounding states willing to become members are given such a distinction due to the fact that these countries have to meet certain conditions, more commonly known as the ‘Copenhagen criteria’ and which generally refer to a functional market economy, a fully-fledged democracy and the acceptance of the Community’s *acquis*. In order to solve this problem on the one hand, and to assure its security on the other, the EU elaborated the European Neighbourhood Policy (ENP) which basically plays the central role in the creation of a ‘circle of friends’ around the Union and which officially includes 16 states that do not meet the Copenhagen criteria, but which are very important in enhancing both EU’s security and trade relations. The projection of European values plays a key role in the relations with all ENP countries, especially in the case of states that are in the ‘near abroad’ of both EU and Russia, such as Moldova or Ukraine, and where a common language based on clear-cut European values is needed more than ever, considering the objectives of the ENP. Achieving such a goal is not by far a simple task and it requires the effort of both the EU and these states and it has to take place at all levels: public, private and the third sector, or what we call ‘civil society’. Moreover, the European values have to be firstly projected, accepted and then internalized in order to efficiently and effectively create the desired common language based on shared principles that in the end has the final objective which consists in the enhancement of the EU’s relations with third parties.

In this context, the aim of this paper is to analyze the relations between the EU, the projection of its values through the ENP, and the contribution of the non-governmental organizations (NGOs) to the process of accepting, internalizing and spreading the values of the EU in Moldova, a post-totalitarian ENP country which is in the ‘near abroad’ of both Russia and the Union, and which is very divided in terms of ethnicity, culture, language and political views. Therefore, the central research question on which this paper is based is the following: *How are the EU and the ENP being perceived by the Moldovan NGOs and how do these organizations contribute to the success of the ENP?*

¹ Term used by Jose Manuel Barroso - <http://www.youtube.com/watch?v=-I8M1T-GgRU> – accessed 10 April 2010

Since the processes analyzed here are more complex than the main research question can highlight, there is also a series of secondary questions that need to be answered in order to achieve the main goal of this paper: *What is the ENP? What is its purpose and its current outcome? What is Moldova's status in this context? What is the role played by the European values in the ENP and what is their relevance? How can the civil society improve the democratization process necessary for a successful ENP? What is the civil society's role and current status in Moldova? How are the European values being formally projected? How is the EU perceived by the Moldovan NGOs? What do these organizations know about the ENP and their role in this policy? Is the promotion of European values one of the objectives of the studied NGOs? In which ways do they engage in promoting these values and what is the impact of their actions?*

Consequently, this paper has seven main objectives: Firstly, it aims to define, describe and explain the ENP, its purpose, its current outcomes and its status in Moldova. Its second aim is to identify and highlight the importance of European values, their projection and their impact on the ENP. The third objective of this paper is to outline – in theory – what is the role of civil society in the democratization process and in the ENP, followed by highlighting the social capital problems and their implications in Moldova's (civil) society in the context of Eastern European post-totalitarianism. The fourth objective is to analyze the formal projection of European values in Moldovan NGOs' official missions. The fifth objective is to describe the way in which the Moldovan NGOs perceive the EU and the ENP and how do they perceive themselves as a part of the Union's Neighbourhood policy. The sixth objective consists in a description of the ways in which the studied organizations are promoting the European values, and the seventh and final objective of the paper represents an analysis of the impact of their activities related to the promotion of the values in question.

The first three objectives are to be completed from a predominantly theoretical point of view by using the existing documents, academic literature and previously conducted research, while the next three represent the case study of this paper and are being dealt with from a predominantly empirical point of view based on qualitative research consisting in a document analysis, series of six semi-structured interviews with the representatives of different Moldovan NGOs, followed by a focus-group with Moldovan students. The third research method is used in order to analyze the impact that the Moldovan NGOs have in the community, considering that

the students are generally not only one of the most important target-groups, but also active volunteers and members in this kind of organizations.

The academic relevance of this paper is based on the fact that it tries to identify the main European values while explaining their role in the external relations of the EU in general and particularly in the ENP. Given the fact that a vibrant civil society is a *conditio sine qua non* for a functional democracy, this paper reveals the Eastern European social capital problems that are present in the Moldovan civil society, and explains the relation between the EU's perception, the NGOs' self-perception, their role and the impact of these organizations' activities, considering that they - theoretically - function as democratization enhancers on one hand, and as promoters of European values on the other. Furthermore, the research was conducted after the communists lost the power in Moldova in July 2009, and in a context characterized by a predominantly pro-European discourse that all non-communist parties gave and which is believed to have played an important role in their political victory. Consequently, based on the existing literature and the empirical findings, this paper reveals the differences between the ante- and post-communist periods in which the Moldovan NGOs acted as enhancers of democracy.

