DEMOCRATIZATION OF BULGARIA AND
THE ROLE OF THE COUNCIL OF EUROPE
(1989-2007)
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Abstract: Council of Europe has important role and assistance to the emerging new democracies and for the process of democratization and consolidation of democracy. Bulgarian transition to democracy marks clearly three periods. The paper examines the external democratic assistance to Bulgaria in the three specific periods of the democratization process and presents and analyzes the policies and techniques used by the Council of Europe, both for the political and civil society.

Keywords: Bulgaria, Council of Europe, external support, democratization, consolidation of democracy

Introduction
The research examines the theory of transition and its reflection to the newest Bulgarian history – after the fall of the Berlin Wall up to the country accession to the European Union (EU). Special emphasis is put on the study of the impact of the influence of the Council of Europe on the democratization process in Bulgaria and its influence both on the political class and the civil society through different instruments used as European Instrument for Democracy and Human Rights (EIDHR), Measures for Building Democracy Program, local self-governance policy and development of local democracy and civil society. Based on the political philosophy of the concept of democracy and of
democratization and their different indicators, levels of impact and phases, the study compares the external democracy assistance of the Council of Europe to the internal development initiatives in Bulgaria and their impact on democratization of the country – both on political and civil society.

The study explores the different stages of democratic development in Bulgaria and the impact of the Council of Europe policy on the public actors, on the institutional building of the main democratic institutions by presenting the different tools used and by finding out the good practices and the deficits within the process both side.

The concept framework of the research is within the democratization debate and explores the views of Carothers(1999, 2003), Schmitter, Whitehead(1996) and Grabbe(1999) as a ground for studying and exploring the Bulgarian democratic transition case. The Schmitter and Whitehead’s arguments on the levels of the international influence of democracy assistance (the citizen, the civil society, the political society, the state and institution building) and Grabbe’s democracy promotion identifies strategies (conditionality and socialization) are used in the study as milestones for studying and analyzing the Bulgarian way to democracy.

The process of democratic transition in Bulgaria clearly marks three basic periods. The first one begins with the start-up of the democratic reforms by a party coup within the communist party (November 10th, 1989) and ends with the accession of Bulgaria to the Council of Europe; the second
one – ends with the start-up of accession negotiation and adoption of Road Map of Bulgaria to EU in 2001 and NATO accession (2004) and the third one is ending with the accession of Bulgaria to EU (2007).

The research presents the levels of indicators to democracy in each period and the impact of the implemented policies of the Council of Europe on the four studied public actors’ groups (the citizen, the civil society, the political society, the state and institution building) and the instruments used by the international organization.

**The democratization debate and the external assistance**

The international organization of Council of Europe holds a significant importance in the establishment, support and development of the democratization process in the Eastern block of Europe. The Council of Europe places the supremacy of the law, pluralistic democracy and the human rights chart at the base of its philosophy. The organization develops to the belief that the rule of law, pluralistic democracy and human rights are firmly embedded in the development of cultural identity and that they support the democratic stability of Europe. Dissecting the role of the Council of Europe will help to not only understand its influence on the process of democratization in Bulgaria, but also to understand the democracy stimulating mechanisms, especially on civil society.

Many international organizations have designed, developed and implemented different types of external policies in many countries around the globe with main effort and aim of promoting democracy, equality and human rights and good
governance. In Eastern Europe, the main organizations which have been actively supporting the process of democratization through the years of transition from totalitarian to democratic political systems are the Organization for Security and Cooperation in Europe (OSCE), EU and the Council of Europe. The latter, seeks to develop common and democratic principles and to build common standards for protection of human rights and democratic development throughout Europe based on the European Convention on Human Rights, Framework Convention for Protection of National minorities, as well as other more than 180 conventions adopted since 1949 (www.coe.int)

Several researchers have done an analysis of the international support in the context of the “third wave of democratization” (Huntington, 1991). The paper will address the three primary research questions that need to be answered in the process of transition: the characteristics and the levels of political system in its development from authoritarian through democratization to consolidation of democracy; the role of the international actors in the process of democratization in Bulgaria after the fall of the Berlin Wall in 1989; the political accession indicators and criteria to be met by the candidate countries (Bulgaria) in order to be identified as stable democracies.

The review of the literature leads to few main sub-questions: (1) what are the characteristics and levels of development of the political system in its transition from authoritarian through democratization to a stable democracy; (2) to what extent is the process of democratization in Eastern Europe
under the influence of international factors and international organizations; (3) to what extent do international organizations (such as Council of Europe, European Union, OSCE, NATO, IMF, WB, international NGOs) hold roles as creators of stability in the region.

