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European Union Democracy Promotion through Trade: Examining South Africa and Mexico

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-Summary

Since the 1990s, the European Union puts in every trade agreement with third countries an “essential element clause”, stating that the respect of democratic principles is a mandatory prerequisite for the functioning of the treaty. Scope of this thesis is to investigate the effectiveness of this clause in the EU bilateral trade agreements with Mexico and South Africa. This will be made by means of a qualitative analysis. Specifically, the research will investigate the effectiveness of the EU democratic entrepreneurship in those nations and three theoretical expectations derived from the literature, that may influence this effectiveness. In doing so, this work will add to the literature’s body a study on the concrete functioning of EU democracy promotion globally.

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-Chapter 1. The Uniqueness of the European Union and its Normative Power Through Trade

-1.1 Introduction

The European Union represents something unique among all the international organizations worldwide. It is an entity that comprises 28 European States spanning from the Atlantic Ocean to the Baltic sea and from the Polar Arctic Circle to the South Mediterranean Sea, close to the shores of Africa. Politically speaking, all these states are still autonomous from one another in what we can define as the “core Westphalian state’s characteristics”: each of them is still sovereign within its own borders for what it concerns the control of the territory and each of them exercise an own foreign policy and maintains a net of relationships with other states in the world scenario.

However, and here lies the uniqueness of the European Union in the global scene, all these states have spontaneously delegated the exercise of some of the fundamental attributes of their sovereignty to a third and supranational authority, the European Union that, even if in close collaboration and consultation with the delegating member states, for what it concerns these fields acts as an autonomous actor in the global fora. The main field in which European Union’s states have delegated powers to the Union is the trade policy area, in which the Commission represents all the member states in the International Organizations dealing with it, such as the World Trade Organization. Moreover, these states have removed all their internal barriers to the movement of goods, capitals, services and people, creating a Single Market within them. This “block” accounts for an internal GDP of about 19 trillion dollars with a population of around 510 million people; it is the world biggest exporter of manufactured goods and services and the biggest import market for over 100 countries worldwide, making it the most important economic area in the world stage. It is self-evident that these factors combined provide the European Union with a considerable power *in* trade, since the third countries have an interest in acceding this economic space and in establishing permanent commercial ties and political links with such an economic giant.

The size of the internal market, however, gives to the European Union also a power *through* trade, as conceptualized by Meunier and Nicolaidis. In the view of the two scholars

the European Union, in dealing with third countries, is “using access to its huge market as a bargaining chip to obtain changes in the domestic policies of its trading partners, from labour standards to human rights, and more generally to shape new patterns of global governance” (Meunier et al., 2006, p. 907). The most important and concrete field of application of this policy can be seen in the series of bilateral and multilateral Agreements signed between the European Union and third parties. As a matter of fact, all the trade and partnership pacts include a reference to the fact that respect of democratic principles and human rights constitute an “essential element” of the agreement, with the possibility of withdrawing in the case of one part’s not compliance or disrespect of this clause (EC Commission, 1995). Throughout the years, this focus on democracy and human rights has grown and has become an institutionalized feature of the EU’s action in the world stage. In particular, this provision has been encapsulated in the Article 21 of the Treaty on the European Union; it prescribes that the Union action within the realm of foreign policy has to be guided by the basic principles that are at the basis of its existence, among which there are democracy, rule of law and human rights (TEU, 2012).

This peculiar way of conceiving the international relations has been theoretically conceptualized in a watershed article by Ian Manners. In his work, Manners suggested to go beyond the classic debate whether the European Union could be conceived as a military power or a civilian power, introducing instead the idea of Europe as “normative power”. As a matter of fact, in scholar’s opinion the “conceptions of the EU as either a civilian power or a military power, both located in discussions of capabilities, need to be augmented with a focus on normative power of an ideational nature characterized by common principles and a willingness to disregard Westphalian conventions. This is not to say that the EU’s civilian power, or fledgling military power, are unimportant, simply that its ability to shape conceptions of ‘normal’ in international relations needs to be given much greater attention” (Manners, 2002, p. 239). In particular, the norms that constitute the EU normative basis have been identified by Manners within the body of the *Acquis Communautaire* along five main principles: “The first of these is the centrality of peace (...), The second is the idea of liberty (...), the third, fourth and fifth norms are democracy, the rule of law, and respect for human rights and fundamental freedoms” (Manners, 2002, p. 242).

Specifically, for this work I have chosen to focus my attention on the analysis of one of the founding principles identified by Manners as part of the EU’s normative basis that the Union

wants to advocate in its relationship with these third countries: the democracy and the respect for democratic procedures.

Therefore, the main goal of this thesis will be to empirically assess the effectiveness of the European Union in being a normative power in the global scenario (in my specific case in the democracy field) thanks to its “power through trade”. This power is reflected mainly in all the various series of agreements (partnership and cooperation agreements, association agreements, free trade agreements) that the Union has signed with single third countries or specific groups of countries and including the democracy clause.

Throughout the centuries, the democracy’s definition has acquired different configurations. Among all these, I have chosen to utilize the Robert Dahl’s definition, because it is relatively recent and able to contextualize the fields in which the European Union’s action takes place. According to the scholar, a democracy can be defined by seven main characteristics: 1) control over government decisions about policy is constitutionally vested in elected officials; 2) elected officials are chosen in frequent and fairly conducted elections in which coercion is comparatively uncommon; 3) practically all adults have the right to vote in the election of officials; 4) practically all the adults have the right to run for elective offices; 5) citizens have the right to express themselves without the danger of severe punishment on political matters broadly defined; 6) citizens have the right to seek out alternative sources of information. Moreover, alternative sources of information exist and are protected by law; 7) Citizens also have the right to form relatively independent associations or organizations, including independent political parties or interest groups (Dahl, 1982, p. 11).

As it possible to see, this definition of what constitutes a democracy doesn’t utilize an abstract terminology or idealistic words, but it identifies the key of a functioning democracy in a series of very concrete fields. The utilization of a similar definition of democracy (a list of institutional arrangements and conditions that has to be respected) is today the most broadly accepted among scholars and international institutions. Therefore, this practical definition permits to assess relatively easily the general “democratic environment” within a country and to control eventual modification of the institutional arrangements towards more liberal (or illiberal) provisions.

The utilization of a definition of democracy made not in abstract terms, but in concrete and measurable ones, is the key element that allows to explain the EU’s policy of democracy promotion and the main instrument by which this goal is pursued. Therefore “since 1995 the

clause on the respect of human rights and democratic principles is systematically included and constitutes an essential element of the agreements” (EEAS, 2011). If the definition of democracy chosen by the EU were made in abstract terms, it would have been impossible to hold the signatory third state accountable for an eventual breach of the “democracy provision” of the agreement. Conversely, the aforementioned definition, with its very specific points, allows to hold the signatory third state accountable for an eventual non-appropriate behavior in one of the previously mentioned fields.

As it can be seen from above, the European Union presents an articulate set of fundamental principles that constitute its identity, the willingness to disseminate these core values worldwide and, at least theoretically, the power to do so, thanks to the economic importance in the global scene.

For all of the aforementioned reasons, I think that conducting a research in the field of the European Union’s norms diffusion would be an interesting challenge and a perfect topic to seal the conclusion of my university studies.

-1.2 Aim

The main aim of this thesis is to provide a contribution to the studies on the European Union as democratic promoter on the world scenario, to perform a case studies research on a selected group of countries concerning this variable and to obtain from them useful data, results and indications that could be generalized to other states with which the EU has ongoing bilateral trade treaties or with which it aims to subscribe one in the future. Moreover, there is a general shortage of articles that assess the EU’s action in the democracy field vis à vis third countries utilizing a qualitative research method; therefore, my thesis aims at helping filling this gap, showing if and how concretely and with which methods the third states put in practice (or not) the democratic provision of the EU treaty.

The identification of the eventual patters of action of the third countries, drawn from the analysis of my selected particular cases, could provide therefore useful indications for the development of future policies for the democratic amelioration in third countries, helping so

to improve the effectiveness of them. Therefore, I will try to fulfill all these aims by answering in detail the following research question.

-1.3 Research question

Since the formal introduction in the set of objectives advocated by the European Union in its foreign policy, the commitment to the defense of the human rights and democracy has always had a central place.

As it has been already outlined, the major instrument by which the European Union aims at obtaining a change in this field is with the introduction of the “democratic improvement conditionality clause” within the bilateral treaties, mainly related to trade issues, with third countries.

If we take into account the antiqueness, the institutionalization’s level, the dissemination in various agreements and the legal complexities connected to the democratic clause, it emerges clearly that the EU considers the “democratic improvement” as one of its main foreign policy’s objectives to pursue globally. Considering the importance explicitly attributed by the Union to the promotion of the human rights and democratic principles worldwide, I have therefore decided to assess the effectiveness of the European Union action in being a norm entrepreneur in this realm of the international relations. Consequently, I have identified my field of analysis choosing to focus on the following research question:

What is the European Union’s influence on democracy in countries with which it signed bilateral trade treaties?

-1.4 Sub-questions

In order to better answer the main research question, I have identified three sub-questions:

- 1) What is already known about the effectiveness of the European Union as democracy promoter vis à vis third countries, about its mechanisms of action and about the factors that could have an influence on its effectiveness?
- 2) What method to employ in order to research on the effectiveness of “normative power Europe”?
- 3) What are the empirical results of the comparative cases study analysis on the selected two countries?

-1.5 Research approach

The identification of three separate sub-questions has been made in order to unpack the field of analysis into smaller units that can be better studied separately. Eventually, the combination of the data obtained from the different sub-questions will be used to answer the main research question.

The first sub-question has as focus what has been written in the academic world about the European Union as democracy promoter in third countries through Agreements focused mainly (but of course, due to the complexity of these treaties, not only) on trade issues. Therefore, a literature review will be performed. This analysis will deal with the identification of a satisfying definition of democracy promotion, with the description of the legal basis and the executive initiatives employed by the Union in its mission of democracy promotion worldwide, in order to shed light on the main mechanisms that led to the effectiveness of democratic advocacy in a series of different countries and the possible concurrent factors. Moreover, the literature review will be useful also to draw the appropriate theoretical framework and the hypotheses for this study.

The second sub-question deals with the methodology employed to carry out the research. The most suitable way to develop my thesis is to draw a comparative case studies analysis. In my specific case, this case-studies examination will be made through a selection of countries that have an ongoing bilateral treaty with the EU including the “democratic improvement clause”, i.e. my independent variable. For this thesis, I have decided to choose

two nations not from a single area of the world, but from different parts, in order to assess the effectiveness of the EU's norm entrepreneurship in different contexts. The two selected countries are South Africa and Mexico. The reasons behind their selection will be discussed extensively later. Moreover, I will describe in detail the operationalization of my research, how and from which sources I will collect my data for my empirical study and finally the reliability and validity of my study.

The third sub-question deals with the empirical research on my two selected cases study. Specifically, I will conduct an in-dept survey on the legislation approved by the selected states' national assemblies in the years following the agreement with EU and the eventual modifications in a positive way of the electoral procedures; this will be made in order to track a possible evolution of certain laws and institutions towards more "liberal" provisions. Moreover, in my work I will focus the core of my analysis on the hypotheses taken from the academic literature and drawn in the first sub-question, in order to test them; in doing so, I will consult a wide range of primary and secondary sources coming from various institutional outlets and databases.

In conclusion, an overview of the cases studied will be presented and a general conclusion will be outlined; this will be made in order to show if and how the third countries put in practice the democratic improvement provisions included in their treaty with the Union. The final outcome will be a general description of the European Union's power in ameliorating the democratic procedures worldwide and showing how it works in a selected group of concrete cases.

-1.6 Academic relevance

This thesis represents a challenging field of study since the complexities, the novelty and the still ongoing debate on the concept of European Union as a Normative Power worldwide. However, despite the critics coming from various parts of the university world (for instance, Merlingen, 2007 and Staeger, 2016) and despite the updates made by its "founder" Ian Manners in 2013 (Manners et al., 2013) the theory that depicts Europe as a Normative actor remains in my opinion the most reliable to explain the core patterns of EU's action in dealing

with third countries; because of this, it is worthy to be analyzed and studied in a group of real-world examples. Therefore, trying to find an empirical evidence of the success of this “norms transfer” in a series of different states could provide to the current academic debate a useful piece of literature capable to add scientific substance to the concept of Europe as Normative Power.

-1.7 Political/societal relevance

This work potentially presents a significative relevance in a political sense, because it aims at investigating the effects of the EU’s democratic promotion through its specific trade power in a series of concrete case studies.

Either if the findings will show a success or a failure, these will be relevant. In the first case, they could highlight the necessity for the European authorities to keep on proceeding on this policy; in the second case, they could show the need to develop other and more effective policies to advocate and to promote the democracy through trade agreements in the global stage.

-1.8 Thesis outline

This work is divided in five chapters. The first chapter serves as introduction to the thesis contents: it frames the research’s topic, it outlines the paper’s aim, it includes the main research question as well as the research sub-questions, it shows through the research approach how those questions will be tackled and it highlights the political and the academic relevance of the research. The second chapter aims at knowing what is already known in the academic literature about the EU’s effectiveness as democratic promoter worldwide by means of its trade and economic power and the mechanisms that lead to this effectiveness. At the end of this chapter, also the theoretical framework will be outlined and three hypotheses will be formulated. It will answer the first sub-question. The third chapter presents in detail the

methodology that will be employed as well as the reasons behind the cases selection. It will answer the second sub-question. The fourth chapter presents the operationalization as well as the empirical results of my study on the two selected countries. It will answer the third sub-question. Finally, the fifth chapter summarizes the main findings of the study, draws a conclusion and lists the possible lessons that could be taken from the performed analysis.

-Chapter 2. The European Union as democracy promoter worldwide: literature review and theoretical framework

In this chapter will be answered my first sub-question outlined in the first part of the thesis:

What is already known about the effectiveness of the European Union as democracy promoter vis à vis third countries, about its mechanisms of action and about the factors that could have an influence on its effectiveness?

It will be divided in two sections. In the first one, the literature review will be performed, while in the second one the theoretical framework will be developed. At the end of the chapter, all the data collected will be used to formulate hypotheses concerning the effectiveness of the EU as democracy promoter worldwide.

-2.1.1 Literature review: What the European Union does: defining democracy promotion

“Democracy promotion is the name for policies which actively seek to influence countries towards greater democracy from the outside” (Agné, 2014, p. 49).

The definition above underlines the main features that characterize the democratic advocacy operated by a state or an international entity. First of all, it is made through “policies”, that is at an institutionalized level and through the elaboration of a series of guidelines and objectives; it is “active”, therefore it requires a direct and dynamic commitment towards this goal; and finally it is made “from the outside”, that is it is different from a direct democratization attempt “on the field”, such as a military intervention made to overthrow a dictatorial regime, as in the case of Afghanistan and Iraq between 2001 and 2003 (Khalilzad, 2010).

As it is possible to grasp, the employment of such a definition of democracy promotion fits perfectly the European case: the Union is a complex political-institutional and bureaucratic

organization with the capability of developing autonomous complex policies, the instruments to make them executive and, most importantly, it is not yet in possession of the capability to project a significant autonomous military force abroad (Toje, 2011).

-2.1.2 What the European Union does reflects who it is: the Union as Normative Power

The European Union uniqueness, underlined in the introductory chapter, makes difficult to assess what kind of power it is on the international stage. The newest and most intriguing attempt to theoretically conceptualize this peculiar power has been made by Ian Manners in 2002 with the article "Normative Power Europe: a Contradiction in Terms?". In this watershed work, Manners puts as main objective of his research to investigate the peculiarity of the Europe's power on the global stage. As a starting point, he presented the two main (and alternative) domains of power in which at his time the EU's action was then placed: a civilian one and a military one.

As for the first one, it was at that time the main theoretical framework to explain the pattern of action of the Union internationally: "civilian power" was conceived mainly as the renounce to employ coercive methods in operating at the world level. This was intended to have mainly three characteristics: the primacy and the unquestionable centrality attributed to the economic power, the stress on the importance of the use of diplomatic tools to settle international issues and the room given to supranational institutions as preferred platforms to settle international problems and to discuss global issues (Manners, 2002, p. 236-237).

As for the second one, Manners identified the conception of Europe as military power as a latecomer in the discourse around the European Union, because since the failure of the European Defense Community in the 50s, the idea of developing a European independent military force came to a stop (Fleischer, 2015). However, in the 90s, i.e. the decade before the writing of the aforementioned article, the theorization on the EU as a military power was gaining a renewed momentum; that was due mainly to two events: firstly and most importantly, the signature of the Treaty on the European Union (Maastricht Treaty) in 1992, that added the Common Foreign and Security Policy dimension to EU's areas of intervention, signaling so the Member states' intention to move towards a coordinated defense policy in

the future; secondly, the Common European Security and Defense Policy approved during the 1999's Cologne European Council, that committed the EU states to create a 60'000 soldiers' quick reaction force (Manners, 2002, p. 237).

These two conceptions were able to provide a certain degree of explanation to what kind of power the EU was. However, in the opinion of Manners, they were insufficient to describe adequately the real nature of the EU's action on the global scenario due to a series of flaws. In particular, in the scholar's opinion "one of the problems with the notions of civilian and military power is their unhealthy concentration on how much like a state the EU looks" (Manners, 2002, p. 239). Instead of those partially inadequate conceptions, Manners theorized a third way to describe the pattern of behavior of the European Union worldwide, introducing into the debate the theory of "Europe as a Normative power". In Manners's opinion:

"The concept of normative power is an attempt to refocus analysis away from the empirical emphasis on the EU's institutions or policies, and towards including cognitive processes, with both substantive and symbolic components (...). Thus the notion of a normative power Europe is located in a discussion of the 'power over opinion', idée force, or 'ideological power', and the desire to move beyond the debate over state-like features through an understanding of the EU's international identity" (Manners, 2002, p. 239).