References:

- Barroso, José M.D. *Democracy: a European invention patented 25 centuries ago in Athens*, SPEECH/08/197 - 16/04/2008
Bretherton, C., Vogler, J. 2006. *The European Union as a Global Actor*. New York: Routledge. second edition
Manners, Ian. 2002 'Normative Power Europe: a Contradiction in Terms?'. *Journal of Common Market Studies* 40, no. 2
Zielonka, Jan. 2008. 'Europe as a global actor: empire by example?'. *International Affairs* 84:3 471-484

Chapter II: The European Neighbourhood Policy

Official data

According to the data available on the official website of the European Neighbourhood Policy, the ENP was developed in 2004 in order to prevent “the emergence of new dividing lines between the enlarged EU and all our neighbours and instead strengthening the prosperity, stability and security of all”. This policy includes 16 neighbours, namely Algeria, Armenia, Azerbaijan, Belarus, Egypt, Georgia, Israel, Jordan, Lebanon, Libya, Moldova, Morocco, The Occupied Palestinian Territory, Syria, Tunisia and Ukraine. Moreover, the ENP which is generally described as “chiefly a bilateral policy between the EU and each partner country” was enhanced by the Black Sea Synergy in February 2008 (Kiev), the Union for the Mediterranean in July 2008 (Paris) and the Eastern Partnership launched in May 2009.

According to the same source, the European Commission explicitly specifies that the context set by the ENP offers the EU’s neighbours a privileged relationship underpinned by the commitment to a set of common values², thus making possible for the policy to offer political association, advanced economic integration and more social contacts between the European peoples and the ones from the ENP states.

Finally, the Commission specifies that the ENP remains distinct from the process of enlargement, but on the other hand, it doesn’t exclude the possibility that if the relations develop in time, a possible accession will be possible (Commission 2010).

Academic insight: A brief history of the ENP

According to Barbé and Nogués, the EU elaborated the ENP in order to live up to its image as a ‘force of good’ in its relations with the surrounding countries (Barbé and Nogués 2008, 81). Prior to the emergence of the ENP however, the Union’s neighbours had asymmetrical relations with the EU that were generally based on partnership and cooperation agreements. In spite of their willingness to enjoy good relations with the EU or even to become its members, the ex-communist countries from Eastern Europe were kept in a ‘waiting room’ and encouraged to enhance their political and economic reforms in order to improve the bilateral

² Will be further discussed in the next chapter

relations with the EU by moving from the PCAs to a new level of partnership that doesn't guarantee but doesn't reject either the prospect of a future full membership. The PCA countries that fulfilled not all, but the most important conditions included in the agreement, requested the EU to revisit the PCA framework and to devise a new and improved level of cooperation that had a real prospect of full membership. In response to the growing demand, the 'Wider Europe-Neighbourhood' policy was elaborated in order to include the earlier mentioned Mediterranean countries along with Belarus, Moldova and Ukraine and create a circle of close, trustworthy and reliable neighbours. Furthermore, as a consequence of the high need of energy and security, the ENP was extended to Caucasus, thus including Armenia, Azerbaijan and Georgia. (Leino and Petrov 2009,659-660).

Sasse identifies four cornerstones in the formation of the ENP: the first is thought to be the speech Romano Prodi gave regarding the EU's need for a 'circle of friends'; the second is the establishment of an ENP Taskforce under Gunter Verheugen (the Commissioner for Enlargement at that time) in July 2003, the third is the Commission's ENP Strategy Paper of May 2004 and the fourth consists of the bilateral Action Plans and the Country Reports (Sasse 2008, 298).

In Karen Smith's view, the origins of the ENP date only to early 2002 when the UK pushed for a substantive 'Wider Europe' initiative designed in order to improve the relations with Belarus, Moldova, Russia and Ukraine, excluding the south-east European countries and the Caucasian states. Nevertheless, in December 2002 the Copenhagen European Council approved the idea, but with the inclusion of the southern-Mediterranean countries. In June 2004, the Council extended this initiative to Caucasian states and Russia which declined the participation (Smith 2005, 759). Nevertheless, in general lines, when it was officially launched in 2004, the ENP covered the major post-enlargement EU neighbours, excluding Bulgaria, Romania, Turkey and the Western Balkans, countries which at that moment enjoyed an accession perspective.(Cameron 2007,109)

The ENP's role, objectives and the way it works

“Each enlargement brings us new neighbours. In the past many of these neighbours ended up becoming candidates for accession themselves. I do not deny that this process has worked very well. But we cannot go on enlarging forever. We cannot water down the European political

project and turn the European Union into just a free trade area on a continental scale” (Prodi 2002)