The literature and desk research allow to analyze in depth the international support in the context of the “third wave of democratization” (Huntington, 1991). In the ground of the research will be the model of “the universal paradigm for understanding of democratization” and the internal and external dilemmas for each democracy (Schmitter, 1986, 1996; Di Palma, 1991; O’Donnell, 1996). The basic concept of Carothers (2003) for “the end of the paradigm of transition” will undoubtedly provoke important findings on the analysis of the role of all international factors in the process of democratization. The analysis of the paradigm of the actual transition will be analyzed through the theoretic two phases of support – the conditionality phase and the phase for consolidation of democracy.

The main research question of the current paper is to what extent international organizations such as the Council of Europe influenced the democratic transformations in Bulgaria in the post-communism (1989) period. The author argues that even all international organizations have been proactive and highly involved in promoting democracy in Eastern Europe using a variety of instruments, the Council of Europe had a specific role in its assistance to Bulgaria.

The theoretical model of this research on the influence of the international organizations in the process of democratization will be based on the need to identify the concept of
democratization. There is plenty of research and the topic is well covered. The concept of democratization is examined in the understanding of the “third wave of democracy” (Huntington, 1991). He argues that a democracy multiplying universal model exists and might be linked to the process of democratization in the countries of the so called “third wave” in 90’s. In 2003, Thomas Carothers in “The End of the Transition Paradigm” designed the transition paradigm and its phases, models for evaluation of the political changes and indicators for democracy. Through history, we have noticed that the fall of dictatorship doesn’t always lead to an automatic transition to democracy. Carothers argues that the “democratization is in huge extent a natural and logistic process” but also delves into a number of factors (inner and external) that lead him to five core assumptions about it. Firstly, he argues that any country moving from dictatorship might be considered as country moving to democracy. He identifies three basic stages of the democratization process – first occurs the opening of a political liberalization within the existing dictator regime; it is followed by breakthrough as collapse of the dictatorship and quick emergence of a new democratic regime (usually after national elections) and the third is the establishment of new democratic institutional structure and consolidation. That includes reforms of institutional structures, elections, strong civil society and the creating of the rule of law. Carothers analyses the existing political models and defines the different stages reached by the countries from the third wave – in Latin America, post-Soviet countries, Middle East, Romania and Bulgaria. He believes that each country has its specific way to reach
democracy depending on the political and economic level of development, as well as culture and traditions. Carothers provides a deep analysis of the limited impact of the transition paradigm and the role of the international support for democratization. He believes that the international support has to be specific for each country on its road to democracy, and that it is linked to the three basic stages of the democratization process.

Another important resource is the Whitehead and Schmitter model of transition, presented in their book “International dimensions of democratization: Europe and the Americas.” The external factors of the international support are clearly designed and studied - the main mechanisms of democratization, the framework of the international dimensions of democratization, the different types of external support. Their research deepens the understanding of democratization and enriches the transition theory literature. The authors argue that there are two main phases of the political transition – breakthrough democracy and stabilization and protection of democracy. In their work, the four social groups (the citizen, the civil society, the political society, the state and institution building) are passing through the two phases by introducing and implementing different type of policies. The examined research and its ideas are supported by other authors such as Brouwer (1999); Wu (2001); Karasimeonov (2004).

The concept of the role of international organizations (Council of Europe) is the ground. The indicators for democracy, the accession criteria and requirements, introduced by the abovementioned authors will be used to
analyze the process of democratization and accession of Bulgaria. The Council of Europe has an important impact on the process of democratization and the transformation of the political system in Bulgaria at the start-up of the democratic transition (November 10th, 1989) till the official full acceptance of the country to EU (January 1st, 2007).

The author argues that the international organizations and particularly the Council of Europe have an important influence and impact on the processes of democratization of the political system of Bulgaria. At the same time, each international organization has a clear specifics of its impact compared to the others. Thus the Council of Europe has developed and implemented an innovative approach of its influence in the country. Supporting and assisting the democratization of the political environment in Bulgaria, the Council of Europe has created unique model for systematic implementation of its policies through the cooperation and assistance of the Bulgarian authorities and the Bulgarian civil society.