This power has been therefore defined by him as normative with a peculiar "ideational" nature; concretely, that means that its main aim is to shape the conception of what is "normal" in the realm of international relations and international law.

This accentuated focus on norms is an almost unique feature of the European Union due to its historical origin and to its specific institutional nature. As a matter of fact, according to the scholar "The constitution of the EU as a political entity has largely occurred as an elite-driven, treaty based, legal order. For this reason its constitutional norms represent crucial constitutive factors determining its international identity" (Manners, 2002, p. 241). Due to the aforementioned unique nature of the Union, these fundamental norms are not included in a single Constitution, but are spread in a significative number of treaties, laws and regulations.

According to Manners, from the body of the *Acquis Communautaire* it is possible to identify five main principles: "The first of these is the centrality of peace (...), The second is the

idea of liberty (...), the third, fourth and fifth norms are democracy, the rule of law, and respect for human rights and fundamental freedoms” (Manners, 2002, p. 242). These five principles are at the very basis of the EU construction and represent its ideological and normative ground, because they are the main concrete product generated by the European Union institutional evolution over time. According to Manners, these rules and norms are precisely the “good” that the European Union aims to promote in its unique and characteristic role of normative power. Therefore, the goal of diffusing these core norms to third entities is precisely the main feature that defines Europe as power in the normative field.

-2.1.3 How the European Union can do what it is doing: the Union’s power through trade

The conceptualization of Europe as Normative Power showed in the previous sections constitutes the theoretical basis of this thesis. As for this work, the focus of the analysis will deal in particular, but not exclusively, with a specific field of application of this theory, i.e. the European norms entrepreneurship pursued on the global stage thanks to trade and to the size of the Internal Market. Even though an early intuition of the European power through trade is already present in the previously described work of Manners, the first organic conceptualization of this theory has been made by Meunier and Nicolaidis in the 2006 article “The European Union as a conflicted trade power”. In their work, the focus is put on the intrinsic Single Market characteristics that make the EU a powerful trade entity in the global stage. According to Burckhard (2013) this Market

“Featured a combined population of over 500 million inhabitants, and a nominal GDP of over sixteen billion US dollars in 2010, representing 20 % of global GDP in terms of purchasing power parity. Throughout the first decade of the new millennium, the Union remained the world’s leading merchandise trader; the world’s leading trader in services; the world’s largest energy importer; and finally the world’s largest provider and recipient of foreign direct investment” (Burckhard, 2013, p. 274-275).

In the two scholars' opinion, this "Power through Trade" is a very characteristic feature of the European Union. According to them "the use of trade to achieve non-trade objectives has pride of place as a potential instrument of Europe's geopolitical power" (Meunier et al., 2006, p. 912). In particular, the two academics, stressing the attention on the use of trade as a leverage vis à vis third countries, wanted to underline also the sound difference of the EU in comparison with the other significative actor in the global scenario, i.e. the United States. As a matter of fact the conception of the European Union actorness rests mainly on the assumption that it "relies primarily on non-military means, from aid to diplomacy, and that in this panoply, trade stands perhaps as the most effective mode of action" (Meunier et a. 2006, p. 912).

Moreover, the article presents an analysis on the different fields in which this power is exercised. Meunier and Nicolaidis have identified three specific different kind of trading relations in which this power is used: bilateral, regional and multilateral, each of them characterized by a different type of "norm exportation". As for the bilateral kind of trade agreement, the EU's objective is to export to the concerned trade partner the democratic norms and regulatory standards proper of the Union; as for the agreement with other regional entities (such ASEAN or Mercosur), the main goal is to shifting the rules of the European Single Markets to other important local trade blocks; as for the last type, the EU action in multilateral trade negotiations cannot be considered as a pure "norm exportation" case, because in this case the objective is even more ambitious, i.e. shaping the international multilateral trade system and setting its policy agenda (Meunier et al. 2006).

This articulated analysis elaborated by Meunier and Nicolaidis can therefore be considered as the first organic conceptualization of the concept of the EU as a "power through trade".

-2.1.4 Why the European Union does what it does: the legal basis of the Union's Norms entrepreneurship in the foreign policy realm

As for the core norms of the Union identified above, also the legal foundation of the EU's commitment for the promotion of human rights and democracy worldwide cannot be found

in a single document; instead, it can be reconducted to a series of articles sowed in various European Treaties. The very start of the linkage between European foreign policy and democracy can be found under the Title V, Article J.1.2 of the Maastricht Treaty, signed in 1992 and in function since 1993. Within it, it is stated that, among the other objectives of its foreign policy, the EU had “to develop and consolidate democracy and the rule of law, and respect for human rights and fundamental freedom” (Treaty on the European Union, 1992). This commitment was reaffirmed and enhanced in the Lisbon Treaty, in which the Title V, Chapter 1, Article 21 provides that “The Union's action on the international scene shall be guided by the principles which have inspired its own creation, development and enlargement, and which it seeks to advance in the wider world: democracy, the rule of law, the universality and indivisibility of human rights and fundamental freedoms, respect for human dignity, the principles of equality and solidarity, and respect for the principles of the United Nations Charter and international law” (Treaty of Lisbon, 2007) and reiterated also in the Part V, Title I, Article 205 of the Treaty on the Functioning of the European Union (Treaty on the Functioning of the European Union, 2012).

Since the absence of a comprehensive European Constitution, all these articles taken together constitute the legal bedrock for the European foreign democracy promotion policy. How this binding commitment is put in practice, will be discussed extensively below.

-2.1.5 The European Union's effectiveness as norms entrepreneur

The aim of this thesis is to evaluate the effectiveness of the European Union as norms entrepreneur in the democracy field in a selected group of countries. To do so, it is necessary to have a theoretical model on effectiveness to employ; in this regard, it is useful to use here the “external governance model” elaborated by Lavenex and Schimmelfennig (2009) specifically for the European Union, where “external governance” is defined as the attempt to export EU practices and rules beyond the Union.

Table 1: Stages in the effectiveness of EU external governance.

	Level	Effectiveness	Alternative outcomes
Rule selection	International negotiations and agreements	EU rules (or joint rules) as focus of negotiations and agreement	Rules of other international organizations, other states, or third-country rules
Rule adoption	Domestic legislation	EU rules (or joint rules) incorporated into domestic legal acts	Rules of other international organizations, other states, or third-country rules
Rule application	Domestic political and administrative practice	EU rules (or joint rules) consistently applied	Behaviour ignoring or violating EU rules or joint rules

Source: Lavenex and Schimmelfenning, 2009.

As it is possible to see, the “rule selection” part deals with the negotiation level between the EU and third parts, both states and international associations. In this case, the degree of success is measured by the extent to which the EU norms constitute the “standard” during the political and technical discussion among the parts. The signing of a Trade treaty encompassing a “democratic clause” already constitutes a sign that the European norms have become the standard during the negotiation; therefore, this step will be considered as already achieved and therefore will not be investigated further during my analysis. As for the rule adoption part, the degree of effectiveness is measured by the extent to which the European prescriptions are incorporated into third countries’ legislation. Finally, the rule application level assesses if and how extensively the EU-inspired legislation is applied; a success at this level constitutes the biggest indicator of effectiveness in the EU norms entrepreneurship action (Lavenex et al., 2009).

-2.1.6 The European Union’s mechanisms of norms diffusion

After having defined effectiveness, it is important to map all the mechanisms by which the EU norms are diffused to third entities. In his article from 2002, Manners has identified six main mechanisms by which the EU norms are spread globally: 1) *contagion*, intended as a passage of the EU's norms without its explicit promotion to other actors (especially regional, such as Mercosur), that tend to replicate spontaneously the Union's best practices in certain areas; 2) *informational activity*, conceived as the strategical communication activities set by the EU's organs and communicating the main Europe's policies or institutional developments; 3) *procedural*, that occurs when the relationship whit EU and a third entities is formalized via an official agreement or a permanent membership of an international forum or organization; 4) *transference*, that occurs when the EU provides something valuable to a third country (preferential trade agreements, development aid or technical assistance) in exchange of the adoption of a specific norm or set of norms; 5) *overt diffusion*, that is due to the activities of European Union's delegations or EU states' embassies abroad; 6) *cultural filter*, by which foreign states take only the "shell" of the EU norms and fill it to suit their local context, operating so an adaptation of them (Manners, 2002).

Table 2: Mechanisms of EU norms diffusion

Mechanism of EU norms diffusion	Explanation	Example
Contagion	Unintentional diffusion of ideas from the EU to other political actors	Attempts of regional integration within Mercosur
Informational	Strategic communication	Communication activities from the Presidency of the EU or the President of the Commission
Procedural	Institutionalization of a relationship between the EU and a third party	Inter-regional dialogue with the Southern African Development Community
Transference	EU exchanges goods, trade, aid or technical assistance with third parties in exchange of concessions in other fields (mainly the normative one)	European development fund to the Cotonou states
Overt diffusion	Physical presence of the EU in third states and international organizations	EEAS Delegation activities in third states
Cultural filter	Interplay between the construction of knowledge and the creation of social and political identity by the subjects of norm diffusion	Human rights diffusion in Turkey

Source: elaborated from Manners (2002)

As for this thesis, the mechanisms of norms diffusion of the Union that will constitute the central points of the analysis are what have been called by Manners “procedural” and “transference” mechanisms. According to Manners, the first mechanism “involves the institutionalization of a relationship between the EU and a third party” (Manners, 2002, p. 244), while the second mechanism of diffusion “takes place when the EU exchanges goods, trade, aid or technical assistance with third parties through largely substantive or financial means. Such transference may be the result of the exportation of community norms and standards (...) or the ‘carrot and stickism’ of financial rewards and economic sanctions (...). Both procedural and transference diffusion are now facilitated by the conditionality which is required in all EC agreements with third countries (Manners, 2002, p. 245). As for this thesis, it has already been said that the norm that will be considered is the “democracy” and the “democratic procedures”, as they have been defined by Dahl in the introductory chapter (Dahl, 1982). As it is possible to see, these two mechanisms taken together constitute the most adapt fields in which focusing my analysis. Even though, whenever relevant and whenever possible, in my cases studies also the other minor mechanisms of EU norms diffusion identified by Manners, and specifically the “informational” and the “overt diffusion” ones, will be taken into account. However, the “contagion” and the “cultural filter” mechanisms will not be considered within my analysis, the first one because it does not involve an active action of norms promotion by the Union, and the second one because it is a mechanism that focuses on the perspective of the receiving state, and therefore is out of the scope of my thesis.

-2.1.7 The toolbox of Normative Power Europe vis à vis third states: stick, carrot and incentive types

The Union has, at least in theory, a vast set of instruments to punish, encourage or help the third states for what it concerns their progresses in implementing the democratic provision of the Agreements; they can be related directly to the trade field and otherwise. In this paragraph those instruments will be analyzed followed the model of Youngs (2008), that has categorized them in sanction, incentive and democracy assistance types.

-Sanction type. The democracy conditionality clause is an “essential element” of all the Trade agreements signed between the European Union and third countries (Beke et al., 2014). Because of this, this kind of clause is known as “essential element” clause. However, throughout time the EU increasingly included in those agreements also a “non-execution” clause, listing the consequences in case of violation of the democratic provisions (Bartels, 2014). This clause serves as legal instrument on the base of which suspending the provisions of the agreement in the case of not compliance of one part. Historically, there are two kinds of non-execution clauses: the Baltic clause and the Bulgarian clause, named so because they were included in the agreements with those countries when they were still candidates for accession. As for the first one, the Baltic clause is stricter, because it prescribes an immediate unilateral suspension on the treaty, in case of a serious violation committed by the subscribing part. As for the Bulgarian clause, it is considered more “soft”, because it provides for a conciliatory procedure between the two parts, keeping in the meantime the agreement in force; nowadays it is practically the only one used in the treaties (Horng, 2003). Moreover, the EU has a wide set of instruments to retaliate specifically in the trade field against countries that disrespect the “essential element” clause or that do not abide to democratic principles’ respect provision.

The oldest one can be considered the Generalized System of Preferences (GSP) introduced since the early 70s by the European authorities under the “enabling clause” of the GATT to regulate the trade relationship with developing countries. Under this scheme, the Community allowed a preferential and non-reciprocal access for the export of developing countries into the Single Market, in exchange of collaboration and cooperation in various sectors (Constant Laforce, 2013). Today, the Union has strengthened this mechanism, allowing favorable conditions to the export of developing countries into the EU in exchange of a series of stricter conditions; among them, there is the commitment to abide the most important human rights convention and democratic provisions. Moreover, a GSP Committee has been created, in order to monitor the compliance of the beneficiary countries to the human rights and respect of democracy (European Commission, 2012). In this regard, the Article 24 of the EU Regulation 978/2012 prescribes that “Tariff preferences under the special incentive arrangement for sustainable development and good governance should be temporarily withdrawn if the beneficiary country does not respect its binding undertaking to maintain the ratification and effective implementation of those conventions” (Official Journal of the

European Union, 2012). This happened for instance in the case of Myanmar in 1997, Belarus in 2006 and Sri Lanka in 2010 (Vedder, 2013).

Another instrument concerns the field of the sanctions, utilized by the EU to pursuing some goals in the international stage vis à vis third countries, among which “defending democratic principles and human rights” (European Commission, 2018a). In this case, conversely from the previous one, the measures are taken under the framework of the Common Foreign and Security Policy, so at a more “political level” (Portela et al. 2014). Among the types of sanctions at disposal of the European Union, the trade ones occupy a significative place. However, these sanctions are not intended as generalized, but are targeted to specific person, company or particular product, through the establishment of an embargo. (Council of the European Union, 2018). These actions are, among the “stick type” instrument available to the EU, the ones perceived as more negative and punitive, therefore, since “sanctions are the strongest measure, (...) it is little wonder that the instrument is used so rarely, in particular for promoting democracy” (Kotzian et al., 2011, p. 1005).

-Incentive type. On the other hand, the European Union has a significative toolbox of “carrot type” instruments to employ to support the third states in their democratic improvement. One example in this regard can be the asymmetry of the trade provisions of some treaties that the EU concede to third countries, that have more time to carry out the prescribed tariffs’ reduction (European Commission Press Release, 2018). Another significative example is the financial and technical assistance that it is usually envisaged in the trade and cooperation agreements with third countries. One example in this regard is the PHARE Program, utilized during the Eastern enlargement as a way to fund the institutional evolution of the candidate countries (European Parliament, 1998). More in general, among the incentives that the EU grants can be placed also the projects of capacity building and the development assistance that it is often envisaged in the treaties’ provisions (Kotzian et al., 2011).

-Democracy assistance type (monitoring and funding). Finally, the European Union is also engaged in the democratic promotion operating directly in foreign countries. The main mechanisms in this regard are two: the first one is the net of European Union External Action Service delegations worldwide, that have human rights and democracy monitoring dedicated personnel in charge of controlling the overall situation of the hosting country and in being in contact with the local human rights activists (EEAS, 2016a). The second one is the system of

election observation missions, whose task is monitoring and evaluating important elections in a third country in order to legitimize the process, report eventual fraud attempts and strengthen the respect for democratic procedures (EEAS, 2016b).

Another significant example in this field, in this case linked directly to assist the foreign countries society, is the European Instrument for Democracy and Human Rights; it is a funding instrument utilized by the European Union External Action Service to finance and to support directly projects made by non-governmental organizations and members of the civil society concerning these topics within third countries (European Commission, 2018c).

All the aforementioned instruments taken together, both related to trade or otherwise, constitute so the “technical and legal” instruments available to the Union for its efforts of democracy promotion worldwide.

-2.2.1 Theoretical framework: influencing factors of European Union effectiveness as democratic promoter worldwide

The previous paragraph dealt with the toolbox available to the EU to prize, to punish or to help the third state in its democratization improvement, both in the trade field and not. However, despite of these tools, the evidences of the success of the Union in this field are mixed. Therefore, a scan of the academic literature is mandatory, in order to identify which factors can have an influence on the effectiveness of the EU as democracy entrepreneur, with a particular (but not exclusive) focus on the trade field.

As a starting point of this literature’s research, it is wise to make a brief introduction on the relationship between trade and human rights, including democracy. Historically speaking, this link is longstanding, dating back to the 19th century, when Britain banned the slave trade and persuaded other nations to do so, supplementing so its prohibition (Aaronson, 2010). As for contemporary times, it has to be noted that the main global platform dealing with trade, the World Trade Organization, has no mandate to make an explicit connection with such topics in the trade-related discussions. Therefore, the linkage between trade and human rights/democracy can happen only in the context of Preferential Trade Agreements. However, the approaches of international entities that actively promote human rights/democracy via

PTAs are various. The EU, for instance, does promote all the categories of human rights, while the “United States promotes particular human rights and makes the protection of only some of these human rights subject to potential trade disputes” (Aaronson, 2010, p. 5). In general, it is possible to argue that the majority of the scholars see a positive correlation between the participation in a PTA and the improvement in the democratic level. Just to provide an example, Liu and Ornelas (2014), proved that the entering into a Preferential Agreement is instrumental in helping the consolidation of democracy in a country, because of the rent-destructing effects of it (Liu et al., 2014). However, the uniqueness of the European Union in the global stage makes impossible to apply this conclusion also to it. Therefore, as for the EU, the research has to take into account also other factors in explaining the democracy entrepreneurship.

