

CUA Columbus School of Law-Berlin Wall Anniversary Event Remarks

I. Introduction

The symbolism of a wall falling and democracy rising from its debris is powerful. 20 years later, though, it is fair to say that the march towards fair and effective democracy around the world is still only beginning. The wall is seen as the key symbol of Democracy's victory over Communism. But is it "the end of history?" Not by a long shot.

We have to remember, both sides in the Cold War built walls that created distortions: the Free World built its own structures – represented by friendly dictators and the entrenched dominance of elites friendly to U.S. interests. These walls have not fallen as rapidly as the walls built by the Communist model.

As Thomas Carothers of the Carnegie Endowment has noted, we need little reminder that democracy promotion was not a much-used foreign policy tool during the Cold War, at least not for democracy as an end in itself. However, as Carothers observed in a 2009 policy study on USAID and U.S. democracy assistance, there was an explosion of democratic conversions in the 90's, especially in Eastern Europe and Africa. At the same time, spending increased rapidly on democracy promotion assistance in the US, from \$165M in 1991 to \$635M by 1999. These funds were widely distributed across all regions of the world.

As Carothers, Larry Diamond, and others have pointed out, the rapid growth of democracy assistance began to reverse course after 2000. Popular dissatisfaction with democratically elected governments, economic mismanagement and a sense of nostalgia for the former Soviet Union combined with a stagnation of democracy promotion funding levels under George Bush, in countries besides Iraq and Afghanistan, led to increased skepticism toward democracy promotion and democracy in general.

II. U.S. policy discussion

There have been several mistakes made in democracy promotion projects. For example, according to Carothers, from 2000 on, U.S. foreign policy was marked by a "relentless association" of democracy promotion with the Iraq war and regime change. The goal of spreading democracy was a positive one, but the means were all wrong.

This focus on democracy promotion in the Iraqi context led to the popular misperception that the US has funneled enormous sums of assistance funds into elections, which has actually undermined legitimacy and security. However, as Paul Collier has noted, it is lack of good governance in recipient countries, where elected officials fail to provide basic services to the electorate, and not the elections themselves that undermine legitimacy.

The diversity of democracy promotion funding has engendered some key misconceptions: the US has often supported elections through diplomatic encouragement, technical assistance, and election monitoring, but election funding is hardly dominant – it equals less than 20% of US overall democracy assistance.

That is, most of the democracy promotion funding the U.S. provides goes to other (important) areas: rule of law, promoting civil society, civic education, strengthening parliaments and the

like. It is important to recognize, as Carothers has done, that President Bush did overstate the importance of certain elections, like 2005 in Iraq; but that doesn't mean that elections assistance as a rule is the sole focus of democracy promotion (or should be). According to Carothers "no U.S. democracy promotion group bases its actions around the idea that elections equal democracy"

Despite this, many observers believe that the US has pushed elections too hard in politically shaky and developing countries and that we should back away from electoral support and concentrate more on foundational elements like building the rule of law and an effective state.

The rule of law and providing basic services are cornerstones of stable nations; however, we cannot walk away from elections as they are the best mechanism available to legitimize governments and are an integral part of the many aspects of democratic consolidation.

More specifically, as Paul Collier has noted, frequent elections can, in some cases, cause governments to practice better governance, especially in the area of economic policy – elections promote accountability over time. It would be naïve, however, to not recognize the fact that elections may encourage some leaders to undermine rule of law by trying to "steal" elections. Therefore, international assistance should be conditional and structured in a way to keep elections honest. As Collier notes, election assistance, supported by donor requirements for transparency and willingness to protect democratically elected governments from being overthrown, can be a stabilizing force.

III. Country examples

A few specific and recent examples may be instructive of why elections, and elections assistance, remain important and potentially stabilizing for transitioning countries. Domestic participation in war-torn countries like Iraq is testament to how much people want democracy, even if they are threatened with violent reprisals. In addition, as Carothers has pointed out, "the lasting political significance of such events is sometimes more mixed than it might first appear. The violence in Kenya was horrendous, but another part of the story was that the country had moved ahead democratically enough that manipulated elections can no longer be carried off without significant counter-reaction"

Furthermore, elections *are* regularly and successfully taking place in democracies around the world. One example is Indonesia, a relatively young democracy with a population of 230M that has limited experience in democratic elections and democratic transfers of power. Although elections and other assistance has decreased considerably since the first direct elections in 1999, US aid allowed organizations like IFES to assist the election commission and other organizations to prepare for the 2009 legislative and presidential elections. In addition, U.S. leaders have made it clear in their statements that the burgeoning democracy in Indonesia is important to U.S. interests, giving the Indonesian government a strong incentive to accept and further the democratic outcomes of the elections.

A Presidential election in a huge, scattered, ethnically and religiously diverse country such as Indonesia with minimal democratic experience could be a recipe for disaster. However, buttressed by years of assistance, the rule of law and governing institutions were sufficiently strong to deal with presidential candidate complaints in a prompt, efficient, and globally recognized way. In short, although the 2009 elections events were complex and imperfect, the country never devolved into true crisis and there was no major political violence.

IV. Recommendations and conclusion

As we look back at the fall of the Berlin Wall, the international community must take this time to reaffirm the Universal Declaration of Human Rights Article 21, which states “Everyone has the right to take part in the government of his country, directly or through freely chosen representatives.” Furthermore, democracy promotion, as an endeavor informed by research and experience, has strengthened over the past 20 years. The Indonesia example highlights the fact that various aspects of democracy assistance are mutually reinforcing: elections, strengthened institutions and good governance, rule of law and judicial independence all protect individual rights, such as, the right to vote, to gather freely, due process and otherwise participate in governance.

We haven’t always promoted these aspects of democracy and good governance, though. One legacy of Cold War politics throughout the world is endemic corruption, rent seeking and state capture by elite interests, lack of an informed citizenry, weak rule of law, oppressive policies to uphold the unitary state, etc. The process of deconstructing those walls is a slow process; however, the deconstruction of these walls can be hastened by thorough and wide-ranging democracy development assistance. It is not the time to back away from this fundamental endeavor.

With this in mind, and at this time of remembrance, the Obama administration should continue to focus on democracy promotion, including the mutually reinforcing programs in the area of electoral assistance, rule of law programming, and other initiatives to promote and support good governance. Of course, assistance should go to the “hot spots” like Afghanistan, Iraq, and Pakistan but also to countries like Indonesia, which have made great strides but where there is still a need for continued support to achieve true democratic consolidation and to prevent backsliding.

As Madeleine Albright recently said “in the long run, we cannot prosper or even be safe in a world where democratic values are under siege. While critics have suggested that freedom begets chaos, history shows it is the denial of liberty that most frequently ends in conflict and war.”

*Erica Shein, program officer, and Kyle Lemargie, program manager, assisted with these talking points.