The introduction of the ENP was primarily an attempt to respond to the EU’s post-2004 enlargement which shifted the focus eastwards and towards areas generally describable as instable, hence the need of a ‘circle of friends’ ranging from Morocco to Moldova (Edwards 2008, 45). Considering the EU’s expanding borders and its attractiveness underpinned mainly by its great economic power, along with its willing to promote a common language based on European values, the ENP can be regarded as having a dual function: On the one hand it represents an alternative to further enlargement and on the other, it is an attempt to implement the EU’s normative agenda and strengthen the application of conditionality in its relations with the non-candidate countries by using a simple mechanism: closer economic integration would be granted in return for the effective implementation of reforms (Haukkala 2008, 41). However, the policy doesn’t necessarily resolve the dilemma regarding the adequate size the EU should have in the future, but it is undoubtedly providing the Union with additional tools to be used in order to foster friendly neighbours, namely the kind of states that conform not only with the Union’s values, but also to the European standards and laws concerning social and economic areas. In general lines, this process of getting closer to the EU by following its values and – broadly speaking – its *modus vivendi* is expected to help increase security and prosperity in the neighbourhood (Smith 2005, 757-763). The concepts of security and prosperity that underpin the emergence of the ENP imply the idea of the EU’s protection from various threats: the policy’s built-in conflict prevention strategies, investment liberalization, trade and security cooperation are aimed to ensure that the Union’s neighbourhood is not a source of conflict, immigrants and various types of trafficking, but a safe ‘buffer’ zone that improves the security at the EU’s borders (Bialasiewicz 2009, 79-80). Following this logic, it can be argued that from its beginning, the ENP – prior to Lisbon Treaty’s entering into force – has been functioning in a cross-pillar manner and has been linking the EU’s internal and external security concerns. Therefore, the promotion of good governance, the rule of law and democracy backed up by increased investment and trade relations is designed to tackle concrete security issues such as illegal migration, organized crime, proliferation of weapons of mass destruction and even environmental problems or ethnic conflicts that may affect the EU (Sasse 2008, 296).

However, the dialogue within the ENP is not unidirectional because, regardless the Union's intentions, the areas of cooperation have to be mutually agreed upon, hence the existence of the Action Plans which follow the broad Copenhagen criteria (Sasse 2008, 302), and the use of incentives- the 'carrots'- instead of sanctions – the 'stick'. The ENP's financial instruments represent a noticeable increase in money given to the countries included in the policy's scope and consequently, from this point of view, the ENP appears to be balanced in its attention given to both interest and values, and rather soft in respect of the absence of elements of coercion which are substituted by the generous material assistance. For instance, the European Neighbourhood Partnership Instrument (ENPI) which in January 2007 replaced TACIS (for Eastern Europe) and MEDA (for the Mediterranean) allocates almost 12 billion Euros over the period 2007-2013 which represents an increase by 32% comparing with the replaced programmes. Furthermore, the European Instrument for Democracy and Human Rights (EIDHR) which was created in 2006 allows for the money to be directly channeled to the civil society actors who are engaged in the promotion of the specified values in the ENP countries (Barbé, Johansson-Nogués 2008, 81, 91).

As Landaburu argues, the 'importance and novelty' of the ENP consists in providing a new strategic framework and instruments used for engaging with the EU's new neighbours on wide-ranging issues that are of mutual importance and which, consequently can be tackled only in partnership. This policy is more than just diplomacy or any kind of 'repackaging' traditional international relations, it is a modern foreign policy that fosters and enhances the support for human rights, judicial reform, institution building, increased political dialogue and cooperation in crisis management (Landaburu 2006, 2). Consequently, the strengths of the ENP firstly consist in integration due to the fact that the EU provides a single clear framework which includes all the countries within the Union's neighbourhood and in which a wide range of issues included in the Action Plans can be discussed. Related to that is the second strength of the ENP which is the joint-ownership: these documents are mutually agreed upon instead of being imposed. Concreteness can be regarded as the third strength of the ENP, given the fact that the Action Plans provide detailed specifications regarding the objectives of the policy. Lastly, the ENP can be considered to be efficient from the viewpoint of the funds usage in the context in which the ENPI replaced TACIS, thus converting the technical assistance into closer cooperation (Edwards 2008, 48).

The ENP's current progress

The first official ENP progress reports were released by the European Commission in December 2006 along with the 'Sectoral Progress Reports' which accompany the individual country reports. The 2006 report highlights the diversity among the ENP countries, the difference in their level of commitment, and the need to assess differently the outcomes of the Action Plans (European Commission 2006).

The 2010 ENP progress report reveals that the ENP positively transformed the relations between the EU and its neighbours by significantly increasing trade and by managing to help the liberalization process and the application of regulations (European Commission 2010, 2). On the other hand, in spite of the accession to the human rights and fundamental freedoms conventions and protocols, the respect for these values is not fully embedded, if one considers the fact that in some ENP countries the torture or death penalty are still being exercised. Furthermore, the civil society actors' actions are considered to be limited, thus making it more difficult to overcome the persistent lack of freedom of expression, of free media and assembly (European Commission 2010, 3). The report concludes that despite legislation and policy design are not immediately followed by implementation, the results the EU and its partners are benefiting of are substantial. Nevertheless, the policy has more challenges to overcome, a process which is determined by the extent to which the neighbours are willing to undertake reforms which at this moment are thought to be more needed in the economic sphere rather than in the democratic governance (European Commission 2010, 14).

Moldova in the European Neighbourhood

A relatively small country with an area measuring 33,851 square kilometers, the Republic of Moldova is bordered by Romania and Ukraine and has 4.3 million inhabitants of whom 78.2% are Moldovans, 8.4% Ukrainians, 5.8% Russians, 4.4% Găgăuzi, 1.9% Bulgarians and 1.3% other nationalities. This country is one of the poorest European states, considering that the GDP per capita is estimated at 2.300 US Dollars, the urban population represents only 42% of the total, and it lacks critical natural resources, which makes it dependent mainly on Russia (CIA 2010).