The phases of Bulgarian way to democracy

The first phase covers the process of political liberalization and democratization in Bulgaria, starting November 10th, 1989 and ends with the accession of Bulgaria to the Council of Europe on May 7th, 1992. The period is the most extensive in political life of Bulgaria in the last 25 years. The time is characterized with important institutional designs and changes such as forming new mechanisms for adoption of new Constitution, introducing the democratic elections as the main mechanism for functioning of the political institutions, assistance to the development and strengthening of the civil society and for the development and
democratization of the traditional and newly emerged political parties. Democratization presupposes a serious and fundamental change of conduct of the political leaders and public servants, of the mentality of the people and raise up of a civil society culture and attitude.

In the field of civil society, the influence of the international organizations and especially of the Council of Europe, is significant and remarkable. It is most strong in the first phase of political liberalization. This is the time when in the human rights NGOs capacity for human rights campaigns has been build; strategies for raising the awareness on human rights has been introduced; free legal consultations for citizens; ubiquitous founding of formal and informal citizens groups for protecting a certain idea.

The second period in the process of democratization of Bulgaria covers the accession of the country to the Council of Europe till its accession as member of the European Union, between May 1992 to December 2006. Bulgaria became a full member of the Council of Europe on May 7th, 1992. Referring to the founding Statute of the Council of Europe, Bulgaria accepted the basic European values and their implementation became tasks for number of Bulgarian authorities. The accession also has guaranteed the long-term process of democratization and consolidation of democracy of the country. The main function of the Council of Europe during that period was to observe and monitor the process of strengthening of democracy in Bulgaria.

The impact of the Council of Europe covers all sectors of public life in Bulgaria. Four main areas of intervention that
track the democratization of the country might be clearly identified.

The first level of intervention and impact of the Council of Europe on the democratization of Bulgaria is the level of *the state and the authorities (government) and legislature*. Most influenced is the process of decision-making as by its “acquis”, the Council of Europe directly touched the judicial sphere in Bulgaria. The “conditionality” indicators to the Council of Europe accession, the foundation and functioning of sustainable and efficient democratic institutions, the rule of law and the protection of human rights and basic freedoms defined the active cooperation between the Council of Europe and Bulgaria.

The cooperation and assistance covered some basic areas. On one hand, Bulgaria received an expert support in the process of drafting of the new laws and regulations, directly linked to the acting European conventions through resolutions. The whole process of adopting the new legislature was consulted and monitored by the European commission for democracy through law (so called Venice commission). The process was very intensive during the first period of democratization of the country and the drafting and adoption of the new Bulgarian Constitution (July 1992). The Venice commission is the institution to monitor the laws on the Constitutional courts, the electoral laws and codes, the legal framework for protection of national minorities and all normative texts directly covering the functioning of the democratic institutions. The Venice commission during the two periods of democratization and consolidation of democracy issued a series of monitoring reports on Bulgaria – on the occasion of
the draft Law on judiciary, Law on the Ombudsman, the whole constitutional reform, the electoral legislature, Criminal Code, etc. The expert assistance that Bulgaria gained through reports and recommendations, turned to be a serious ground for the drafting and adopting of the new democratic legislature of the country and a serious guarantee for the irreversibility of the democratic development of the country.

Even in the third period after the accession of Bulgaria to EU, the Council of Europe directly has influenced the legislature developments and has a strong impact. Resolution 1211(2000) ended the process of monitoring of Bulgaria and opened a post-monitoring period. The country has received recommendations from Parliamentary Assembly of the Council of Europe (PACE) in the judicial and legislature, in practices for implementation of the policies towards minorities, election legislature, anti-corruption legislature, freedom of media and protection of human rights. The monitoring and post-monitoring dialogue, the visits on behalf of PACE and the Commissioner on human rights and the recommendations that the country receives regularly, are serious instruments for deepening and strengthening of the democratic institutions in Bulgaria. They are effectively used in the parliamentary debates and drafting discussions for increasing the quantity of democracy in Bulgaria.

Bulgaria is the only country – EU member that still is under post-monitoring. PACE monitors ten member states at the moment – Albania, Armenia, Azerbaijan, Bosnia and Herzegovina, Georgia, Montenegro, Moldova, Russia and
Ukraine. Just four member states are subject of post-monitoring – Bulgaria, Macedonia, Turkey and Monaco.

Council of Europe had a direct impact on the process of democratization through the exchange of know-how and expertise that is in the ground of the organization’s philosophy. Bulgarian members of Parliament are members of PACE and of different Council of Europe agencies. This impact is of great practical importance for the new member states, including Bulgaria, as the politicians gain a wide branch of assistance, knowledge, exchange of best practices, experience directly related to the drafting of the European legislature. In the different PACE groups and delegations, the parliamentarians prepare resolutions and draft recommendations. The experience and knowledge gained in their PACE sessions is an important contribution for the functioning of the national parliaments. The participation in PACE is observed as a practical forum, as a public sphere in which the politicians may exchange information and ideas, to discuss and argue, to learn the art of cooperation and mutual understanding. The participation in PACE also is accompanied by development of communication and expert skills on the drafting of the legal framework on human rights protection.