In this regard, the scholars concord in affirming that the major positive factor is the concrete prospect of the accession into the Community (Olsen, 2000 and Collins, 2010). The main evidences of this come from the Eastern Enlargement. A study by Ethier (2003) has empirically shown that in the Eastern European case the economic incentives deployed by the Union to fund the democracy-related programs had marginal or no effects at all. Conversely, the “conditionality” (the accession in the Community) was by far the major reason behind their democratization (Ethier, 2003). It is evident that the Eastern enlargement can’t be considered a pure example of Normative power through trade; however, it is undeniable that, beyond the pure political consideration, the prospect of participation into the Single Market played then a crucial role (Baldwin et al., 1997). The prospect of the eventual accession into the EU is playing an important, albeit somewhat more difficult (Freyburg et al. 2010) role also today in the case of the Western Balkans states, because all of them are current official candidates or potential applicants (European Commission, 2018b).

On the other hand, the findings on the effects of the European power of norm transfer without the prospect of EU membership are mixed. One particular field of analysis in this regard is the European Neighborhood Policy (ENP), the program under which framework the Union since 2003 is managing the relationship with its surrounding states in the Far European East, Caucasus and a wide range of countries in the Mediterranean periphery (European Commission, 2016b). In particular “the EU asks the ENP countries to reform their political systems in order to align with EU democratic and humanitarian standards. Countries are also asked to adapt an extensive range of EU regulations in order to comply with EU internal

market standards". (Wesselink et al., 2016, p. 6-7). In exchange, the EU offers them a wide set of incentives, ranging from funding and technical assistance to, most notably for this thesis, various kinds of Trade agreements, the most comprehensive one granting the selected states a full accession into the Single Market (Wesselink et al., 2012 and Wesselink et al., 2016).

This policy allows the selected Neighborhood states to "sharing everything with the Union but institutions" (European Commission Press Release, 2002) and concretely grants them "the same treatment and economic advantages of EU membership, except the participation in EU institutions, through a process of gradual adaptation to EU's membership requirements" (Chilosi, 2007, p. 26). The evidences show that this policy is way less effective in triggering democratic changes. In Ukraine's case, for instance, this way of acting had negative effects. Indeed, after a push towards Europe caused by the Orange revolution, the absence of an eventual prospect of EU membership in the ENP caused a progressive disaffection in the will of undertaking the required institutional reforms (Eris, 2012). According to Pace (2009), this weak effect of democracy improvement within the ENP framework is due to the fact that the Union consider the democracy promotion not an end in itself, but a mean to achieve other (and more concrete) objectives, among which there is the stability of its borders (Pace, 2009); Therefore it can be argued that, in the case of other important stakes for the EU in the third country (in this case of geopolitical type), the democracy promotion is weakened.

Some other scholars present more positive findings on the ENP's effects. According to Casier (2011), it is true that the EU didn't succeed in effectively transfer the entire corpus of the Acquis to all the neighborhoods; however, this happened in some cases for a series of reasons, among which for instance there is the usefulness of the ENP's prescriptions for the domestic political agenda (Casier, 2011). An important feature of the democracy promotion within the ENP is that the success of democratic improvement scores on average higher in the countries of the Far East rather than in those of the Mediterranean periphery (Borzal et al., 2014). This fact is explainable by a study of Schimmelfennig and Scholtz (2010), who proved that a Muslim historical legacy (proper of all the countries in the South Mediterranean) has a negative effect on the democracy promotion effort made by the EU, conversely from an orthodox and Western legacies (Schimmelfennig et al., 2010).

If it is relatively easy assessing the effectiveness of the Europe's market and trade power on the democracy of the countries encompassed in the ENP, the evaluation for the

countries at a world level appears to be somewhat difficult. As a matter of fact, the European Union is not the sole norms entrepreneur worldwide, but has a number of competitors, both for what it concerns the trade power and the democratic advocacy. Without doubts, the most important is the United States, actively engaged in a policy of “competitive interdependence” with the EU for what it concerns the management of the globalization and the spreading of norms globally (Sbragia, 2010 and Dominguez, 2013). The United States are of course active also in the European Neighborhood States. However, since the proximity of them with the Union, in the majority of the cases their links are more developed with Brussels than with Washington, as the geographical distance influences the intensity of ties (Levitsky et al. 2005). Moreover, other important powers as China or Russia can exercise an equal form of “power through trade and economic power” of an opposite nature, i.e. signing trade treaties and conceding financial help without attaching any conditionality to them (Niemann et al, 2010 and Sharshenova et al., 2017). In this regard, it is important to notice that according to Björkdahl et al. (2015) “rejection of the EU’s norms is particularly prevalent in cases where competing and powerful actors challenge the normative power of the EU on the global arena” (Björkdahl et al., 2015, p. 253).

Furthermore, an additional number of factors have to be taken into account when it comes to explain the effectiveness of the democracy promotion in a country outside Europe and its periphery. The first one is the distance and, most importantly, the quality and quantity of incentives given by the Union to the targeted country, because “as geographical distance increases and the incentives fade, the influence of the EU decreases” (Dominguez, 2013). Furthermore, and most importantly for this thesis, also the number and the intensity of the ties of a state to the “West”, especially in the trade field, increases the likelihood of an improvement in the democratic field (Levitsky et al., 2005). Conversely, the more symmetrical is the power relationship and the more balanced is the economic interdependence between the EU and other states, the more difficult for the Union to effectively push for democratic reforms (Borzal et al., 2012).

-2.2.2 Summary of the chapter

The aim of this chapter was to answer the first sub-question; this has been done by presenting the main theory on which this thesis is based (Europe as a Normative power). Moreover, a literature review has been performed, in order to identify the ways to evaluate the effectiveness of the EU as norms entrepreneur, the mechanisms by which the EU power is put in practice at a global level and which factors can have an influence on the Union's activity of democracy promotion worldwide.

As for the evaluation of the effectiveness of the EU transfer, the external governance model taken from Lavenex and Schimmelfennig distinguishes between three levels: the first one when the EU rules become the accepted standard between the Union and a third part, the second one when those rules are adopted in the foreign state's legislation and the third and most effective level when those EU norms are constantly implemented by the recipient; in this thesis, only the second and the third ones will be taken into account.

As for the main mechanisms employed by the Union in the global arena and relevant for this thesis, they have been identified in the "procedural" and "transference" ones. As for the first one, it occurs when the relationship between the Union and a third entity are formalized by means of a treaty, in my case trade treaty. As for the second one, it occurs when the Union provides something valuable to an entity, in my case a privileged access within the European Single Market, in exchange of something else, in this case in the democracy field; of course, this method is not only about conceding benefits (the carrot), but, in the case of the third state non-compliance with the democratic provision, it includes also different forms of punishment (the stick).

As for the factors that can exercise an influence on the European norms entrepreneurship in the democracy field, the analysis started from a general assessment of the connection between democracy and trade treaties. Specifically for the EU, the main findings identified in the literature's body show that the biggest factor of success occurs when a state has a concrete prospect of accession into the Union. In absence of this, therefore outside the European Area, the literature says that there are various factors that can have an influence on the EU initiatives of democracy promotion in a third state. As for this thesis, since its focus is on trade issues, the most relevant are three. As for the first one, geographical distance and the quantity and quality of incentives (both positive, as in the case of funding, and negative, in the case of sanctions) and mechanisms deployed by the Union in a third country can influence the EU capability to condition the targeted country; since for my case

studies (Mexico and South Africa) the geographical distance can be considered roughly equivalent, the quantity and quality of mechanisms and incentives can be identified as the first most relevant influencing factor. As for the second one, the intensity of trade relationships with the “Western powers” (especially the most relevant ones, namely the Union and the United States) exercise also a positive influence on the effectiveness of the democracy promotion. Finally, as for the third influencing factor, the trade relations of the third country with other non-western non-democratic democratic powers, like China and Russia, can influence negatively the effectiveness of EU democracy promotion.

-2.2.3 Theoretical expectations

The findings on the Europe as a Normative power theory and on the criteria of effectiveness of Europe as democracy entrepreneur, on the mechanisms and on the influencing factors identified in the literature and outlined above will be employed to draw some hypotheses useful to better investigate my main research question: *what is the European Union’s influence on democracy in countries with which it signed bilateral trade treaties?*

Therefore, following the discoveries in the literature, it is possible to hypothesize that:

-H1: The higher the number of mechanisms, incentives (both positive, such for example NGOs funding, and negative, such as sanctions) and initiatives (such as electoral monitoring) deployed by the EU in the third country, the stronger the EU influence on its democracy;

The causal mechanism behind this hypothesis is derived both from the literature above and from an adaptation of the findings outlined by Hafner-Burton (2005). In her article, the author argues that, historically, Preferential Trade Agreements supplying hard human rights standards are the most effective way to ensure the third state’s compliance. According to the scholar “Far from being counterproductive, some form of coercion may often be essential to bringing about better practices” and moreover “material and political rewards are often a more effective (and compatible) incentive structure to support the initial stages of compliance” (Hafner-Burton, 2005, p. 623-624).

-H2: The stronger the links and the dependency in the trade field of the third country from the Western democratic powers, the stronger the EU influence on its democracy;

Also here, the causal mechanism behind this hypothesis is derived mainly from the literature. In this specific case, its basis is grounded in the liberal theory assumption that international trade has a positive correlation to democracy; according to the scholars, this relationship could be intended as the fact that democratic states tend to develop stronger trade ties between them (for instance: Mansfield et al., 2000), or as the fact that international trade itself could cause in the medium/long run an improvement in political freedoms (Lopez-Cordova et al., 2008). If we pair these two assumptions, is therefore possible to hypothesize that a developed trade connection with democratic entities (in this case the EU and United States) has a beneficial effect on the democracy of the trading partner.

-H3: The stronger the links and the dependency in the trade field of the third country from non-Western non-democratic powers (namely China and Russia), the weaker the EU influence on its democracy

Conversely, strong trade ties with non-democratic powers may have a negative effect on the EU's effort of democracy promotion. As it has been shown in the literature review above, the causal mechanism behind this assumption is mainly related to the lack of any kind of human rights and democracy conditionality proper of those states. As for this thesis, the focus has been put on China and Russia, that are self-evidently the two major non-Western non-democratic states operating actively in the world stage.

How the aforementioned hypotheses will be operationalized, will be explained comprehensively in the next chapter.

-Chapter 3. Methodology

In this chapter will be answered my second sub-question outlined in the first part of the thesis:

- 1) *What method to employ in order to research on the effectiveness of “normative power Europe”?*

Therefore, this question will be answered by enunciating the type of research I will carry out, by explaining the operationalization of my analysis, by listing my sources of data and finally by discussing the reliability and validity of my study.

-3.1 Introduction: type, research approach, cases selection and time-framing of the thesis

The purpose of this thesis is to investigate concretely the actions and the effects of the European Union norms entrepreneurship in the democracy field in a group of countries.

The most suitable way to develop this study is to draw a comparative case studies type analysis on a small-N of cases, therefore performing an exhaustive research that will allow to know more on a limited number of cases. In particular, according to Goodrick, comparative case studies “cover two or more cases in a way that produces more generalizable knowledge about causal questions – how and why particular programmes or policies work or fail to work” (Goodrick, 2014, p. 1). In my specific case, this case-studies examination will be made through the selection of a group of countries that have an ongoing bilateral treaty with the EU including the “democratic improvement clause”, i.e. my independent variable.

My research approach will be of a qualitative type, conducting an analysis on various kind of documents coming from academic journals, from European institutions and from institutions of the selected countries. As for the case studies selection, I have chosen to focus my analysis on South Africa and Mexico. The main motivation behind the selection of only two cases has its roots in the history of European Union bilateral trade treaties with countries outside Europe and its periphery. As a matter of fact, after the creation of the World Trade

Organization in 1995, this new international entity called for an end of new bilateral trade agreements, giving the focus on multilateralism that characterized its mandate. Consequently, the EU stopped to search for new bilateral deals since 1997; however, the DG Trade of the European Commission kept open the already started negotiations which had initiated in the previous years with three countries, namely Mexico, South Africa and Chile (Burckhardt, 2013). As for the first one, the agreement (called Global Agreement) came into force on 2000, the second one (called Trade, Development and Cooperation Agreement), was provisionally applied since 2000 and entered in full force since 2004, and finally the third one (called Association Agreement) has been fully applied since 2005. Therefore, since the extremely limited number of countries on which I could perform an analysis for what it concerns bilateral trade treaties, I chose to focus on Mexico and South Africa for a group of reasons: the first one is that they are encompassed in different geographical areas, allowing therefore to study the EU action in different international contexts; the second one is the large availability of materials written in English on the relationships between those two nations and the Union, with a peculiar but not exclusive focus on Trade issues; the third one is the starting date of the two agreements, that are practically contemporary and therefore allow a comparison in the same span of time.

As for the time-framing of my research, I will draw an intertemporal design. Concretely, I will assess my dependent variable (the level of democracy) in them right before the signing of the agreement and in the years after. This will be made in order to looking for evidences of an improvement that could have been triggered by the subscription of the Agreement with the Union. Since both of the agreements came into force on 2000, I will take this as starting year of my analysis. As for the ending point of my analysis, I have chosen to select the 2016, when South Africa, together with the countries of the Southern African Development Community, signed a new Trade Agreement with the Union (European Commission, 2016c).

-3.2 Operationalization

This thesis aims at investigating the effectiveness of the EU actions of democracy promotion in a selected group of countries that have signed with it a Trade treaty encompassing the “democracy as essential element” clause. This will be operationalized via a series of steps.

Since the Trade treaties and their clauses constitute the legal basis for all the EU’s democracy promotion activities within the third countries, an overview of the main features of these agreements constitutes the first step. This will be made by presenting a resume of the main contents of each agreement, especially for what it concerns the articles about democracy and trade.

The second step is the operationalization of my dependent variables; as a benchmark, I will use the effectiveness evaluation model drawn by Lavenex and Schimmelfennig (2009) and presented in the previous chapter. The signature of a Trade treaty encompassing as “essential element” the respect for democracy means that the EU norms have already become a standard, fulfilling already the first step of the model. Therefore, as for my thesis I will investigate only the other two dependent variables. The first one is the eventual adoption or the modification of national legislation of the foreign state in line with the EU norms; the second one is the actual implementation of those norms, that constitutes the highest signal of the actual improvement in the foreign state’s democracy. As for the first variable, following the suggestions by Niemann and De Wekker (2010), the feature that has to be assessed is “whether and to what extent the legislation of that country was amended in terms of the norms advocated by the EU” (Niemann et al., 2010, p. 11). Therefore, a scan of the respective Corpus of Laws has to be performed, in order to find track of modifications that can have been triggered by the Union. As for the second variable, concerning the application of the new democratic norms exported by the EU, the goal will be to keep track of the effective implementation of the EU-inspired democratic provisions effectively and consistently. This will be made in two ways. The first way consists in a short quantitative data assessment on the main indexes assessing the actual democracy level after the EU intervention in the two countries, in order to search evidences of an improvement. The selected indexes are two: the Freedom in the World report (yearly published by the Freedom House) and the Polity IV database. As for the second way, it consists in analyzing various kind of documents and reports coming from different sources, in order to find proof of democratic changes triggered by the Union involvement in those countries or less deterioration due to EU influence.

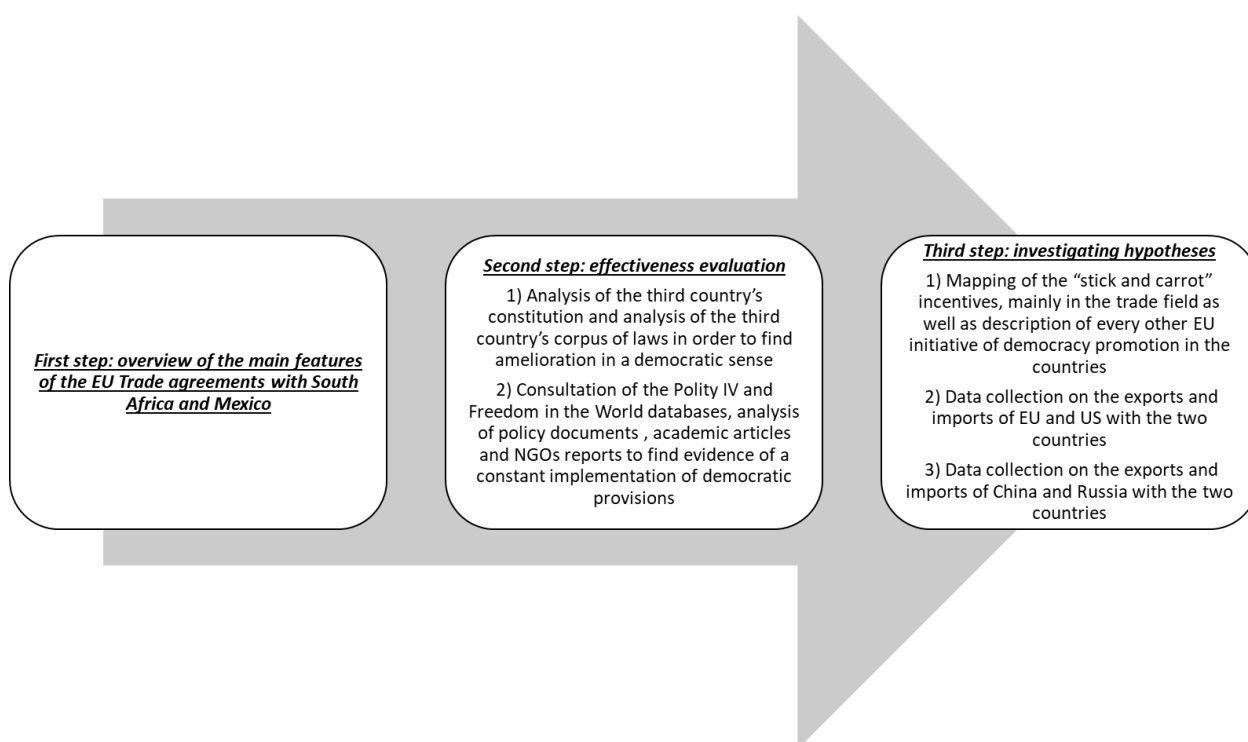
The third and last step will deal with the core part of my thesis, i.e. the analysis of the EU activity and influence in the two countries, also vis à vis third powers. Concretely, this will be made by investigating the three theoretical expectations drawn in the previous chapter.