Long before becoming a part of the ENP, Moldova was not a country, but a Romanian region named "Basarabia", located between the rivers Prut and Nistru. Between 1812 and 1918

Basarabia was a part of the Russian Empire, but after the end of World War I it reunited with Romania. As a consequence of the Ribbentrop-Molotov treaty, Basarabia was included in the former USSR in 1940 and it remained a part of the Soviet Union until 27 August 1991 when it became an independent sovereign state (Moldova's official webpage). Considering its history, Moldova represents a major zone of confluence between Romanian and Russian ethnicity, culture and language. The views regarding Moldova's identity are various: at one extreme is the idea that Moldovans are simply Romanians whose self-awareness was undermined by the Russian (Soviet) occupation and at the other is the opinion according to which a genuine Moldovan identity emerged before 1917 (March 2007, 602).

Considering its short experience of democratic governance in a post-totalitarian context, Moldova's political elite's attitude has been questionable for a quite a while now: on the one hand it was inspired by the European values of democracy, individual freedoms and the (re-)birth of a national language and traditions, but on the other hand, democracy is believed to have been formally used and invoked in order to disguise old communist values that appear to be determining the attitude of the self-entitled democrats (Bogutcaia et al. 2006, 123).

The year 2009 - strongly marked by the violent protests from the month of April³ and the Moldovan Communist Party's (PCRM⁴) loss of power⁵ - appears to be a turning point in Moldova's democratic progress and furthermore, a new hope for a future in the EU had emerged. The anti-communist opposition's political discourse was highly marked by a portrayal of Moldova as a future member of the EU put in contrast with its communist past which was correlated with the image and attitude of the current members of PCRM. Consequently, the EU and the European values became major topics not only of the political discourse, but they started to be also present in the local media becoming more and more familiar to the common citizens. Beyond the political discourse and media coverage, the EU is more than just an option for Moldova's future: currently the Union proves to be its most reliable partner considering that 50 million euro are annually allocated to Moldova in various bilateral and regional programs, and Romania – an EU member- became from 2008 onwards its most important commercial partner, overtaking Russia (Avădani and Căndea eds. 2009, 37, 27).

³ A consequence of the contested results for the parliamentary elections formally won by the Communist Party

⁴ Original abbreviation

⁵ Re-elections held on 29 July 2009 and won by the opposition

Moldova's first steps towards improved relations with the EU in general, and particularly towards the ENP, consisted in signing a Partnership and Cooperation Agreement in 1994 with the Union. This PCA focused mainly on trade relations and less on the European values, but nevertheless the key objective of this PCA was to support the efforts for the strengthening of democracy and the transition from the planned economy to free market. For instance, in this matter, the PCA with Moldova includes principles like the respect for human rights, democracy, international law and the principles of a market economy (PCA 1994).

Given the fact that the first ENP countries – Moldova and Ukraine – declared EU membership as a strategic objective (Sasse 2008, 297), in the summer of 2003 the talks started between the European Commission and Moldova vis-à-vis the mutually agreed Action Plan. This action was generally perceived in the Moldovan (mainly political) society as the first step towards EU membership (Sasse 2008, 306). The Action Plan which officially entered into force in 2005 and had been extended by mutual agreement from 2008 onwards (European Commission 2010) was based on the PCA that was signed in 1994 (ratified in 1998) and it specified the directions Moldova should follow in order to be in alignment with the EU's vision in terms of governance, social relations, economy and security. Therefore, it was specified that a viable solution had to be found for the Transnistrian crisis; that the institutions guaranteeing the rule of law and democracy had to be strengthened; the freedom of elections, expression and media had to be ensured, along with the enhancement of the administrative and judicial capacity, and the cooperation with the international financial institutions; the fight against poverty, the improvement of the private sector by making a more favorable investment climate, the reinforcement of the border control, and the fight against crime and human trafficking were also added to the list of needed improvements (EU/Moldova Action Plan 2004).

Currently, Moldova is included with Armenia, Azerbaijan, Belarus, Georgia and Ukraine in the Eastern Partnership which is a component strategy of the ENP⁶ that was designed to address not only the relations with the new neighbours, but also in order to improve the energy supply relations. Consequently, the Partnership aims to promote the democratic values and good governance, strengthen energy security and protection of the environment, support social and

⁶ I use the word 'strategy' instead of 'policy' because the ENP is already the policy which includes various strategies and measures.

economic development, offer funds in order to reduce the socio-economic gaps, and enhance the social capital of the targeted countries (European Commission 2009).