The transfer of the analysis on the level of European policies and presenting of the Council of Europe as an open European political forum allows its impact on the national political elites to deepen, including the Bulgarian political elite. PACE and all parliamentarians from all member states use the parliamentary sessions as a meeting point of joint efforts to draft criteria for efficient and functioning
democracy, for rule of law, protection of human rights and freedoms, for strengthening the democracy in Europe. The open public sphere and the transfer of knowledge and know how cover all levels of democracy in Europe – continental, the national, regional and local. The Congress of Local and Regional Authorities in Europe (CRLAE) has a special role in the process of the “rebirth of local democracy”.

Council of Europe has a significant role over the institutions in Bulgaria in a long-term and short-term perspective.

The long-term impact covers the attention and assistance towards the political parties in the country and to the institutions of the judiciary and security.

The *political parties* are facilitators between the society and the governing authorities, but their role in the process of democratization is of great importance because they determine the democratic agenda in the society and directly influence all levels of its functioning – elections, involvement and empowerment of different political opinions, participation in all processes of checks and balances including decision making and opposition, campaigns, etc.

In order to assist the political elites of the member states and to sustain the democratic development, the Council of Europe founded a network of School of Politics, which have been active in 16 countries (2016) among the 47 member states. The Bulgarian School of Politics, created in 2001, has a significant importance in the process of developing a community of young political and civil leaders with a modern political and civil culture in Bulgaria, based on the values of pluralism, tolerance and dialogue. Over 400
national and regional leaders have been trained in the programs of the school. The national programme educates politicians from the parliamentary represented political parties in Bulgaria, NGO leaders, mayors, municipal councilors, public administration, media representatives. This wide landscape of participants ensures and deepens the direct assistance and impact of the Council of Europe on the political society in Bulgaria.

The long-term effect has been reached by the idea of educating the political elites and multiply it on regional and pan-European level. In 2008 Strasburg has started pan-European association of schools of politics and opened a Summer University for Democracy. The two initiatives have united 14 schools of politics from the Balkans and Caucasus. In long term perspective they have a strong effect on the nowadays and future political leaders of the continent, guarantee a sustainable democratic politics in the regions and teach to tolerance and mutual understanding based on the communication and dialogue. Over 160 of the leading young Bulgarian politicians have been trainees at the Summer University.

The most profound field of influence in which the Council of Europe had interfaced is the legislature, the function of the legal institutions and those in the area of security. In 2004, the National Institute for Justice (http://www.nij.bg/Default.aspx?lang=en-US) has been founded in order to increase the awareness and the professional expertise of advocates, lawyers, magistrates. Main training topics had been the practice and case study of the European Court on Human Rights (ECHR) and full
implementation the European Convention on Human Rights. Training programmes “Police 2000” and “Police 2000 +” included over 1200 Bulgarian police officers in different training activities on human rights, prevention of torture, how to deal with victims of trafficking and violence, working with families at risk, etc.

In short term perspective, the impact and influence of the Council of Europe to the state and political institutions is tracked in the involvement of Bulgaria into the pan-European campaigns of the organization. The campaigns are always dedicated to hot issues in European common life and presuppose a member state involvement and direct implementation of ratified conventions. As a member state, Bulgaria was actively involved in a series of campaigns that brought to change of its legislature. Some of the numerous examples are – “Not for sale” and ratification of the Convention for prevention of trafficking (2009); “Stop the violence against women” and changes of the Law for domestic violence (2007), “The Little Prince” and changes into the Law for protection of children (2008) and others.

During the period the democratic institutions in Bulgaria are built and a full mechanism for protection of human rights is designed; the democracy principle is subordinated on local level of democracy also; a reform in the police structures is represented and the civic control as mechanism for democracy is introduced. Judicial reform has started and process of support to the political parties has been initiated in order to get their full democratization.
Most probably, the civil society has made the biggest changes during that period, becoming a mediator between the citizens and the authorities. The non-governmental organizations marked and covered the whole spectrum of civic initiatives in Europe at that time. The Council of Europe main priorities in the civil sector at that time, related to Bulgaria, were the building up of citizens’ networks of associations, as well as strengthening the local and regional democracy traditions and active involvement of citizens in local and regional life and process of decision making. It is a “rebirth of local democracy”.