1) As for the first theoretical expectation, it entails the accurate description of every mechanism, incentive and initiative put in practice by the Union in Mexico and South Africa. Firstly, this will be made by mapping all the mechanisms employed (in particular concessions in trade field), all the actions carried out by the EU in the two selected countries in the field of democracy promotion (funding of programs, technical assistance and cooperation in the improvement of the institutional structure, direct support to NGOs and democracy assistance like electoral observation). Secondly, it is necessary to map also any eventual sanctionary initiative made by the Union against the signatory state. These could range from admonitions made by the EU authorities to more severe measures, as for example formal complaints made by the EU Parliament or Commissioners or the withdrawing of some funding or the imposition of sanctions.

2) The second theoretical expectation deals with the intensity of trade links of the two countries with the “Western” powers. Therefore, in this regard the analysis has to deal with assessment of the imports and exports of Mexico and South Africa firstly for what it concerns the European Union, secondly the United States and then, in the case, other minor Western powers.

3) As for the third theoretical expectation, it is necessary to scan also the intensity of trade links of Mexico and South Africa from non-Western non-democratic powers, namely China and Russia, that could have a countervailing influence for what it concerns the democracy promotion. Also in this case, the analysis of the imports/exports pattern between the aforementioned states has to be performed.

Figure 1: resuming the thesis operationalization steps



-3.3 Data sources and limitation

The sources that will be employed to investigate the topic outlined in my main research question will be various.

In the first step of my analysis, in order to describe the main features of the concerned treaty, I will make a short resume of the content of it. In this case, I will use a primary source, namely the text of the treaty retrieved from EUR-Lex, the official online database encompassing the Union's legislative acts.

The second step of my analysis deals with the operationalization of my two dependent variables. As for the first variable, I will employ as sources the main available online databases for what it concerns the national legislations as well as academic journals on the topic, such as the South African Journal of Human Rights and the Mexican Law Review, in order to find tracks of those changes. As for the second variable, in the first step I will use the two main

indexes in this regard, Polity IV and Freedom in the World. This will be made in order to perform a short quantitative data assessment on the possible improvement of democracy after the signing of the treaty with the EU. The first index has been chosen because it is the “one of the most utilized democracy indicators in contemporary academic research” (Knutsen, 2010, p. 112) and one with the best reputation for its longstanding existence and for its collecting-data method. The second index presents a significant reputation as well and “has proven its value to researchers over the years, becoming the most widely used resource for monitoring regime change and studying the effects of regime authority” (Marshall et al. 2007, p. 1). In the second step, I will look in detail at documents coming from European institutions, especially the Parliament and the Commission, at reports from NGOs active in the democracy field, such as Human Rights Watch, at academic articles from renewed outlets analyzing the democracy situation in the two countries, such as for instance Democratization and the Latin America Research Review, and at articles from think tanks, such as for example the South African Institute of International Affairs.

The third step of my analysis deals with the investigation on the three theoretical expectations identified in the previous chapter. As for the first theoretical expectation, I have to map every mechanism, incentive and initiative put in practice by the Union in its relationship with the third state after the triggering of the treaty. In this case, I will use a wide set of sources, mainly coming from the European Commission and Parliament document databases available online. Moreover, I will retrieve documents also from the website of the European External Action Service delegations in Mexico and South Africa. As for my second and also third theoretical expectations, I have to look at trade dependency, both for the European Union and the United States as well as for China and Russia. In this case, I will use the Trade statistics from the World Integrated Trade Solution (a World Bank database in collaboration with with the United Nations Conference on Trade and Development, the International Trade Center, the United Nations Statistical Division and the World Trade Organization) together with the data from UN Comtrade. Furthermore, wherever possible, I will look also at academic and newspaper articles and think tanks analyses; in this regard, however, due to the shortage of the available space for this thesis, it is unavoidable to discriminate among sources, fact that could make this study limited in some aspects.

-3.4 Reliability and validity

For every academic research, both quantitative and qualitative, as in this case, it is important to establish its reliability as well as its internal and external validity.

For what it concerns the reliability part, my thesis consists in a desk research based on mainly data available online. In performing it, my selected sources will be retrieved either from institutional websites of the EU, South Africa and Mexico, or from peer-reviewed academic journals, well-established think-tanks and international NGOs. The employment of such a wide set of different sources and their combination make therefore my work academically trustworthy, ensuring so a significative reliability to my thesis. However, during the empirical analysis on data it is possible to meet few shortcomings. In particular for this thesis, for what it concerns the articles and the reports employed, due to the abundance of the available sources it will be unavoidable to make a selection. Thus, this will be made paying the utmost attention, in order to guarantee an equilibrium between the data and therefore producing a reliable study.

As for internal validity, it refers to “the degree to which a study produces high levels of confidence about whether the independent variable causes the dependent variable” (Kellstedt et al., 2013, p. 89). In my specific case my findings will be derived from the rigorous structure that I have employed and that is outlined above in this chapter. Furthermore, after an in-depth scan of the relevant academic literature, I have identified in it both the main mechanism of democracy promotion utilized by the Union, the main factors that may influence its action and a theoretical model that can be employed to assess its success on the world stage. All these findings have been operationalized in the structured way that I have described in the previous section, fulfilling therefore the need that all the results identified by this study will derive from a rigorous model.

As for external validity, it “refers to the generalizability of findings from a study, or the extent to which conclusions can be applied across different populations or situations” (McDermott, 2011, p. 34). Due to the extremely limited number of cases of “old generation” bilateral trade agreements among whom I could choose, the generalization to other cases is not possible. However, since in this decade the European Union, after a period of moratorium, is negotiating or has recently finalized a new set of “new generation” bilateral trade

agreements with many countries (Singapore, Vietnam, South Korea, Colombia and Peru, among the others), the model of this study can be employed, at a later stage, to evaluate the effects of EU democracy promotion through trade in those new case studies (European Commission, 2017b).

-Chapter 4. Empirical analysis

-4.1.1 Introduction

This chapter will deal with the analysis of my two case studies, namely South Africa and Mexico. For each state, firstly a brief presentation on the main feature of its treaty with the EU will be provided; secondly, the investigation of my two dependent variables will be carried out. The first one deals with the evaluation on the third country's legislation, to see if and how it was amended towards more democratic principles. The second one deals with the evaluation on its actual state of democracy. Thirdly, I will test my three hypotheses related to the factors that can have an influence on this EU democratic entrepreneurship. The first hypothesis deals with the investigation on the volume of mechanisms, incentives and initiatives deployed by the EU, that could exercise a positive influence on democracy, the second one deals with the level of trade interdependence between the third county and Western democratic entities (namely US and EU), that can have a positive effect on democracy, and the third one deals with the level of trade interdependence with non-Western non-democratic states (namely China and Russia), that can have a negative effect on democracy.

-4.1.2 South Africa: The Trade, Development and Cooperation Agreement: overview of the main features

The Trade, Development and Cooperation Agreement (TDCA) between the European Union and South Africa was finalized in 1999 and entered into force on January 2000. The main goals of the agreement are outlined in the first article of the treaty. For the most part, these goals are about the promotion and the deepening on the economic and trade relations between the two, with also a focus on the necessity of a sustainable social development (Official Journal of the European Communities, 1999). For what it concerns the field of analysis of this work, it is possible to find the "democracy as essential element" clause already in the second article

of the Agreement: “Respect for democratic principles and fundamental human rights as laid down in the Universal Declaration on Human Rights, as well as for the principles of the rule of law underpins the internal and international policies of the Community and of South Africa and constitutes an essential element of this Agreement” (Official Journal of the European Communities, 1999). As it has already been underlined, this article constitutes the legal basis for the EU to advocate for democracy within the signatory state.

The other part of interest for this work is the trade provisions section of the treaty. The TDCA covered around 90% of the trade flows between South Africa and EU; however, the coverage was unbalanced to the South African side, because it was the weaker part in terms of economic size and it wanted to protect some fragile sectors of its economy. Also for what it concerned the customs tariffs the relationship between the two countries was not symmetrical (Soko et al., 2017). Finally, it is important to notice that the Treaty, at the article 93, envisaged that “South Africa shall benefit from financial and technical assistance from the Community in the form of grants and loans to support its socioeconomic development needs” (Official Journal of the European Communities, 1999), allowing so the deployment of EU financial aid to the country. This commitment was translated into the “European Programme for Reconstruction and Development in South Africa”. The main objectives of the program were to “support for basic social services, private sector development, good governance, democratisation and human rights, and regional integration” (Lee, 2002, p. 81).

Lastly, it is important to notice that in 2007 the overall relationship between EU and South Africa were taken at a higher level with the establishment of a “Strategic Partnership”; it introduced a deepened cooperation in various areas such as macroeconomic policy and climate change and organizing regular bilateral meetings (Council of the European Union, 2017).

-4.1.3 Evaluation effectiveness: amendment of the legislation towards democratic principles

Following the model of Lavenex and Schimmelfennig (2009), the second step to evaluate the EU’s effectiveness as norms entrepreneur is to check for eventual modifications in the foreign state legislation in a democratic sense. The first and most important point of analysis to

evaluate an improvement of the legislation in this regard has to be the Constitution. The current South African Constitution reflects the recent history of the country; as a matter of fact, the discussion around it started within the Constitutional Assembly elected in 1994 after the end of the Apartheid regime and ended in 1996. The new Constitution entered into force on 4th February 1997. One of its main objectives was to establish a new deal after the injustices of the past authoritarian regime. This is clearly visible at the very beginning of the preamble, where it is stated that the Constitution will serve to “heal the divisions of the past and establish a society based on democratic values, social justice and fundamental human rights” and to “lay the foundations for a democratic and open society” (S.A. Department of Justice and Constitutional Development, 2018). In general, the South African Constitution is regarded as one of the most democratic worldwide. As a matter of fact, as for the representation within the Parliament, it guarantees a very low threshold of votes to be elected, allowing therefore numerous minorities to be represented within it. Moreover, it prescribes an articulated set of checks and balances, a strongly autonomous judiciary and independent control authorities, such as the Electoral Commission (Bilchitz et al., 2016). For its historical background and its content, it is therefore possible to argue that, at the moment of the Trade agreement with the EU, South Africa already had a fully democratic institutional structure, perfectly in line with the “essential element” clause.

However, considering the objective of this chapter, it is important to check the Constitutional evolution, in order to find evidences for eventual modifications, either in a more democratic or less democratic sense. After the signing of the Treaty, between 2001 and 2012 the South African Constitution has been amended 12 times (S.A. Ministry for Justice and Constitutional Development, 2016). For the most part, the amendments were of technical nature, but some of them could be considered as controversial. The so called “Sixth Amendment”, for example, allows inter alia the possibility for the Parliament to extend the mandate of a judge of the Constitutional Court (the highest court of the country). This fact could be interpreted as an intrusion of the legislative power into the judicial one and generated vibrant protest in the civil society (De Vos, 2012). However, other amendments seem to go on the opposite direction, granting the judiciary a major and independent role. The so called “Seventeenth Amendment”, for instance, granted the Head of the Constitutional Court the role of chief of the judiciary and increased the areas of jurisdiction of the Court. According to Van Heerden (2013), this “gives effect to the principle of the separation of

powers and thereby enhances the independence of the judiciary, and, it seeks to promote and enhance judicial accountability” (Van Heerden, 2013, p. 9). Therefore, it is possible to argue that, even with some minor issues, the Constitutional amendments didn’t modify significantly the overall structure of the Constitution, keeping the core of its democratic provisions in line with the EU prescriptions.

Alongside of the Constitutional modifications, it is useful to look for some other cases of minor laws modifications, in order to have a record of the general legislative evolution’s trend. In this realm, two cases above all are significant for the impact that they had. The first one concerns the so called “Traditional Courts Bill”, started to be discussed in the Parliament in 2008. According to the draft, the original proposal was to grant the traditional courts, still operating in rural areas of South Africa, civil and criminal jurisdictions on a wide number of cases (Mnisi Weeks, 2011). Beside the opaqueness and the flaws of the consultation process, the new law would have had serious implication on the equality of citizenship between men and woman, one of the fundamental principles of South African democratic society (Williams et al., 2017), since in those courts “a woman cannot represent herself” (Claassens, 2009, p.11). The Bill met a strong opposition from the South African public opinion. Eventually, the citizens pressure led to the lapse of the Bill in the Parliament, a fact that, according to Thipe and Buthelezi (2014) “attests to the level of investment in the democratic dispensation” (Thipe et al., 2014, p. 205).

The second case is about the “Protection of State Information Bill”, that was introduced in the Parliament for debate on 2008. The scope of it was to repeal the apartheid-era legislation on the disclosure of public-related information. Despite of this, the final draft of the Bill contained many illiberal provisions; the most important were the primacy of this new Bill over the Promotion of Accession of Information Act, the law that institutionalized the right to accession of information present in the South African Constitution, and up to 25 years prison terms in the case of diffusion of classified information, even in the case of relevant public interest, such as in the cases of corruption (Echle et al., 2014). The law proposal raised protests from the internal public opinion, from human rights NGOs (Human Rights Watch, 2011) and, most importantly, at an international level in the context of the Universal Periodic Review; within it, the Bill was criticized by nine states, five of them members of the Union (Smith, 2012). Probably because of this, in 2013 the South African President Zuma refused to

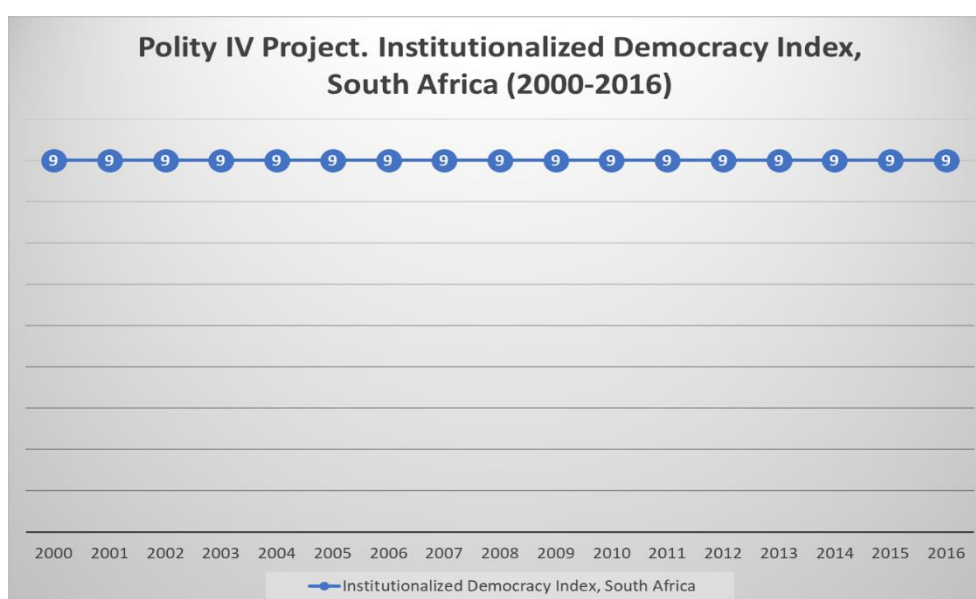
sign the Bill, sending it back to the Parliament for modifications, where it is still now under discussion (Smith, 2013).

At the end of this section, it is mandatory to assess the aforementioned data following the benchmarks of the Lavenex and Schimmelfennig (2009) model. As first point, it has to be noted that, at the moment of the Treaty's signing, the South African Constitution already presented a high and well-structured institutionalization of democratic principles, perfectly in line with the European Union's democratic clause of the TDCA. As a second point, it should be noted that all the attempts of legislative modifications, since their illiberal provisions, can not be classified as EU-inspired. However, as a third and last point it is interesting to note that all the illiberal law modifications were repealed by strong public opinion pressures, both local and international, especially for what it concerns the "Protection of State Information Bill". In the literature consulted, there is no evidence of a direct EU intervention in the debate, probably because all the aforementioned cases can be reconducted to normal political debates within a democratic country, and therefore the EU authorities didn't have a reason to intervene. For these reasons, the evaluation of effectiveness of the EU in this field can be considered as neutral, since the South African legislative impact kept its democratic structure that it already had at the moment of the Treaty subscription.