The 2010 progress report issued by the Commission specifies that - despite the political crisis which was started by the highly disputed parliamentary elections that were held on April 5th 2009 and which were followed by street riots, protests and infringement of the human rights - the structural reforms were stepped up in the last quarter of 2009. Furthermore, the dialogue with the civil society improved and the transparency of the decision-making process increased. However, the report concludes that in order to fulfill the commitments included in the Action Plan, further progress is still needed in strengthening the mechanisms designed to prevent violations of the human rights and the fundamental freedoms, while the neutrality of the public media has to be ensured along with the promotion of a pluralistic media environment. Moreover, the document specifies that proper implementation of the adopted legislation and further reforms are needed in order to assure the rule of law which has effects on the fight against human trafficking for instance. Finally, the Commission considers that Moldovan authorities and the representatives of the civil society actively participated in the Eastern Partnership either through open dialogue, or by adding their contribution to the working programmes, actions that contributed to the improvement of the EU-Moldova relationship (Commission 2010, 3).

The EU's values

As previously stated, the EU's approach regarding the ENP has a strong value-component. From some authors' viewpoint, the ENP represents the latest example of the Union's determination to export its values (Bogutcaia et al. 2006, 117). Consequently, the policy raised expectations regarding its pledge to vigorously promote the European values which consist in democracy, the rule of law, good governance and the respect for human rights and which were envisaged by Prodi as being the central aim of the ENP which was meant to extend the European values in the newly shaped neighbourhood, given the fact that in his view, these values represent the very essence of the EU (Barbé and Nogués 2008, 86).

Despite the fact that the European values represent the 'essence' of the EU, the founding treaties fail to provide a consistent legal definition of the common values the Union keeps referring to (Leino and Petrov 2009, 656). Nevertheless, in the search for the core European values in the internal-external dimension, one may turn to the articles 2 and 3 of the

Consolidated Version of Treaty on the European Union and find that the EU is founded on human rights, pluralism, non-discrimination, tolerance, justice, solidarity, equality and peace. In addition to that, the official website of the European Neighbourhood Policy provides that the EU aims to project “democracy and human rights, rule of law, good governance, market economy principles, and sustainable development”. In the Communication on the ENP Strategy Paper, the Commission clearly specifies the European values that are to be shared in and by the new policy. According to this document, the EU was built on the base of the respect for human dignity, human rights, equality, liberty, democracy and the rule of law. Furthermore, the mentioned values are said to be common to all Member States and they are being respected in a society characterized by tolerance, non-discrimination, pluralism, solidarity and justice. The aim of the Union – the document states – is “to promote peace, its values and the well being to all its peoples” on a world-wide scale as well (European Commission 2004, 12).

Regardless their internal or external projection, it is reasonable to think that there has to be a set of European (or universal) values that should underpin a coherent, consistent and comprehensible image of the EU in its relations with third parties. However, there is no consensus in the academic literature regarding a fixed number of clear-cut values as a consequence of the fact that in reality they are very numerous and may range from fundamental human rights to political standards, law, and even the certain conduct that unions, NGOs or other civil society actors should have. In this respect, some authors even reject the idea of a set of fixed European values, arguing that in fact, these concepts in question become in the end what political actors make of them. The inconsistency of the “European values” discourse is being reflected in the ENP Action Plans considering that they lack details vis-à-vis the commitment to the shared values when compared to earlier ENP drafts, and as a consequence, this can affect the EU’s legitimacy in the relations with its neighbours (Bogutcaia et al. 2006, 117-122). According to other academic opinions, the EU itself lacks consensus regarding the content and the scope of the Member States’ shared values and, in practice, the common values gain their meaning during the processes through which they are being implemented from case to case (Leino and Petrov 2009, 671).

Nevertheless, in spite of the confusion generated by the European normative discourse and the academic literature’s lack of consensus regarding a fixed number of shared values that contour the EU’s genuine identity, Ian Manners – one of the most cited authors in the literature

regarding the EU normative power - made an attempt to sum up the European values and divided them in two categories. The first one represents the 'core values' and consists of peace, liberty, democracy, the rule of law and the respect for human rights. The second category identified by the author represents the 'minor values' and includes social solidarity, anti-discrimination, sustainable development and good governance (Manners 2002, 242).

Projecting European values in the ENP

The European values - regardless the criticism aimed towards the way they are being used - play a major role in the EU's external relations and particularly in the context of the ENP. The usage of the values underpins what is more commonly known in the literature as the EU's normative power and which is defined by Ian Manners as "*a power which is neither military, nor purely economic, but one that works through ideas and opinions [...] and has the ability to shape conceptions of the normal*" (Manners 2008). As a modified version of the concept of 'civilian power' initially proposed by Duchene, the normative power manages to explain and reflect the changing nature of global power which currently is not exclusively military, but more and more economic and – in the EU's case - with a growing value-component. By its definition, the exercise of normative power enables the EU to promote its founding values and, as a consequence, it has the ability to enhance the EU's identity-building process in its newly shaped neighbourhood. At the same time, given the fact that these values have the potential to be largely accepted world-wide and especially by the neighbouring states, or - as Barroso stated – they can be even universal (Barroso 2008), the EU's projection of its founding values has at least the potential to portray the Union's image as a 'force of good' in the context set by the ENP. Moreover, the projection of European values has the ability to enhance the EU's consistency in the context in which the Union as one actor and the Member States (still externally perceived as separate actors) are formally promoting the founding values of the EU either in the treaties or in the national constitutions which are all democratic by default. This will finally underpin a more coherent image and a less "blurry" identity of the EU in its relations with the surrounding states.