A study shows that the process of political participation of citizens is of great importance for Europe and for societies in transition. In the so called “Green Book” (2004:5) is stated that if the tendency is stable, in 2020 in Europe the decisions will be taken by the minority of the citizens – only maximum of 45% of voters will participate in public life and will act as citizens. This threatens the democratic principles.

The Council of Europe had a significant and remarkable assistance to the civil society organizations and it was most strong in the first phase of political liberalization. This was the time when the NGOs' capacity for human rights awareness and democracy focused campaigns were built, strategies for raising human rights awareness was introduced; free legal consultations were offered for citizens; and ubiquitous formal and informal citizens groups for protecting civic rights ideas were established. The Council of Europe introduced the idea of citizen and political participation and free and active involvement of the citizens
in the elections. In consequence, the Bulgarian NGOs needed to make an extensive campaign to engage the public. During the first and the second period of the democratic assistance in Bulgaria, the Council of Europe developed a unique method for supporting civil society. It institutionalized its presence in the country by opening the Information and Documentation Centers of the Council of Europe – in the capital of Sofia and in Veliko Turnovo (the first out-of-capital all over Europe regional center). The Information and Documentation Centers of the Council of Europe had been hosted by NGOs and that union was symbolic of the policy in Bulgaria toward the civil society sector. The Information and Documentation Centers were instruments and channels for capacity building of the non-governmental sector – organizational, technical, financial expertise.

The Council of Europe's main priorities in the civil sector at that time, related to Bulgaria, were the creation of citizens’ networks of associations, as well as the strengthening of local and regional traditions for democracy and the active involvement of citizens in local and regional life and decision-making. It is a “rebirth of local democracy.” During the first phase in Bulgaria, six regional municipal associations were formed, as well as a national association of municipalities and regions in Bulgaria. Thus, intensely active lobbying campaigns occurred, and many bottom-up proposals and recommendations of regional authorities were adopted by the legislature. Later the basic European principles for the development of a regional democracy were
adopted, such as subsidiarity, financial self-governance, local self-governance, etc.

CONCLUSION

An analysis of the democratization and consolidation of democracy of Bulgaria is of major importance for the future of Bulgarian democracy 25 years after it started. The institutional development, the legislature and Constitution design, the “rebirth of local democracy”, political pluralism and competitiveness, the strong and stable civil society and open and transparent policies are in the grounds of its development.

The role of the Council of Europe in Bulgaria’s road to democratization can be summarized in few points. The Council of Europe hastened the transition from authoritarian rule to democracy by providing legal consultation and guidance in changing all existing legal documents and all active laws. The organization managed to assist the process of rebuild the party system by proposing education and training to leaders and helping them to analyze the attitudes of the people in order to better plan and develop their political programs. The Council of Europe introduced policies for creating proactive attitudes in young people toward elections and the decision making process on all levels. The Council of Europe contributed heavily to the building of the non-profit sector in the country by implementing a different approach. The assistance of the Council of Europe in Bulgaria led to defining several successful practices that are helping to speed up the democratization process.
References


Lesson or deception number 1: the fall of the role and significance of the Council of Europe in European architecture. In the early 1990s, Russia's entry into the CoE was for the ruling elite an absolute imperative. Russian authorities did not want to be left behind by the pan-European processes and, unlike the EU and NATO, the CoE from the very beginning set out to involve all European states and all European nations. However, while fighting for membership in the CoE, the Russian leadership proceeded from the fact that the country is joining one of the most influential and respected regional organizations that occupy a prominent, if not leading, place in European architecture. After all, creation of post-war Europe began with the CoE. These quantitative results support and complement the literature that emphasizes the increased role played by the EU promise in the democratization process of the region. Do you want to read the rest of this article? Request full-text.

The results indicate that Slovakia created the Judicial Council in order to prove itself as a trustworthy candidate for the integration in the European Union after its semi democratic experience in the 1990s, while in the Czech Republic the development has been more gradual with the central role played by the Ministry of Justice. After the breakdown of communism in Central and Eastern Europe one of the tasks the political elites faced was the adjustment of judiciaries to new democratic conditions. Number of international organizations (IO) like NATO, OSCE, COUNCIL OF EUROPE, and EU play directly an essential role on Western Balkans democratization process. However, the requirements in the Balkan are not in the same level and seem that the EU doesn't require the same standards from Albania. On this point of view the question consist on the effects of conditionality on democratization. The objective is to analyze the main actors' interests and the relationship between Europeanization and democratization, by focusing on Albania. The article is based on empirical study gathered by literatur