-4.1.4 Evaluation effectiveness: democratic provisions of the legislation consistently applied

The third step of the effectiveness evaluation model by Lavenex and Schimmelfennig (2009) prescribes to look if the democratic provisions in the agreement are consistently implemented by the third state. In this regard, it is useful to utilize as benchmark two indexes, the Polity IV and the Freedom in the World, evaluating the overall level of democracy within a state.

Figure 2: Institutionalized Democracy, South Africa



Source: Polity IV Database

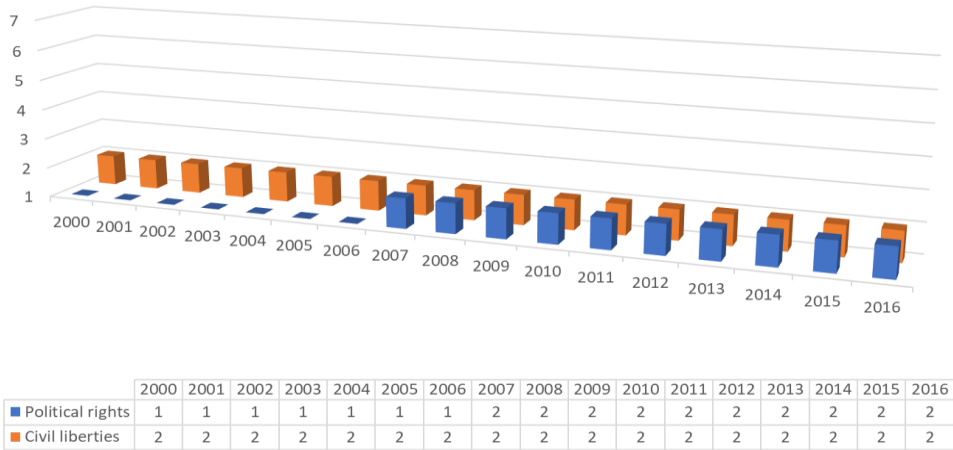
The table above shows the data about the indicator “Institutionalized Democracy” from the “Political Regime Characteristics and Transitions Database” of the Polity IV Project. The index, in assessing the performance of a state for what concerns democracy, considers three interdependent elements: “one is the presence of institutions and procedures through which citizens can express effective preferences about alternative policies and leaders. Second is the existence of institutionalized constraints on the exercise of power by the executive. Third is the guarantee of civil liberties to all citizens in their daily lives and in acts of political participation” (Marshall et al., 2007, p. 14). The indicator is built on a 0 to 10 scale, where 0 is the lowest grade and 10 the highest. As it is possible to see, since 2000, the year of the beginning of the trade Treaty, to 2016 the index score was constant at 9.

From this data, it is possible to argue two things. The first one is that, when the treaty started, South Africa already had a very high democratic level, just one point below the maximum. Starting from this assumption, the second thing is that the EU intervention didn’t influence significantly the “democratic laws implementation”. This is due to the fact that this implementation pace was already a consolidated fact at the moment of the EU bilateral involvement within South Africa. Similar results can be found in the “Freedom in the World Index”, published every year by the NGO Freedom House. This index measures freedom and democracy within a country using two main indicators, one concerning the “political rights” and one concerning “civil liberties”. Both indicators are expressed in a scale between 1 and 7,

where 1 is the best result and 7 the worst. The average of the two indexes is translated in the “Freedom House Index”, that classifies the world countries in “free” (average between 1 and 2.5), “partly free” (between 3 and 5) and “not free” (between 5.5 and 7) (NSD Macro Data Guide, n.a.). As for South Africa, the data are the following:

Figure 3. Political rights and civil liberties

Freedom in the World. Country and Territory Ratings: Political Rights and Civil Liberties, South Africa



Source: Freedom House Index

Following the average between Political Rights and Civil Liberties, the “Freedom House Index” rates South Africa as “free” for all the concerned period. However, it is interesting to note that from 2006 to 2007 the “Political Rights” index decreased, passing from 1 to 2. According to the 2007 Freedom in the World Annual Survey, this change was due to “the ruling ANC’s growing monopoly on policy making and its increasingly technocratic nature” (Freedom House, 2007a, p. 729). The ANC (African National Congress) is the main South African political party. It was the main engine behind the end of the Apartheid and, since the first free elections in 1994, is uninterruptedly in power with an overwhelming majority on the other parties. The potential dangers linked to a theoretical lack of a just application of the Constitution’s democratic provisions connected to this unusual situation had already been underlined by Southall (2008); in an article, he asked if in the long run this ANC’s control over the state structures would have led to a “democratically-endorsed dictatorship” (Southall, 2008, p. 148). Other authors have an even more grim vision on the recent development of South Africa democracy and its application. According to Von Holdt (2013) the lack of an equal

redistribution of the national resources, that was one of the promise of the South African democratic “new deal”, and the subsequent growing social unrest of the poorest groups of the population, is gradually transforming South Africa in a “violent democracy” (Von Holdt, 2013).

On the other hand, other scholars have a more positive vision about the recent perspectives for the country’s democracy. According to Calland and Seedat (2015), after the May 2014 elections, the entering into the Parliament of new and “combative” opposition parties such as the “Economic Freedom Fighters” brought a new momentum to the otherwise immobile ANC-dominated parliamentary dialectic, showing so the vitality and the functioning of the South African democratic institutions (Calland et al., 2015). The 2016 report of Freedom in the World, the last one for what it concerns the time-period of this analysis, seems to confirm this vision. As a matter of fact, despite the global overall decline of democracy in the last decade (Puddington et al., 2016) South Africa kept its ranking of “free” country. Moreover, it performed really good in the sections concerning the fairness of the electoral process, associational rights, freedom of expression and beliefs and political pluralism and participation (Freedom House, 2016). All these indicators illustrate a situation where the democratic provisions of the Constitution are consistently applied, in line with the “essential element clause” provision and fulfilling therefore the third step of the model designed by Lavenex and Schimmelfennig (2009).

-4.1.5 Investigating theoretical expectations: mechanisms and initiatives connected to the European Union democracy promotion

The previous chapter showed the main mechanisms employed by the EU in its action of democracy promotion. For this thesis, two are relevant, the procedural and the transference ones. This chapter deals with the investigation on the second one; concretely, it consists in a “stick and carrot” scheme, so conceding benefits or giving punishment in a particular field on the basis of the third state behavior in a particular area. In our case, the field is the trade one and the area is the application of the democratic provisions. Therefore, this section will map the incentives and punishments connected to this mechanism, as well as other initiatives of

democracy promotion made by the EU, based on the legal foundation of the treaty that allows it to act in this field.

The main incentive given to South Africa by the treaty is the unbalance of the trade provisions. This approach can be resumed in the two concepts of differentiation and asymmetry. Specifically “differentiation makes it possible for the EU to achieve a larger overall percentage of liberalization of its own imports than would be the case on the South African side. Asymmetry means that the rate at which tariffs will be dismantled during the transition period will be faster for the EU than for South Africa” (European Commission Press Release, 2018). Concretely this means that “the EU resolved to fully liberalise 95% of South African imports over a 10-year transitional period. In turn, South Africa was required to liberalise 86% of EU imports over the course of a longer, 12-year transitional period ending in 2012” (Soko et al., 2017, p. 142). Moreover, it is important to underline that this treaty was, together with that signed with Mexico, the first bilateral agreement between EU and a country outside the near European periphery, granting so to them the considerable advantage of entering with preferential tariffs within the EU Single Market.

If the aforementioned measures are the “carrot” part of the transference mechanism, it is necessary also to scan also eventual “stick” measures related to the trade field. The apartheid-era South Africa was hit by numerous sanctions in various fields, namely in the arms, oil and, between 1985 and 1987, in the trade sector, in this last case initiated by the EEC (Levy, 1999). The sanctions were lifted in 1991-1994, with the progressive end of the apartheid regime (Evenett, 2002). Since then, with the passage to the new South African political course, there is no further record of any kind of sanctionary measure imposed on South Africa, both from the Union and from other states and international institutions. This is connected to the new democratic deal of the country, as explicitly stated in the UN resolution 919(1994), the one that suspended the previous measures (UN Security Council, 1994). Therefore, since the new democratic course and the constant maintenance of a satisfying democratic record, it is not surprisingly the absence of any “stick” sanction by the EU.

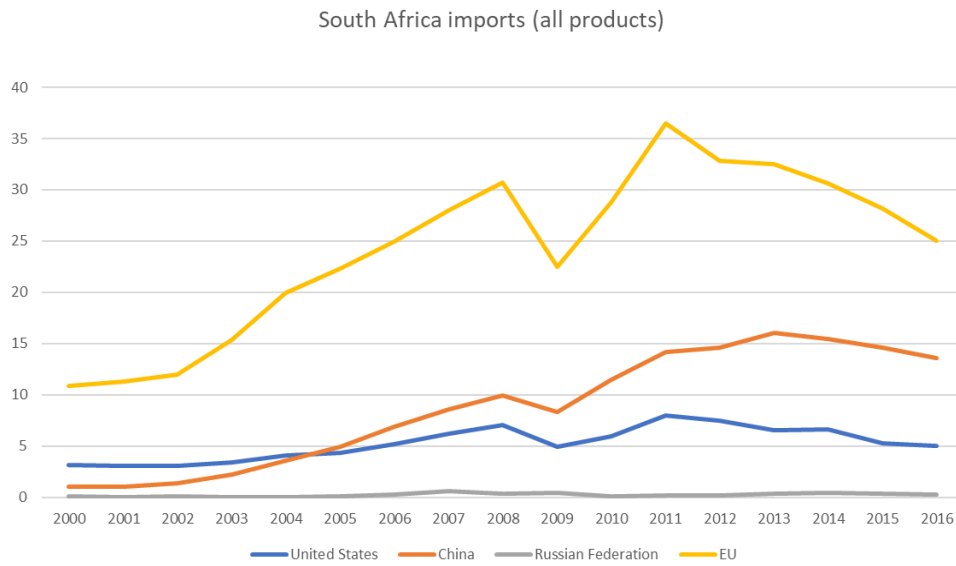
Beside the transference mechanism, the EU utilized other minor initiatives to actively sustain and strengthen democracy within the country. The first and most notable among them is the already mentioned “European Programme for Reconstruction and Development in South Africa”. The overall budget of this fund for the 2000-2006 period was 900.5 million euros (European Parliament and Council, 2000), for 2007-2013 period 980 million euros (European

Parliament and Council, 2006) and for 2014-2020, under the name of “Development Cooperation Instrument”, 241 million euros (European Commission, 2015b). In particular, one of the three main focus areas of the last financing period was linked to “building a capable and developmental state”, having as goal to “put in practice” the democratic and equality provisions enshrined in the South African Constitution. One initiative that could be linked to this goal is the “Amarightza” project, managed by the South African Department of Justice and Constitutional Development in cooperation with the Union; its aim is to strengthen the participation of the marginalized parts of the population in the democratic process (S.A. Department of Justice and Constitutional Development, n.a). Furthermore, the EU operates in the democratic promotion in the country also through the European Instrument for Democracy and Human Rights, an initiative to fund directly projects made by civil society organizations and NGOs. For 2011, the last year for which documents are available, the grants of this scheme accounted for six hundred thousand euros (European Union Delegation in South Africa, 2011). In total, all the financing initiatives deployed by the EU organs and EU member states, both for what it concerns initiatives of democracy assistance and other aid areas in general, account for around the 70% of the funds received by South Africa from third entities. However, this apparently considerable number has to be compared to the total budget of South Africa; in total, it accounts for only 1.3% of the government funds and for around 0.3% of GDP, not producing so a significative impact overall (European Commission, n.a. 1). In conclusion, summing up the data provided in this paragraph, it is possible to argue that the European Union as whole can be considered the most important partner for South Africa. The lion share is played by the trade incentives of the TDCA and a minor role is played by all the other initiatives in other fields managed by the EU in the country.

-4.1.6 Investigating theoretical expectations: trade ties with Western democratic powers

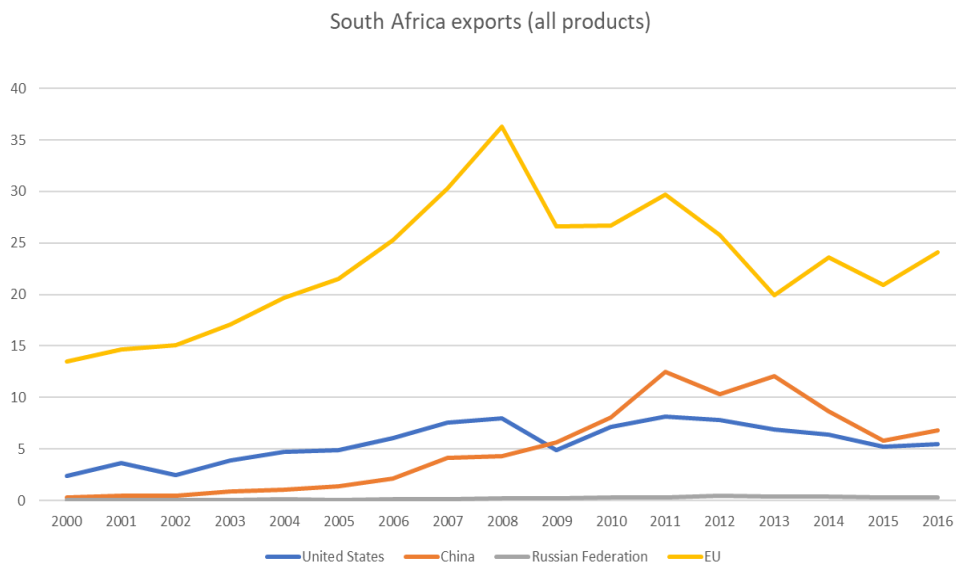
As first step of the trade analysis, it is necessary to compare the volume of imports and exports of EU, US, China and Russia with South Africa.

Figure 4. South Africa imports (billion \$)



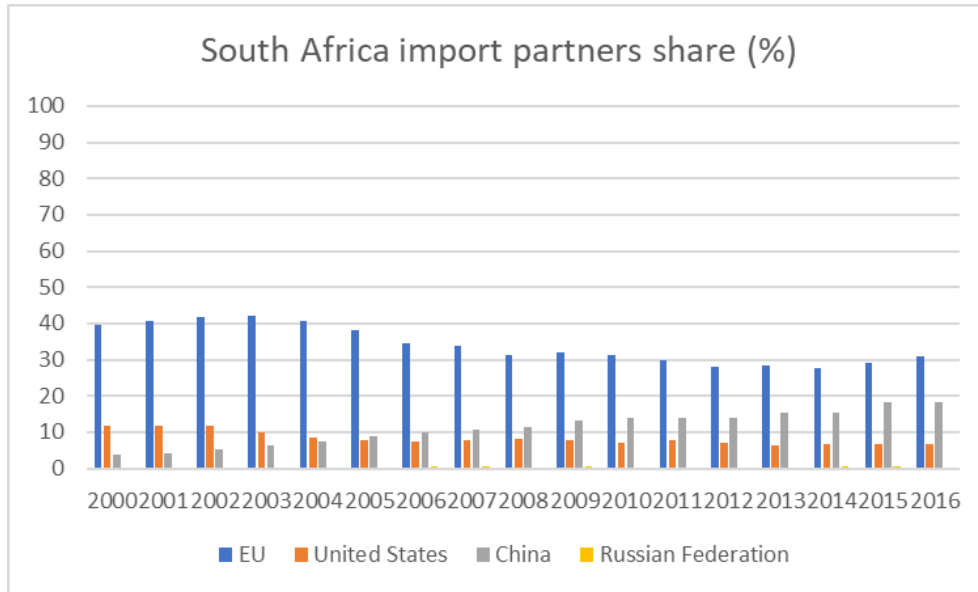
Sources: World Integrated Trade Solution Database & UN Comtrade

Figure 5. South Africa exports (billion \$)



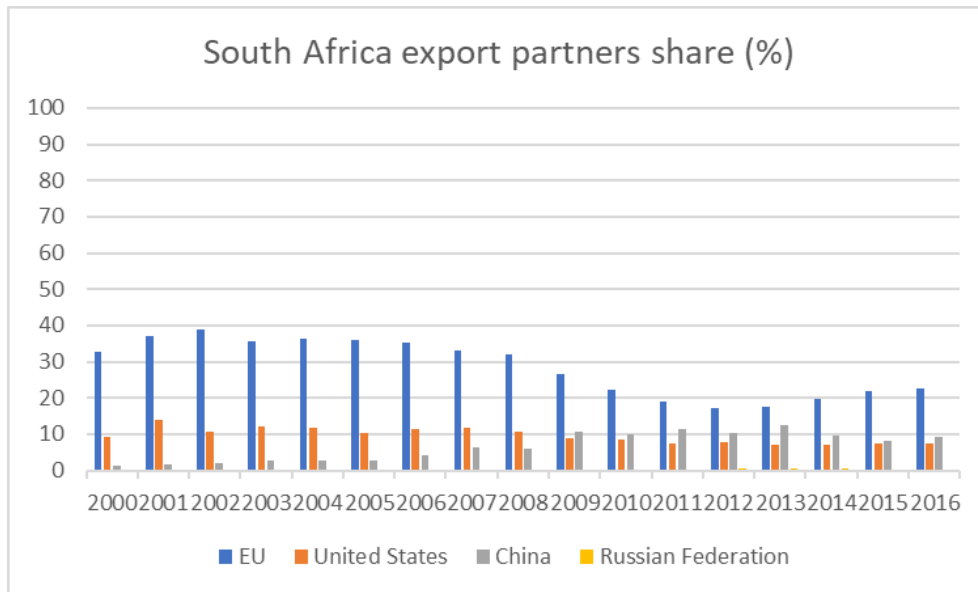
Sources: World Integrated Trade Solution Database & UN Comtrade

Figure 6. South Africa import partners share (% on the total)



Source: World Integrated Trade Solution Database

Figure 7. South Africa export partners share (% on the total)



Source: World Integrated Trade Solution Database

-European Union. The first Western democratic power of which it is necessary to assess the economic influence vis à vis South Africa is the European Union. The first step of this analysis deals with the trade pattern between the two countries.