The projection of European values plays a key role in the peace-promoting mechanisms in general and particularly in the ENP because on the one hand it justifies the EU's requests and expectations regarding crucial issues - such as the respect for human rights, the rule of law, peace and liberty - thus protecting the EU's interests and assuring security given the fact that the

countries which do not fulfill this requirements cannot be considered reliable partners and trustworthy neighbours. On the other hand, the social learning and passive enforcement are peace-promoting mechanisms for which the projection of European values represents a condition sine qua non in order to function properly. The mechanism that was mentioned first consists in the voluntary internalization of the EU's norms and values, while the second one – frequently mistaken with conditionality - refers to the application of rules in a formal cooperation that is expected to work through its in-built incentives. Moreover, the rules underpinned by the European values do not have to be perceived by the third parties as a cost, but as the necessary intrinsic price that comes with the EU engagement (Tocci 2007, 15-17). Regardless the perspective used in assessing the projection of the European values, it has to be understood that it creates a new common language that begins to be used with the EU's neighbours, a new type of language that undermines the 'othering' and underpins the improved cooperation in the context set by the ENP.

References:

- Avădani, Ioana Cădea, Ștefan eds. 2009. *Moldova at the Crossroads*. Soros Foundation Romania
- Barbé, Esther. Johansson-Nogues, Elisabeth. 2008. 'The EU as a modest 'force of good': the European Neighbourhood Policy'. *International Affairs* 84:1 81-96
- Bialasiewicz, Luiza et al. 2009. 'The New Political Geographies of the European 'neighborhood'', *Political Geography* 28
- Bogutcaia, Galina. et al. 2006. 'Lost in Translation? Political Elites and the Interpretative Values Gap in the EU's Neighborhood Policies', *Contemporary Politics*, volume 12, no.2
- Cameron, Fraser. 2007. *An introduction to European Foreign Policy*, New York: Routledge
- CIA. 2010. 'Moldova'. *World Factbook*. <https://www.cia.gov/library/publications/the-world-factbook/geos/md.html>
- Edwards, Geoffrey. 2008. 'The construction of ambiguity and limits of attraction: Europe and its Neighbouring policy', *Journal of European Integration*, 30(1)
- European Commission. 2006. *Communication from the Commission to the Council and the European Parliament on Strengthening the European Neighbourhood Policy*
- European Commission. 2009. *Implementation of the European Neighbourhood Policy in 2008. Progress Report of Moldova*
- European Commission. 2010. *Communication from the Commission to the Council and the European Parliament. Taking stock of the European Neighbourhood Policy*
- European Commission. 2010. *European Neighbourhood Policy*. http://ec.europa.eu/world/enp/policy_en.htm
- Haukkala, Hiski. 2008. 'Russian Reactions to European Neighborhood Policy', *Problems of Post-Communism* vol. 55, no.5
- Landaburu, Eneko. 2006. 'From Neighbourhood to Integration Policy. Are there concrete alternatives to enlargement?'. *CEPS Policy Brief* 95
- Leino, Paivi. Petrov, Roman. 2009. 'Between 'Common Values' and Competing Universals-The Promotion of the EU's Common Values through the European Neighbourhood Policy'. *European Law Journal* vol 15 no.4
- Manners, Ian. 2002 'Normative Power Europe: a Contradiction in Terms?'. *Journal of Common Market Studies* 40, no. 2
- Manners, Ian. 2008 'The Normative Ethics of the European Union'. *International Affairs* 81:4 45-60
- March, Luke. 2007. 'From Moldovanism to Europeanization? Moldova's Communists and Nation Building' *Nationalities Papers* Vol. 35, No. 4
- Prodi, Romano. 2002. 'A Wider Europe – A Proximity Policy as the key to stability' SPEECH 02/619
- Sasse, Gwendolyn. 2008. 'The European Neighborhood Policy: Conditionality Revisited for the EU's Eastern Neighbours'. *Europe-Asia Studies* vol.60, no.2
- Smith, Karen. 2005. 'The Outsiders: The European Neighborhood Policy', *International Affairs* 81:4 757-773
- Tocci, Nathalie. 2007. *The EU and Conflict Resolution*. New York: Routledge

Chapter III: The Civil Society's Role in the ENP. The Distinctive Nature of the Moldovan Civil Society

Defining 'civil society' and 'social capital'

The idea of a fully functional and successful ENP firstly implies the concept of functional democracy and therefore it is desirable that all countries included in the scope of this policy – in this case, Moldova – should be functional democracies that act according to the European values previously presented. In this context the civil society plays a major role considering the fact that it is considered to be a *conditio sine qua non* for a *de facto* democracy. Furthermore, in any consolidated democracy there is a relation of interdependence between a strong civil society, a mature political society (political parties, free elections, electoral laws, inter-party alliances etc.), the rule of law, a bureaucracy usable by the democratic leaders and a institutionalized economic society (Linz and Stepan 1996, 10). But what is this 'civil society', what is underpinning it, and in which ways can it work in order to improve the democratic processes within the neighbouring states, thus making the ENP function successfully?

The concept 'civil society' has many definitions and there is no consensus in the academic literature *vis-à-vis* a universally usable definition, but in general lines it refers to the arena of all voluntary and collective activities that are aimed at certain objectives underpinned by shared interests and values within a democratic society (Pouligny 2005, 497). The civil society is often named 'the third sector' because it is neither entirely public, nor exclusively private, but a hybrid of the two societal spheres: the civil society – in general lines – is a private actor that works for the public good, not just for the benefit of its members. In this context, there is a wide variety of civil society actors which can range from churches to unions and NGOs.

The civil society cannot just exist by itself and it cannot work properly without a strong foundation. Exactly like an entrepreneur who for his/her business (s)he needs various resources like money, workforce, a proper precinct etc., a consolidated civil society needs its resources as well, and the sum of these resources that underpin the very existence and the functioning of the civil society actors is known as 'social capital'. The academic literature includes many definitions of the social capital: for instance, Francis Fukuyama defines it as "the ability of people to work together for common purposes in groups and organizations" (Fukuyama 1995, p. 10) or, moreover, "the existence of a certain set of informal values or norms shared among

members of a group that permit cooperation among them” (Fukuyama 1997). From Robert Putnam’s viewpoint, the social capital consists in a form of social organization that is based on norms, networks and social trust which altogether facilitate the cooperation and coordination for the individuals’ mutual benefit (Putnam 1995, 67). Inglehart perceives the social capital as a culture characterized mainly by trust and tolerance and in which extensive networks of voluntary associations have the possibility to emerge (Inglehart 1997, 188). Regardless the variation of its interpretations, it has to be understood that the social capital basically consists of trust, tolerance, predominantly informal norms, and networks that altogether underpin a fully functional and consolidated civil society.

The role of civil society in democracies and democratization processes

The first European who studied the American democracy back in 1830s, Alexis de Tocqueville, appreciated the Americans’ propensity to socialize, thus forming various types of organizations that begun to shape the United States’ democratic society. The French writer observed in the American mentality the fact that association was regarded as the main mean of action at the citizen level and moreover, he asserted that in a democracy it is desirable that civil society actors (such as organizations) should replace the influential individuals that used to dominate their society, thus ensuring the direct participation and involvement of more citizens, a fact that lays at the foundation of any consolidated democracy. Generally speaking, Tocqueville considered that the art of association is a necessary precondition of a civilized world and he finally concluded that the best democracy can only be the one within the state that has the most developed civil society (Tocqueville 1840).

Describing the primary form of democracy as a ‘poliarchy’, Robert Dahl asserted that there are two necessary dimensions that make this type of governance work: contestation (permissible opposition, alternating rule, free elections) and participation (the right to participate in the contestation process) (Dahl 1971, 4).

The role of civil society is very relevant for this beginning of the democratization process, considering that civic participation is its main component which in the end makes the democratic consolidation possible by emphasizing the government’s legitimacy and accountability. Moreover, a robust civil society is indispensable to the democratization process considering the fact that the civil society actors have the potential and the capacity to generate

alternative policies or at least alternative approaches regarding the issues their community confronts with, thus involving the citizens more and more in the governing process. Regardless the stage of democratization, a vibrant civil society that monitors the activities of the ones elected in public offices, is always desirable due to the stability it provides (Stepan 2001, 174).

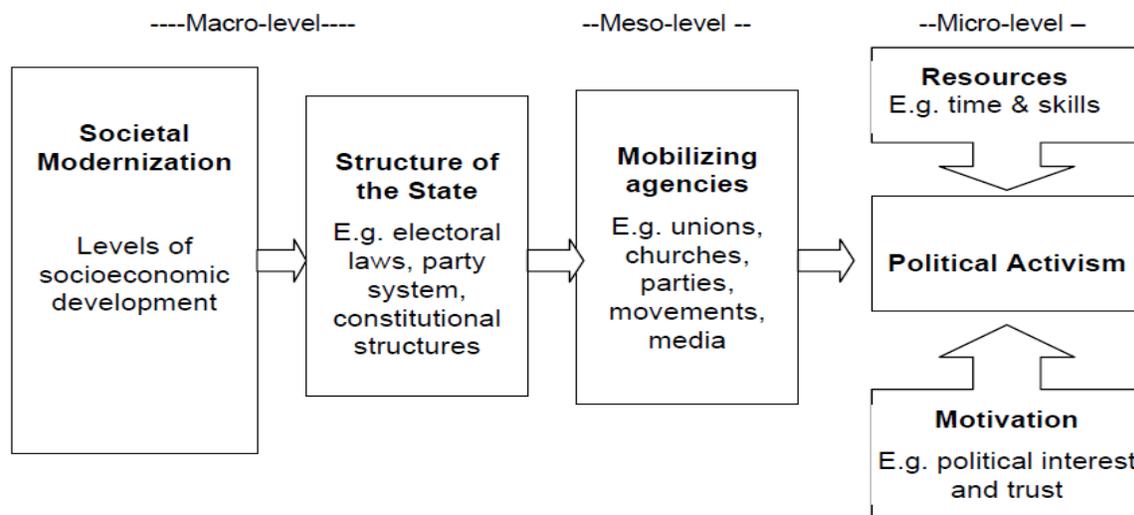
Analyzing various perspectives from Locke's to Habermas' regarding the implications of the civil society in what is called 'good governance', Mark Warren defines this expression as a sum of complementary dimensions consisting in a free public opinion, access to information, individual rights, social protection, institutional representation and collective decisions. In the author's view, the civil society helps building good governance in ways that can be divided in three major categories: the effects on the individuals, the effects on the public sphere, and the institutional effects (Warren 1999, 11). The first type of effects refer to the improvement of the individual's ability to make a change in his or her community by being more informed, more critical or supportive vis-à-vis the government, and by being more willing to associate with others in order to produce the desired change. The second category refers to communication and public debate in which the entire population is (desired to be) represented by a coherent and consistent voice engaged in a substantial dialogue with the government. The third category of effects the civil society has on good governance includes representation (maybe the most important function the civil society has and which is directly influenced by the individuals' willing to be involved in the life of their community), resistance (it generally refers to opposing the oppressive regimes), subsidiarity, coordination of actions and cooperation.