As it is possible to notice from the figures above, it emerges that the EU is by far the most important trade partner for South Africa, both for what it concerns the imports and

exports. In particular, as for the focus of this thesis, it possible to see clearly the beneficial effects triggered by the TDCA. As matter of fact, taking as points of reference the initial and the last years of the period taken into account, the South African import from EU had an increase from 13.5 billion euros on 2000 to 24 billion euros on 2016 (with a peak of 36 billions on 2008). Alongside, its export to the EU incremented from almost 11 billion euros on 2000 to 25 billions on 2016 (with the peak reached on 2011 with 36 billion euros). This trade link can so be considered as essential for the well-being of the South African economy.

-United States. The second Western democratic power whose influence in South Africa has to be assessed is the United States of America. Historically, the relations between the two countries can be divided in two periods, after and post-apartheid. As a matter of fact, even though they didn't sustain actively the regime, some American administrations, the Nixon and especially the Reagan ones, refrained from reprimanding it in an overly confrontational manner. This was due to the fact that it was a guarantee of the American interest in Southern Africa and especially an important supplier of minerals (Houser, 1984). However, the Clinton administration was quick to recognize the country's democratic change, with the establishment of a Binational Commission for dialogue in 1995 (Bridgeman, 2001). Despite of this, in the following years the relationship between the two countries deteriorated from 2002 to 2008, just to have a new momentum in 2010, with the institutionalization of the "USA-South Africa Strategic Dialogue", an annual bilateral meeting encompassing the discussion of many issues of common interest (Firsing, 2012).

As for the trade pattern, from the figures above it is possible to argue that the USA do occupy a significative place in the South African trade pattern, but not as relevant as that of China (as we will see further) and especially European Union. However, for the scope of this thesis it is important to note that currently South Africa is the most important beneficiary of the African Growth and Opportunity Act. This is an initiative inaugurated on 2000 by the United States that concedes better market access conditions to sub-Saharan countries that keep implementing a series of policy measures, among which the improvement of their overall democratic environment; it is therefore very similar to the democratic conditionality encapsulated in the EU treaty (Agoa, 2018). This Act has had significative consequences for

the South Africa economy. According to Carroll “Since AGOA’s passage in 2000, South Africa’s exports to the United States have grown by more than 50 percent” (Carroll, 2017, p. 9).

In conclusion, considering the data provided, it is possible to affirm that the USA constitute a valuable economic partner and provide the South African economy with some advantages in the trade sector, but overall their share in the country is overshadowed both by China and especially the European Union, that among the Western powers is by far the more relevant entity for South African economy.

-4.1.7 Investigating theoretical expectations: trade ties with non-Western non-democratic powers

-China. The first one of the non-Western non-democratic power whose trade influence vis à vis South Africa will be analyzed is the People’s Republic of China. The history of the relationship between South Africa and China dates back to 1998, when formal links between the two countries were institutionalized. Since then, during the next decade the links, mainly in the trade fields, increased steadily. In 2009 (one of the worst year of the economic crisis in Europe and USA) China became South Africa’s largest individual trading partner, not considering therefore the EU as a whole (Bradley, 2016). To mark this important milestone, the year later the two countries signed the “Beijing Declaration on the Establishment of a Comprehensive Strategic Partnership between the PRC and the RSA”. This is the first document of this kind that Beijing signed with a developing country, establishing a net of cooperation in 30 sectors (Bradley, 2016). Moreover, it is important to notice that both countries enjoy the membership of the “BRICS group”, having therefore a further platform to develop their South-South relationship. As for this thesis, it is important to underline that it was the Chinese President Hu Jintao to invite South Africa within the BRICS club, a move that testifies a deep level of political cooperation between the two states (Bezuidenhout et al., 2013).

However, for what it is possible to see from the figures above, the trade balance between the two countries is not egalitarian, but is unbalanced to the China’s side. This disequilibrium was underlined by the South African President Zuma in 2012 during a meeting

with Chinese officials, stressing the necessity that “the contemporary economic foundation of the relationship needed to shift away from the pattern of unequal exchange if it was to thrive” (Alden et al., 2016, p. 210). After 2013, that can be considered the peak of China-South Africa trade exchanges, the commerce between the two countries experienced a slow diminution, leading therefore to a loss of economic interconnections between the two.

Despite the privileged relationship, China Foreign Direct Investments in South Africa do not have a particularly strong position in the country’s economy. As a matter of fact, between 1997 and 2010 the Chinese relative position for what it concerned the FDI quotas was lower (except for 2008) than those of United Kingdom, USA and Germany (Alden et al., 2016). The main sectors in which Beijing has invested are the banking one, with the acquisition of 20% of the Standard Bank of South Africa for 5.5 billion dollars in 2007, followed by the mining sector, with numerous Chinese companies operating in the country (Gelb, 2010).

In conclusion, it is possible to argue that, despite the links at the political level, China does occupy a considerable share within the African country’s economy as an individual country, but way less significant than those of the EU states taken together.

-Russia. The second non-Western non-democratic power to be analyzed is Russia; As it is possible to see from the figures above, the South Africa trade dependency with Russia is just a small fraction in comparison with China. This weak presence of Russia in the African country can be found also in some reports. From a document produced by Arkhangelskaya and Shubin, for instance, it is possible to argue that in South Africa the overall Russian influence is weakened by the limitedness of its presence in various fields and by the inconsistency of the political and economic relationships (Arkhangelskaya et al. 2013). Against this background, in 2013 the two countries signed a “Joint declaration establishing a Comprehensive Strategic Partnership”, aiming at enhancing the cooperation in various sectors; among these, the most important can be considered the economic one (Official Internet Resources of the President of Russia, 2013). Interestingly, the document doesn’t include any reference to joint actions in the democracy or the human rights fields. This “interested forgetfulness” from the South African side, that as it has been seen above can be considered a fully-functioning democratic state, has been noted by the scholars. Geldenhuys, for instance, rhetorically asks “whether their normative agendas align very closely, beyond such fairly banal values like state

sovereignty and equality? Do the two countries have a similar understanding of human rights and democracy at home?” (Geldenhuis, 2015, p.137). It is likely that this deepening in the Russia-South Africa relationship can be reconducted to the will of expanding the links among the states the BRICS group, of which both are members. However, for what it concerns the trade between South Africa and the others BRIC, in the last two decades Russia was South Africa’s less important partner among the four (Onyekwena et al., 2014).

In conclusion, taking into account all the aforementioned statistics and data, it is possible to argue that the Russian economic and trade presence, both in comparison to China and to the European Union, can be labeled as irrelevant.

-4.1.8 Resume of the main findings

To sum up the main findings on South Africa, it is possible to argue that the country, at the moment of the signing of the EU Treaty, was already an established democracy and therefore the EU influence on it can overall not be considered as relevant. Moreover, in all the concerned period the country kept a satisfactory record of democracy implementation, in line with the treaty’s provisions.

For what it concerns the economic influence of the Western democratic powers, between the US and EU is the latter that plays the lion’s share in the South Africa’s trade pattern, discretely supplemented by the United States. As for the trade relationship with non-Western non-democratic powers, the Russian impact is so small that it can be deemed as virtually irrelevant. As for China, it is the single most important country for South African trade but, also despite the common membership of the BRICS group, its overall importance is way lower than that of EU and US taken together.

Lastly, as for the mechanisms utilized by the EU, the most effective is the transference one exemplified in the concessions envisaged in the trade treaty, that positively benefitted the trade between the two, and secondarily the various means of funding deployed by the EU in the country, that played an ancillary role in the democratization’s support of South Africa.

-4.2.1 Mexico: The Global Agreement: overview of the main features

The Economic Partnership, Political Coordination and Cooperation Agreement between the Union and Mexico, informally known as “Global Agreement”, was signed on 1997 and entered into force on November 2000 (EUR-Lex, n.a.). It was structured along three main areas, one related to the establishment of a political dialogue, with a regular consultation between the parts, one related to trade, with a progressive liberalization of trade, and one related to cooperation and exchange of information in various sectors, among which for instance agriculture, financial service, fighting of the drug trafficking and social affairs.

Also in this treaty, the “essential element clause” can be found in Article 1: “Respect for democratic principles and fundamental human rights, proclaimed by the Universal Declaration of Human Rights, underpins the domestic and external policies of both Parties and constitutes an essential element of this Agreement” (Official Journal of the European Communities, 2000). In the case of Mexico, the introduction of this clause was not an easy task. According to Dominguez (2010) “the negotiation was protracted initially due to Mexico’s reluctance to include the democracy clause. Eventually the Mexican government quickly realized, however, that it had no alternative choices but to accept the democracy clause, which in turn concluded the negotiation process” (Dominguez, 2010, p. 190). The initial reluctance was due to the fact that the Mexican government feared that such clause would have given to the EU a basis to interfere in the country’s internal affairs (Castellà, 2017).

Few years later, the relationship between the two countries was deepened with the signing on 2008 of a “strategic partnership” between the two; this reinforced the cooperation in various area and increased the coordination between the two in the main international fora. As for the scope of this thesis, it is useful to underline that the “strategic partnership” set up a regular human rights dialogue between EU and Mexico. This led to the establishment of an annual meeting of discussion on the development of the human rights situation between the two entities (Council of the European Union, 2010).

-4.2.2 Evaluation effectiveness: amendment of the legislation towards democratic principles

As in the South Africa case, also for Mexico the starting point of the legislation analysis has to be the Constitution. In order to do so, a brief historical overview of the fundamental Law and on the overall Mexican political situation is mandatory, in order to better contextualize the research. As for the political situation, since 1929 Mexico was governed without interruption by the “Partido Revolucionario Institucional (PRI)”, a political formation that can be considered of center and conservative ideology. During its rule, it established its control over all the core sectors of the state and set a clientelist system in the country; overall, its nature can be considered as authoritarian. As argued by Müller (2016) “the coercive tools used to enforce compliance with the PRI regime’s workings of power ranged from local political bosses who had access to groups of armed followers (and the local police), to legal and extralegal coercion by the police and the military, to laws targeting political opposition movements, like the infamous Law of Social Dissolution, which curtailed the freedom of association” (Müller, 2016, p. 228). After 71 years of power, the PRI lost its first election in 2000 against the National Action Party (NAP), a center-right formation with a liberal political ideology (Preston, 2000). This party kept the power for two mandates until 2012 elections, when the PRI succeeded in coming back to power (Miroff et al., 2012).

As for the Constitution, formally the current Mexican fundamental Law can be traced back to the document approved in 1917 in the midst of the so-called “Mexican revolution”, i.e. a period of fighting between different political factions and social unrest. The 1917 Constitution was very advanced for the times, in particular in the social field. For instance, the article 123 established a very articulate set of protections for the workers, granting a 8 hours working day and a decent minimum wage (Grote, 2017). However, the Mexican Constitution, from its approval on 1917 to 2016, has been amended 227 times and only 22 original articles from 1917 have not been amended (Rivera Leon, 2017). Since the scope of this thesis, it is mandatory to look at the amendments made since 2000, the date in which the Global Agreement with EU entered into force, to the years on. According to a calculation made by Rivera Leon, from 2000 to 2016 the Constitution has been amended 77 times, making therefore this little span of time the one with the highest average number of amendments per years in the Mexican history. In the scholar’s opinion, this could be reconducted to a series of factors. Among them, for this thesis the most important is that, in the Mexican polity, the Constitution is used as a “canvas” to “paint” the main points of the political programs of the ruling party (Rivera Leon, 2017).

Therefore, at least according to this theory, the new government of the National Action Party, that gained power the same year of the triggering of the trade treaty, would have followed this course, amending the Constitution to more liberal provisions proper of its political ideology and in line with the Union's prescription. In this regard, two amendments are particularly relevant. Indeed, on June 2011, within few days the Mexican Constitution experienced two important modifications reinforcing the citizens' Constitutional rights and the human rights situation within the country; this can therefore be considered as a strengthen of the overall democratic situation within Mexico.

As for the first amendment, it was approved on the 6th June 2011 and was centered on the modification of the "writ of Amparo", a Mexican traditional juridical procedure "which may be used when the human rights or individual guarantees have been violated" (Mejorada, 1946, p. 107). The amendment greatly reinforced this important mechanism; as a matter of fact, it broadened into the field of action of the Amparo not only the human rights explicitly included in the articles of the Mexican Constitution, but also those of any international treaty or convention subscribed by Mexican authorities (Becerra Becerril, 2012). This constitutes a great step towards a more effective protection of citizens' fundamental rights, perfectly coherent with the "essential element" clause. Another modification concerned, inter alia, the transformation of the "amparo judgments" from sentences related only the concerned individual to more general cases, capable to have an influence on the law-making procedure within Mexican legislative body. Lastly, a further modification prescribed the impossibility to archive the case in the event of a prolonged activity of the petitioner, a rule that, once started, makes the judicial process irreversible, protecting so the petitioner from attempt of intimidation. Considering all the aforementioned measures "there is no doubt that two main aims were achieved with this important constitutional modification: wider protection of a person's rights and to make the writ of amparo more flexible and accessible" (Becerra Becerril, 2012, p. 22).

The second relevant amendment, approved on the 10th of June, deals with the overall human rights protection within the country; its main relevant features are two. The first one is without doubts the most important, because it modified the Article 1 of the Constitution: it put as fundamental principle of the Mexican state the broadest protection of citizens' rights and explicitly committed the state authorities in protecting those rights and investigating and sanctioning any violation. The second important feature deals with the Article 29, concerning

the cases and the circumstances in with the human rights regime can be suspended. Also in this field the change was significant, since it narrowed down the emergency cases allowing a suspension, prescribed that this has to be exceptional and temporary and identified a group of rights that cannot be suspended under any circumstance (Ek, 2012).

Another relevant legislative reform, in this case outside the constitutional level, is the reform of the judicial sector, approved by the Congress on 2008. According to Shirk (2011) the reform encompassed four main characteristics: “1) changes to criminal procedure through the introduction of new oral, adversarial procedures, alternative sentencing, and alternative dispute resolution (ADR) mechanisms; 2) a greater emphasis on the rights of the accused (i.e., the presumption of innocence, due process, and an adequate legal defense); 3) modifications to police agencies and their role in criminal investigations; and 4) tougher measures for combating organized crime” (Shirk, 2011, p. 203). This project was strongly supported by the Mexican public opinion and in particular by human rights advocates, thanks to the modification in a more liberal sense of the old and sclerotized judicial system.

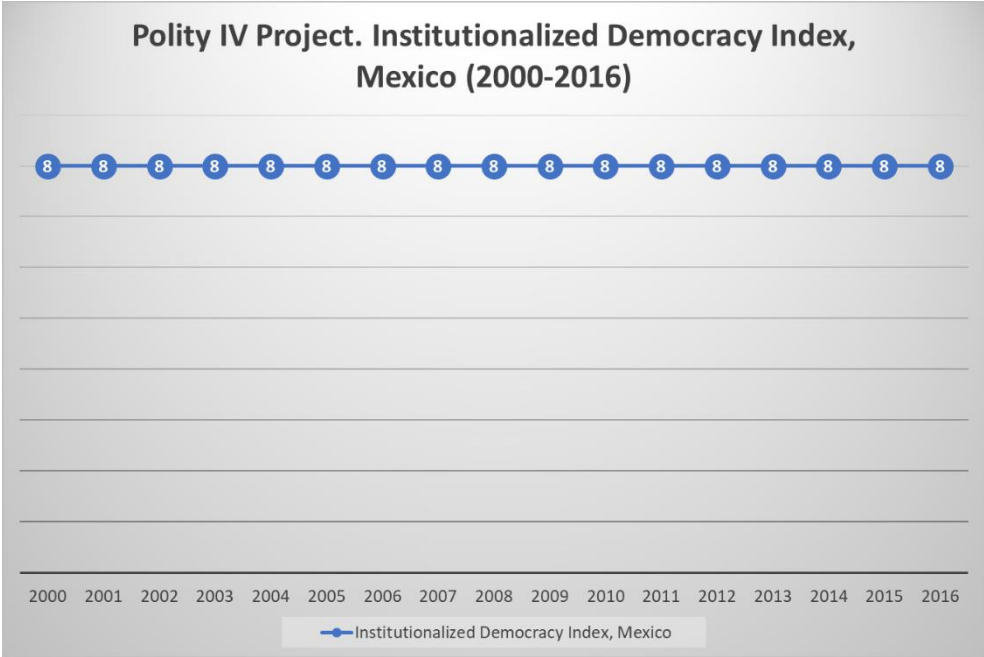
It is self-evident that the content of those two amendments can be considered as along the line of the European Union’s expectations. However, it has to be assessed to what degree this improvement in the Mexican fundamental legislation towards more democratic principles can be reconducted to the EU’s action. On one hand, it can be argued that the democratic change was triggered by the coming into power of the NAP, a political party devoted to liberal ideology, after more than 70 years of uninterrupted ruling from PRI. As a matter of fact, all the aforementioned law reforms took place under the NAP’s twelve years of government. Therefore, this explanation points out that the democratic changes were due to internal political considerations only and necessary to consolidate the “political new deal”. On the other hand, according to other scholars the signing of the Agreement actively acted as incentive for democratization. For instance, according to Dominguez (2010), one “element that the EU propelled in the democratization of Mexico was the pressure to accept European funding for NGOs to monitor elections. In the context of the association agreement, Mexico also ceded to this pressure and over time the monitoring of electoral processes and funding to NGOs has become a routine political practice. After a period of competing views about the ways to enhance democracy, Mexico’s goals developed to coincide with the European values” (Dominguez, 2010, p. 10).

In conclusion it is possible to argue that, especially during the first 12 years since the agreement's entering into force, Mexico undertook different initiatives of Constitutional and laws reforms infused with democratic principles. This fact was mainly due to Mexican internal political processes, but an indirect and limited influence of the Union in supporting this process is likely to have happened.

-4.2.3 Evaluation effectiveness: democratic provisions of the legislation consistently applied

As in the South Africa case, also with Mexico the evaluation of the legislation's implementation has to start with the Polity IV and the Freedom in the World indexes.

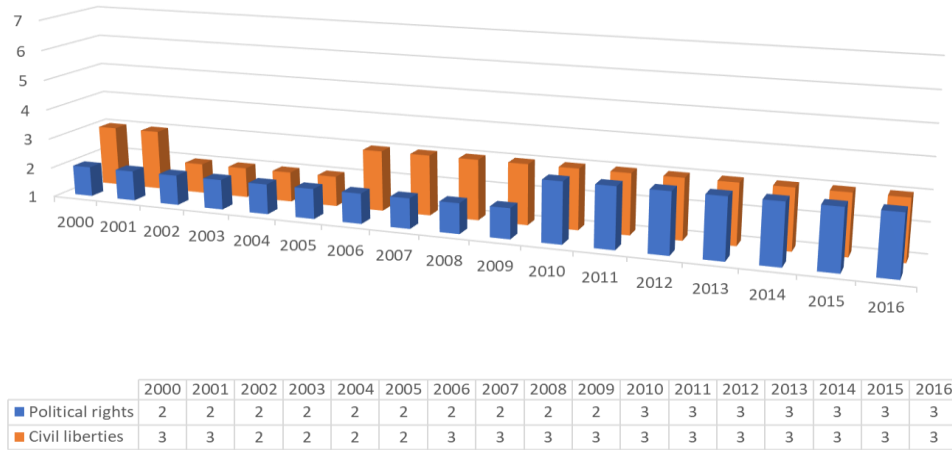
Figure 8: Institutionalized Democracy, Mexico



Source: Polity IV Database

Figure 9. Political rights and civil liberties

Freedom in the World. Country and Territory Ratings:
Political Rights and Civil Liberties, Mexico



Source: Freedom House index

In the Mexico case, the average between Political Rights and Civil Liberties from “Freedom House Index” classifies the country as “free” until 2009, while the rating becomes “partly free” since 2010 until 2016. It is interesting to notice a discrepancy between the two indexes. While in the Polity IV Mexico kept, for all the analyzed period, a ranking of 8, so just two points below the maximum, indicating therefore an overall functioning democracy, in the Freedom House index, after an amelioration in the 2002-2005 period, subsequently it is possible to observe a lowering of the “civil liberties” indicator from 2006 followed by a worsening of the “political right” indicator from 2010.

In order to explain these undulations, it is wise to look at the “Freedom in the World” reports for the concerned periods. As for the period of the improvement, the report motivates the rate’s change mainly with the new government’s effort to fight the drugs related crimes, while as for democracy it underlined the fairness of the democratic process, the overall respect of the Constitutional guarantees and the growing participation of the civil society in the political process, improvements that unfortunately contrasted with the endemic corruption (Freedom House, 2003). As for the first worsening in 2006 in the “civil liberties” indicator, it was due to the deterioration in the press freedom, caused by the increase in assaults to journalists conducting inquiries. Moreover, a record in drug-related homicides and a heated political situation in that year due to the presidential elections, followed by numerous turmoil, contributed to the result (Freedom House, 2007b). As for the last

pejoration of “political rights” on 2010, that led to the shift of the overall country’s rating to “partly free”, it was caused by the increased targeting of local government officials by criminal groups and the growing inability of the central government to protect the citizens’ right from the rise of criminal violence. Moreover, the report also highlighted the growing allegations of human rights abuses by the military operating in the war on drugs (Freedom House, 2011). A further proof of the progressive deterioration of the general situation in Mexico can be found again in the context of the Universal Periodic Review; within it, in all the cycles 17 European Union countries made recommendations in the voice “freedom of the press”, 15 in the voice “human rights defenders” and 4 in the “human rights violation by state agents” (UPR Database, n.a.).

Therefore, from the data outlined above seems to emerge an internal situation in which, despite the efforts, the Mexican government is not fully able to guarantee the citizens’ basic rights enshrined in the Constitution. This fact leads so to a non-effective application of the democratic provisions that characterize the Mexican institutional structure. This harsh picture seems to point out that, overall, the EU has been ineffective at pushing Mexico in implementing a functioning human rights regime. The same conclusion has been reached from an important study commissioned by the DG Trade, aiming specifically at evaluating the effectiveness degree of the various treaty’s provisions. As for the human rights, the conclusion of the paper is that the lack of effective mechanisms to defend the human rights and the missing of the institutionalization of the HR dialogue with civil society have led to an overall non-effectiveness of the EU in this field. The paper also underlines also that this happened despite the democratic clause is an important element and some bilateral cooperation initiatives in the democracy and human rights sectors are perceived in a good way by the relevant stakeholders (European Commission, 2017a). Also during a meeting organized with Mexican stakeholders to discuss the effects of the Treaty this issue emerged; one of the participants for instance “qualified the impact of the agreement on human rights as one with more awareness but the current situation is worse than at the moment of its entry in force. She observed that the democratic clause is merely enunciative due to the lack of a legal instrument, and the EU role in face of violations to human rights has also been only declarative and limited itself to cooperation actions” (European Commission, 2015a, p. 9). The same conclusion has been reached also by scholars. Reveles and Rocha (2007), for instance, underline that “The European Commission has barely called attention to serious human rights

violations in Mexico; at no time has it invoked the Global Agreement's Democratic Clause, which remains purely decorative" (Reveles et al., 2007, p. 21). This concretely means that "In the face of petitions to invoke the Democratic Clause because of repeated reports of human rights violations by the Mexican government, various European Union officials have responded that because these do not constitute systematic violation of rights by the state, they cannot activate the mechanism to apply sanctions. Such statements only underscore that these chapters on cooperation and political dialogue are mere promises with no real impact on the implementation of the agreement" (Reveles et al., 2007, p. 24).

All these information together allow to argue that, since the signing of the treaty, the respect of the citizens' human rights within the country, one of the key indicators of a functioning and accountable democracy, has not improved. According to the documents provided above, this could also be in part attributed to the inactivity of the Union's monitoring efforts, fact underlined by various sources. In conclusion, it is possible to affirm that the EU was for the most part ineffective at pushing Mexico to effectively and consistently implement the democratic and human rights provisions included in the "essential element" clause.

-4.2.4 Investigating theoretical expectations: mechanisms and initiatives connected to the European Union democracy promotion

This section will deal, as in the same section on South Africa, with the investigation of the main "stick and carrot" measures connected to the transference mechanism, as well as with the mapping of all the other minor initiatives performed by the EU vis à vis Mexico in the field of democracy promotion.

The first advantage that the Union conceded to Mexico was the signing of the Treaty itself that allowed it to have access to another fundamental market, providing so an alternative to its dependence from the United States (Szymanski et al., 2005). As for the specificities of the trade incentives, also in this case the prescriptions of the Treaty are favorable to the Mexican side, allowing to carry on the prescribed liberalization in a bigger span of time. Concretely "the EU eliminated all tariffs on imports from Mexico of industrial products in 2003, and Mexico reciprocated in January 2007. As for agricultural and fisheries

products, the EU eliminated import duties in 2008, and Mexico in 2010, except for a small list of sensitive items” (European Parliament, 2015, p. 23). For what it concerns the sanctions part, in the concerned period the EU didn’t take any measure in this regard despite, as we have seen, the progressive deterioration of the human rights situation, because it didn’t judge the violations as systematic (Reveles et al., 2007).

Conversely, it is possible to say that the EU is active, to a certain degree, in engaging with Mexico in the democracy promotion by means of the various minor initiatives envisaged in the cooperation and political dialogue pillars of the Global agreement. As for initiatives that can be reconducted under the umbrella definition of democracy promotion, the 2002-2006 Union’s country strategic paper for Mexico listed under the priority action sections the consolidation of the rule of law and the institutional support. In particular, the document underlined the political turn that was taking place in Mexico and highlighted the necessity to support this change, both providing assistance to the Government and other institutions such as the NGOs operating in the country (European Commission, 2002). Surprisingly, the consolidation of the rule of law was deleted from the 2007-2012 strategic paper for Mexico, in which the EU attention was directed instead to sectors such as education, sustainable economy and social cohesion (European Commission, 2007). According to the Commission, currently the EU cooperation portfolio accounts for 100 million euros, among which around 10 million euros are deployed specifically for the thematic lines “Civil Society Organizations and Local Authorities” and especially the “European Instrument for Democracy and Human Rights” (European Commission, 2018d). Moreover, Mexico benefits also from EU democracy initiatives tailored for the Latin America region in general, like for example the “EUROSociAL” that, among different objectives, aims also at strengthening the institutions of the countries in the region (European Commission, n.a.2). Overall, Ioannides (2017) has calculated that between 1999 and 2016 the EU institutions have financed in Mexico 334 projects and programs broadly related to different dimensions of democracy and human rights (Ioannides, 2017). The impact of these initiatives is mixed. The scholar has also underlined that the eventual changes (positive or negative) in the overall level of democracy and protection of human rights in the country are more likely to have happened due to initiatives of the Mexican government rather than the various EU projects. As for the monitoring mechanisms envisaged in the Agreement, the main focus has been mainly the evaluation of the economic effects of the treaty rather than the societal impact. In the scholar’s opinion “Where the Global

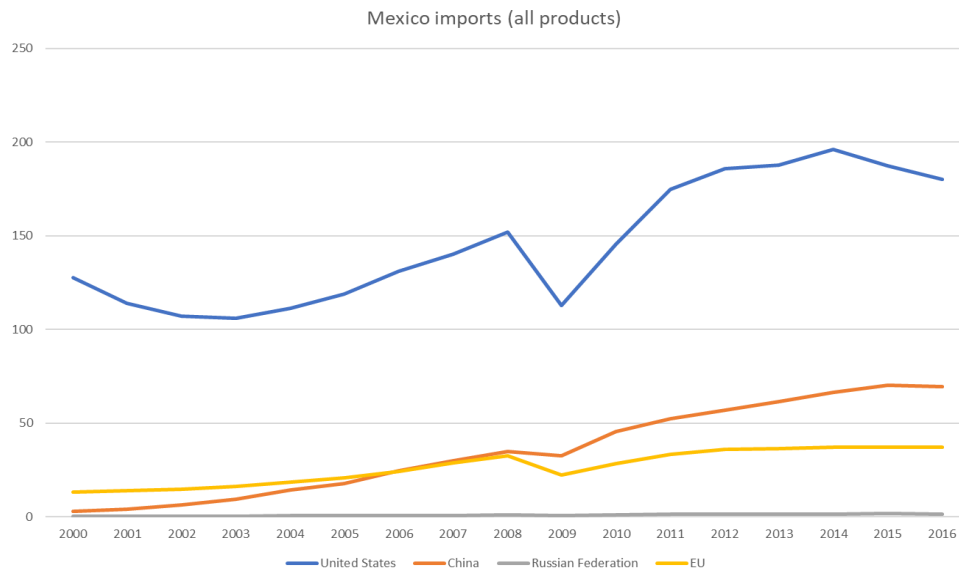
Agreement (...) appears to have had more positive implications on human rights is when it has acted as a path-finder for further such partnerships and has also given Mexico a different standing as an actor on the world stage. As demonstrated, dialogue, sharing of experience and technical assistance that have taken place through the implementation of the Global Agreement, coupled with efforts undertaken through the Strategic Partnership, have led to closer cooperation between Mexico and the EU at the UN level. In that sense, the incentives for cooperation included in the Global Agreement have functioned in favour of the potential improvement of human rights conditions in Mexico” (Ioannides, 2017, p. 115).

However, the recent discussions currently ongoing in the EU institutions around the updating of the agreement (European Commission, 2018e) are having as one of the main focus the implement of an effective mechanism to make the “essential element” clause more effective (for instance: Castellà, 2017); This seems therefore to suggest that, overall, the actual record of the clause can not be deemed as satisfactory.

-4.2.5 Investigating theoretical expectations: trade and economic ties with Western democratic powers

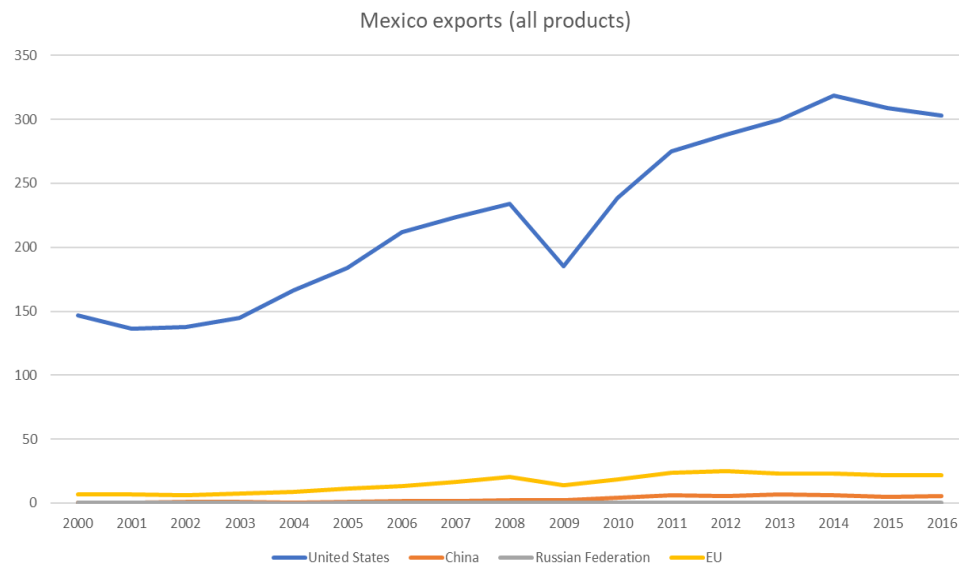
Also in this case, at the beginning of these sections it is mandatory to make a comparison between the volume of imports and exports of EU, US, China and Russia with Mexico.

Figure 10. Mexico imports (billion \$)



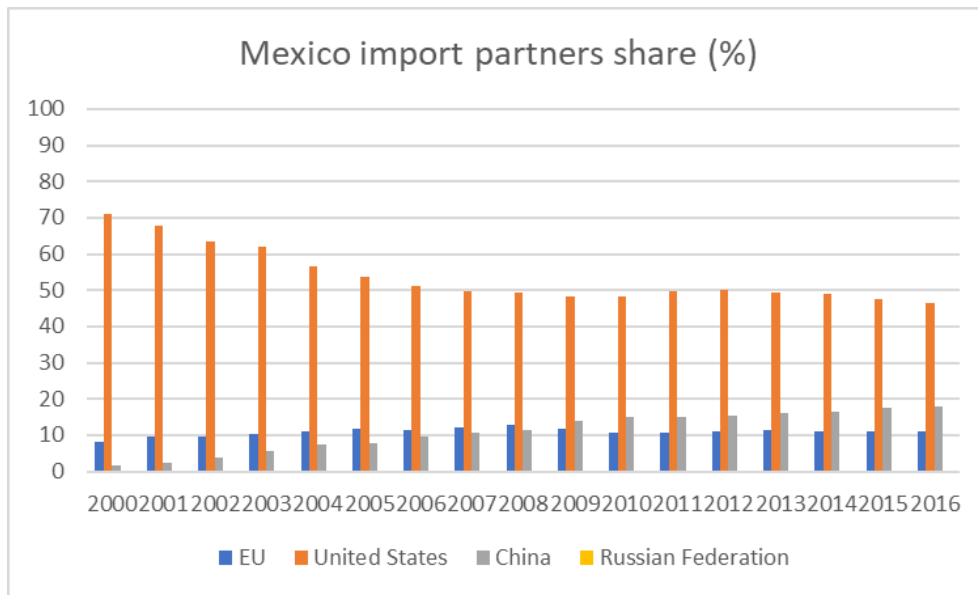
Sources: World Integrated Trade Solution Database & UN Comtrade

Figure 11. Mexico exports (billion \$)



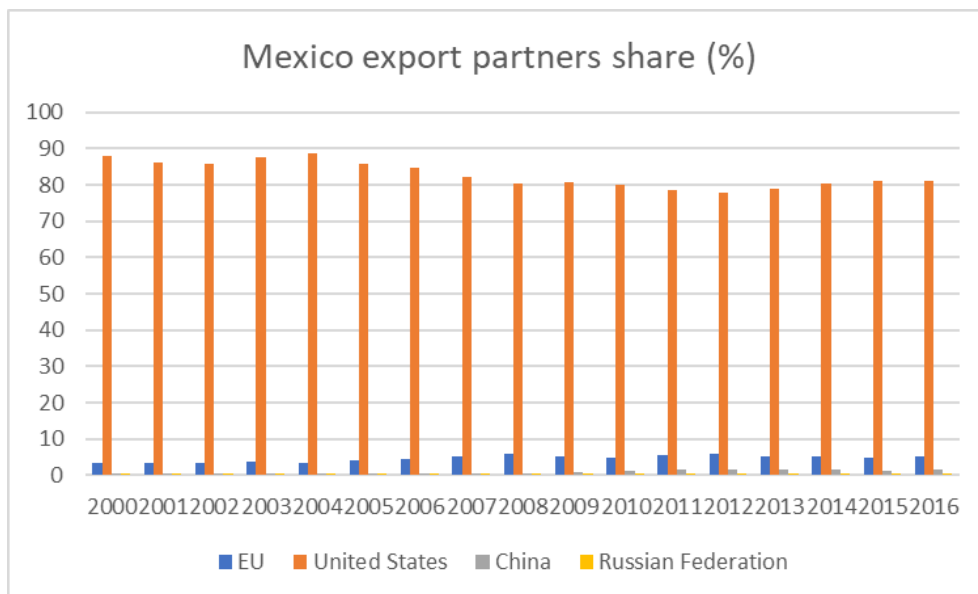
Sources: World Integrated Trade Solution Database & UN Comtrade

Figure 12. Mexico import partners share (% on the total)



Source: World Integrated Trade Solution Database

Figure 13. Mexico export partners share (% on the total)



Source: World Integrated Trade Solution Database

-European Union. As it is possible to see from the graphs above, the Global Agreement was instrumental in boosting the trade exchanges between Mexico and the Union. As a matter of facts, Mexico import from EU soared from 13 billion dollars on 2000 to 37 billion dollars on 2016, while the export passed from 6.8 billions to more than 21 billion dollars on 2016. Moreover, from the data above emerges that, overall, the EU can be considered, depending

on the imports or the exports, the second or the third most important trade partner for Mexico.