A consolidated and functional civil society has an entire 'arsenal' of tools that can be used in order to enhance a state's democratic governance. For that matter, the civil society actors engage in various activities like information campaigns, encouraging the civically inactive individuals to involve in their community, drawing the public opinion's attention vis-à-vis various issues concerning the community (regardless the national, sub-national or even supra-national level), providing free public services that are aimed to help the ones in need and generally to the public good (donations, healthcare, judicial assistance, ethno-cultural preservation, sport activities etc.), organizing conferences and civic forums regarding various topics, publishing, ensuring the information resources (by creating libraries freely open to the public and a relevant example here is the high number of Soros libraries), lobbying activities, advocacy, elaborating legislative initiatives, writing and signing petitions on various issues,

promoting the human rights, democratic values, protecting the environment, monitoring elections, cooperating with other civil society actors from the same country or from abroad, attracting funds in order to carry on with their activities, and the list may continue.

However, despite the wide range of tools civil society can use, it is against common sense to think that its actors can alone build a consolidated and fully functional democracy. They play a major role and without them one cannot consider a society to be entirely democratic, but at the same time they depend on other factors rooted in the democratic nature of the state. In Pippa Norris' view, all the above mentioned actions can generally be described as 'political activism' and it implies not only the activities of civil society actors but the rest of the individuals' as well. In her opinion – which is in the same spirit of thought as Lipset's view - the political activism is being influenced by a variety of factors ranging from state modernization (which implies urbanization, industrialization, improved education, etc.) to the structure of the state (laws that allow the existence and activities of the civil society actors) and the 'mobilizing agencies' (which consist in unions, churches, NGOs etc. which facilitate the individuals' association and the creation of social networks). Other two major factors that directly affect the political activism consist in resources (such as time, money, diverse skills etc.) and motivation (political interest, trust etc.) the individuals have in order to involve in the civic life of their community. (Norris 2002, 1-8)

Figure 1: The factors influencing the political activism



Source: Pippa Norris (2002)

The role of NGOs in the ENP

Considering everything that has been said by now regarding the role that civil society has in any functional democracy, it is needless to say that the NGOs – very visible civil society actors – should play an important role in the neighbouring states. Basically this is the reason why funds are available for these organizations, as a consequence of the high importance the Commission gives to these actors in its will to encourage democracy building from grass-roots level in as many surrounding states as possible. Moreover, enhancing democracy implies the promotion of the values the EU itself promotes in its Neighbourhood because ‘democracy’ is not just an abstract concept, but one that is underpinned by values such as tolerance, equality of chances, pluralism, good governance etc. which are – in theory – consistently being promoted by the civil society’s actors such as the non-governmental organizations. Consequently, this allows us to think that any NGO should be by default a promoter of fundamental European values regardless the country of origin or the declared purpose of that specific organization.

The role of NGOs in the ENP can be considered to extend even further, beyond promotion of democratic values, thus influencing even the economic level. Ensured by democratic laws and underpinned by a healthy social capital, these representatives of the civil society have the potential and the ability to influence socio-economic change by substantially complementing and healthily constraining the dominant role of the government, power relations, power structures and political struggle in determining political and socio-economic outcomes (Bideleux 2007, 111). In this context, the NGOs have the ability to help their countries meet the requirements of the Copenhagen criteria which refer not only to political, but also to economic change.

Regarding the European value commonly known in the ENP as ‘good governance’, the NGOs – Vaclav Havel argues - can act as mediating structures without which citizens could become alienated from the state, their political leaders and the elaborated policies. Without such organizations (in, and) through which the citizens can express their views, the act of voting loses its initial significance, thus becoming more abstract, and the meaning of representation as a substitute for direct involvement also loses its initial significance in the eyes of the citizens. The NGOs can join together collective interests thus enhancing the efficacy of citizenship and bring general – rather than narrow – interests into a state’s political life (Nelson 1996, 350).