In conclusion, it is possible to affirm that the Global agreement was useful in triggering a considerable increase of trade exchanges between EU and Mexico; however, the Union overall share of economic importance within Mexican economy is secondary, mainly in comparison to the United States but, for some aspects, also vis à vis China.

-United States. As it is possible to see from the figures above, the United States occupy an exceptionally relevant part in the Mexican economy, both for what concerns the imports and exports. As a matter of facts, the United States' share in the concerned period is, in every point of the two figures, more than double in comparison to China, Russia and European Union taken together, making so the US the most relevant partner for Mexico. This considerable pattern of trade exchanges is due to the geographical proximity, to the historical and cultural links and to the interdependence of the two economies. Moreover, the commerce has been eased by the signing on 1994 of the North America Free Trade Agreement (NAFTA), a treaty encompassing the two countries under analysis plus Canada. This agreement prescribed a gradual removal of the tariffs and non-tariffs barriers to the commerce among the three states (NAFTA Secretariat, 2014). NAFTA was the real game-changer for Mexican economy, because "America's trade with Mexico increased by 506% between 1993 and 2012, compared with 279% with non-NAFTA countries (...). Import competition has improved Mexican manufacturing productivity; foreign direct investment has surged. More important, membership of NAFTA has shored up Mexico's domestic political commitment to open markets, and provided a template for the country's other free-trade agreements" (The Economist, 2014).

As for this work, it has to be noted that the NAFTA is supplemented by the North American Agreement on Labor Cooperation (NAALC), an agreement aiming at protecting labour rights, ensuring that labour laws are applied in the signatory states (US Department of Labor, 2005). However, this was mainly due not to humanitarian but mainly to economic concerns (avoiding an excessive dumping between the three different economies), and moreover the monitoring mechanism proved to be ineffective (Human Rights Watch, 2001). Except for the NAALC supplement, in the NAFTA there is no other section that deals with

human rights, nor a clause than can be compared to the “democracy as essential element” one included in the treaty with EU. If we paired this observation with the significative United States’ share within the Mexican trade pattern, an important feature emerges. As a matter of fact, the Mexican trade linkage through NAFTA to the US, and the absence of a human rights and democracy clause, seems to imply that also the United States can play a countervailing influence on the overall Mexican situation. This is due to the fact that the absence of democratic conditionality doesn’t force the Mexican authorities to commit themselves in improving the overall human rights situation within the country. Against this background, some authors affirm that, instead, the NAFTA can indirectly be held accountable for triggering improvements in the Mexican democracy, even in the absence of a democratic clause. Weiss, for instance, argues that “because of NAFTA, Mexico can now afford the luxury of democracy. Inflation is relatively low, commercial banks are on their way to recovery and foreign debt is under control” (Weiss, 2000). However, the aforementioned improvements are located in the economic field, not in the democracy one, proving again that this is the main interest dominating in the exchange between the NAFTA countries. To improve this situation, recently there have been proposals for an inclusion of a human rights section within the Treaty (Castañeda, 2017) but this is not likely to happen soon.

To sum up, it is possible to say that the United States, a Western democratic power, is overwhelmingly the most important economic partner for Mexican economy. Despite of this, the excessively focus on business of the NAFTA agreement and the neglecting of labour and human rights in general seem to point to a paradoxical result, namely that a democratic state has a neutral (if not negative) influence on the situation of human rights and democracy in Mexico.

-4.2.6 Investigating theoretical expectations: trade and economic ties with non-Western non-democratic powers

-China. The figures above show a gradual but constant rise of the China’s share in the Mexican economy. As of 2016, Mexico exports to China accounted for almost 5.5 billion dollars, while the import from China had a total value of 69 billion dollars. These data show a striking trade

deficit of more than 64 billion dollars leaning towards Mexico side, making so it heavily dependent on China's products.

This connection between the two countries is partly reflected into their formal relationships. On 2003, the respective presidents established a strategic partnership, further updated in 2013 to the level of "comprehensive strategic partnership". During the 2013 meeting, the two presidents signed also a series of memorandum of understandings on various important economic sectors, agreeing also on the necessity to reduce the trade imbalance between the two (Pahuamba et al., 2015). As for the Foreign Direct Investment sector, China's presence is concentrated into specific but important parts of the Mexican economy, namely the mining, telecommunication, textile and technology sectors, with a recent focus on big infrastructural projects due to the deepen of the partnership between the two nations on 2013 (Ellis, 2014). Overall, the current economic and trade relationships between the two have reached such a level that the idea of starting the discussion on a Trade agreement between them has recently arisen (Reuters, 2017) also in the light of the recent pushes towards trade protectionism that seem to come from Washington (Rodriguez, 2017).

Some scholars have argued that this Mexican openness to China is due in part to political consideration reasons, namely to counterbalance the US excessive influence and to construct a solid net of relations outside the American continent (Gonzalez Garcia et al., 2015). However, this openness to China at a governmental level has been somewhat contested at a public opinion's level because of the so called "China threat". This refers to the idea that "China's competitiveness was particularly harmful to Mexico due the high similarity between exports from China and Mexico to the US" (Lien, 2015, p. 345), leading so to a loss of exports' quotas for Mexican companies. This supposition is only partly true. Ayala and Villarreal (2009) proved that the Mexican diminution of export to US could be attributed only to 1/3 to China's competition, while other external factors can explain the remaining 2/3 (Ayala et al., 2009). Moreover, the growing complementarity in the recent years between the two economies has to be taken into account. Liu and Zhao, for instance, stress the different positions of Mexico and China in the global value chain and the ongoing transformation of China from the "factory of the world" to a mature economy, opening so numerous opportunities to build new links in various areas (Liu et al., 2017).

To sum up, considering the trade statistics and the overall relationships between the two countries, it is possible to argue that the potentiality for a substantial improvement in the

economic field is considerable. However China, albeit representing today an important partner for Mexico, occupies a secondary role in the Mexican economy, mainly due to the fundamental presence of the United States within the country.

-Russia. From the data provided by the figures above it is possible to see that, from 2000 to 2016, the Mexico import from Russian Federation passed increased from 333 million dollars to 1.3 billion dollars, while the export passed from merely 32 million dollars to 178 million dollars. These trade data allow to label the Russian presence within the Mexican economy totally irrelevant. Just to give an idea of the extremely low share of Russia within the country, it is sufficient to say that the 2016 total trade exchange between the two “is roughly equal to the value of goods that cross the U.S.-Mexico border every 31 hours” (Miles, 2018). Therefore, it is possible to argue that the Russian influence within Mexico is not important at all.

-4.2.7 Summary of the main findings

The data provided above seem to imply that, since the same year of the entering into force of the treaty, the new party in the government (NAP) started a change in the legislation towards democratic principles. In this case, conversely from the previous one, the evidences found in the literature seem to suggest a somewhat limited influence of the EU in this process. This happened mainly because, on the basis of the democratic clause, the EU persuaded Mexico to institutionalize the electoral monitoring within the country, guaranteeing so the fairness of the elections. However, the data found show clearly that, for what it concerns the overall implementation of the human rights and democratic prescriptions, the situation didn't improve but instead worsened; against this background, the EU that didn't choose to trigger the suspension clause, fact criticized by some voices in the Mexican society. As for the transference mechanism employed, also in this case the concessions in trade field are unbalanced towards Mexico, but this didn't seem to have been beneficial. For what it concerns the economic dependency, the United States are by far the most important partner for Mexico. The interesting fact here is that, since the absence of a “democracy and human rights clause” in NAFTA and the weakness of the labour clause present in it, this relationship seems

to have a neutral or even a countervailing effect on democracy and human rights. This fact goes so against the hypothesis that an economic agreement with a Western democratic power leads to beneficial effects in those fields. For what it concerns the EU, its presence in the country can be deemed as secondary. Among the non-Western non-democratic powers, China occupies the place of pride, but its economic importance, albeit growing, is secondary in comparison to the US, while Russia is virtually non-influent.

-4.2.8 Overall conclusions

This section deals with the synthetization of the main findings of the analysis, both for what it concerns the two dependent variables and the three theoretical expectations.

As for the first variable, in the South Africa case the improvement in the legislation can be considered as neutral, with controversial amendments repealed, while for Mexico the legislation improved considerably, mainly due to internal reasons. As for the second variable, overall South Africa kept, despite some minor issues, an acceptable record of democratic provisions implementation, while for Mexico the data from the Freedom House Index showed a worsening of the internal situation.

Table 3: overview of the dependent variables’ outcomes

	Amendment of the legislation towards democratic principles	Democratic provisions of the legislation consistently applied
South Africa	Neutral (already functioning democracy)	Yes (despite a minor shifting in the Freedom House Index scores)
Mexico	Yes (but mainly due to internal political reasons)	No (Shifting of the country’s status from “free” to “partly free” in the Freedom House Index)

As for the first theoretical expectation, the transference mechanism associated to the Trade treaties is, in both cases, the main mechanism deployed. As for the other EU incentives and initiatives, it emerges that the EU effort was bigger in terms of funds and more consistent over years in the case of South Africa rather than in the case of Mexico, therefore confirming the validity of it. As for the second theoretical expectation, it seems to be confirmed in the case of South Africa while, conversely, it is not in the case of Mexico, where the important trade relationship with the United States seems to have a neutral (or even negative) effects of the country's democracy and human rights situation. As for the third theoretical expectation, in both cases the overall limited trade relationship with non-Western non-democratic powers in comparison to the more developed trade ties with EU and US doesn't seem to confirm the theoretical assumption.

-Chapter 5. Conclusion

The main objective of this work was to investigate the main research question, i.e. “what is the European Union’s influence on democracy in countries with which it signed bilateral trade treaties”, in this case with South Africa and Mexico. Specifically, this has been made by dividing the main question in three sub-questions. As for the first sub-question, it has been found that the EU effectiveness of EU as democracy promoter is maximum in the case of the perspective of accession within the Union, and that it decreases considerably in the absence of it. Moreover, a series of mechanisms by which the EU norms are promoted have been identified; as for this thesis, the main mechanisms is the *transference* one. As for the factors potentially influencing the norms entrepreneurship, the literature has shown that, among the others, the quantity of mechanisms and initiatives employed by the norms entrepreneur and the trade links with Western democratic powers and non-Western non-democratic powers can be held for some aspects as accountable for the democratic “fluctuation” within a country.

As for the second sub-question, the best methodology to employ in investigating my topic has been identified in a comparative case study analysis between two countries, performed through a qualitative-type research.

As for the third sub-question, the results of the empirical analysis are various. As for South Africa, from the data collected it emerges that, at the moment of the treaty’s beginning, the country was already experimenting, for the first time in its history, a steady improvement towards democracy, due to the passage from the Apartheid regime to a free and pluralistic one. Because this fundamental fact, the evidences seems to suggest that the treaty was not instrumental in triggering a change. However, using a logical argument, it is possible to affirm that the signing of the treaty itself can be seen as a “endorsement” of the new South African political deal by the EU.

As for the three theoretical expectations, the trade provisions included in the transference mechanism is without doubts the most important among the incentives conceded by the EU to South Africa. As a matter of fact, it combined two important privileges, namely the preferential access into the EU Single Market for South African products and the different pace of tariffs liberalization conceded to it. This fact greatly influenced the third country’s economy, as it can be seen in the incrementation of the overall trade exchanges

between the two entities. As for the other initiatives of democracy promotion, it is possible to argue that they didn't play a measurable role but they were consistent with the democracy promotion efforts. As for the second theoretical expectation, the accentuated trade interconnections between the country and Western democratic powers (EU in the first place), paired with the excellent record of democratic improvement and implementation, seem to confirm the validity of it. As for the third theoretical expectation, the lesser developed trade ties with non-Western non-democratic powers (China above all) make difficult the confirmation of it.

As for Mexico, the picture that emerged is more nuanced. The moment of the start of the treaty coincided, as in the South Africa's case, with an important political moment in the Mexican history, i.e. the electoral winning of a liberal party after 70 years of authoritarian rule. However, in the long run, this commitment towards democracy, even though it was translated into legislation (in this case, also partly thanks to the EU direct influence) was not effectively implemented, leading so to a pejorative record of the overall human rights and democratic situation within the country, while the EU didn't take any initiative to force Mexico to stick to the "essential element" clause. For what it concerns the three theoretical expectations, the concessions in the trade field connected to the transference mechanism were instrumental in providing Mexico with an alternative market to the US, but this has to be counterbalanced with the fact that the funding initiatives in the democratic field were not as high and consistent as in the case of South Africa, leading so to the scarce overall effectiveness of them.

As for the second theoretical expectation, the situation that emerges from the analysis of the data can be considered as paradoxical because, even though the United States account for the lion's share of the Mexican imports/exports, the overwhelming focus on the economic part of the NAFTA agreement and the general negligence over the human rights and democratic situation within the country by the three signatory states can have a neutral, if not negative, effect on the Mexican situation within those fields.

As for the third theoretical expectation, Russia's presence is insignificant and the economic links with China, even though potentially promising for the future, are at the present too limited, not influencing so the Mexican situation.

At the end of this work, it is possible to draw the general conclusion retrieved from the case studies analysis. The first important fact that emerges is that the internal political situation plays an extraordinary important role when it comes to improvements in the level of

democracy. As a matter of fact, in both cases the political turn that the two countries were experimenting at the moment of the signing of the treaty with the EU can be accounted for the most part of the democratic developments. For what it concerns the actual effectiveness of the EU action of democracy promotion by means of the democratic clause included in the trade treaties, the second important fact to underline is the difficulty in finding a clear link between it and the fluctuation in democracy level within the signatory state, due to many concurrent factors that exercise an influence on it. The third important feature to highlight is that, when a direct influence can be linked to the EU, it can be attributed to very specific initiatives, as the institutionalization of the electoral monitoring in Mexico, or at best as a mean to “set the agenda”, so to force the partner to keep the topic under the spotlight. As a matter of fact, from the performed analysis it can be argued that the fact of putting on the table democracy and human rights as “essential element” of the trade treaties can be considered itself one of the most important features of the EU action in the foreign policy realm of norms entrepreneurship worldwide.

This fact is useful for the policy implication that it has, because it shows that the norms entrepreneurship in the democracy field is more relevant through the “locking-in” of the partner via an essential element and via the deployment of small sectorial and concrete initiatives, as in the case of the electoral control in the Mexico’s case.

All the conclusions drawn above are to be considered, however, as limited for certain aspects. The first one concerns the reliability of this study; in general, it has been assured by selecting carefully every document presented in this work; however, since the extraordinary quantity of papers on the topics analyzed in this thesis, it is possible that some of them, albeit significative in some aspects, have not been taken into account. However, since the vast mole of sources coming from different outlets that have been consulted, the overall reliability of this work is assured.

The second limiting aspect is related to the extremely limited number of cases analyzed, caused by the limitedness of “old generation” bilateral trade treaties. This could have an influence on the overall validity of my study because, since the absence of comparable cases, the results drawn may be deem as valid only in the concerned cases study. However, as it has been seen, in the last years the European Union has finalized or is currently negotiating a considerable number of “new generation” bilateral trade treaties with countries in many parts of the world, all including again the “essential element” clause. Therefore, few years

after a significant number of them will enter into force, it would be interesting repeating this research on those new case studies, in order to discover whether the findings outlined in this research can be generalized in other contexts and geographical areas, adding so another contribution on the topic of European democratic entrepreneurship worldwide.

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