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## **THE VISEGRAD FOUR AND THE EUROPEAN UNION'S FUTURE AFTER BREXIT**

In 2020 two dramatic but unrelated developments – Brexit and the Covid-19 pandemic – have shaken the European Union from inside and outside. These blows have affected the relationships between the European Union and other major international actors as well as the relationships among EU member states. The position of the Visegrad Four (V4) states within EU has been complicated also by tensions related to the problem of illegal migration, to accusations of infringements on EU liberal-democratic values and to the attempts to penalize financially the alleged V4 transgressors. These developments have in various ways highlighted the social and political specificity of the V4 states.

### **■ THE REGION'S SPECIFICITY**

The East-West divide within EU has deep roots in history. After long periods of alien rule the V4 countries emerged or re-emerged as independent states on ruins of several defunct empires only in the XXth century, much later than most Western European states. The V4 countries were also poorer, less urbanized and industrially developed. The V4 states were differently affected by the First and particularly by the Second World War themselves and by their social and political consequences. The V4 countries had experienced long periods of authoritarian and dictatorial regimes and have shorter experience of liberal-democratic parliamentarism and still less of politically independent judiciary. Unlike the Western European members the V4 countries had lived during the Cold War under authoritarian communist regimes and belonged to the Warsaw pact. After the Cold War the region experienced a radical multifaceted political, social and economic transformation which has

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reduced but did not eliminate the considerable economic and social distance between it and the more developed and affluent Western Europe.

Following the end of the Cold War and liberal-democratic transformation the newly elected governments in V4 states expressed their hot desire, in addition to entering the Council of Europe, to join as full-fledged members also the European Economic Community (EEC). The initial reactions of the amazed Western European leaders were hypocritical and essentially negative. Their first response was to offer association agreements with the poor Eastern European states. This instrument was initially developed by the European Communities for managing relations with about 70 former European colonies and with other less developed countries on other continents. Its slightly modified version was European association agreements. As these substitutes for full membership failed to satisfy the East Europeans and in order to reduce political pressure the European Commission invented still another instrument for containing the flood of East European applications. In 1993 the so-called Copenhagen criteria were adopted, which were not used at previous EEC enlargements. These criteria included notably the existence of stable democratic orders and the rule of law in the applicant states. Using this legal façade as well as an ever more complicated and time-consuming bureaucratic procedures the Western European EEC members succeeded in delaying by, at least, a decade the entry of V4 states. This delay would have been even longer were it not for the persistent pressure which USA, for their own geopolitical reasons, applied on the Western Europeans bilaterally or through NATO. In addition, all East European states were admitted under distinctly less favourable conditions than were earlier Mediterranean members: Portugal, Spain and Greece. By 2004 in order to satisfy the Commission's scrutiny, all V4 candidates formally fulfilled or, according to Ivan Krastev, imitated the fulfilling of prescribed Western democratic criteria.

However, according to French President Emmanuel Macron after the admission democratic backsliding occurred in some of these states. As reported by the Freedom House this backsliding made part of the general democratic regression in 68 countries on four continents since 2006<sup>2</sup>. This phenomenon in V4 reflected the real gap between the required formal institutional façade and the mass political culture. This culture in V4 states differs in some respects from that in older EU members further to the West. The backsliding has shown the low effectiveness of external imposition of formal democratic orders on civil societies. Bronislaw Geremek wrote more than two decades ago that in addition to populism and nationalism the main obstacle to democratic development in V4 states remained the acceptance of authoritarianism by a considerable part of population.

Tensions between the older Western European members and the Visegrad countries started surfacing already at the time of the Greek financial crisis in

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<sup>2</sup> [www.freedomhouse.org](http://www.freedomhouse.org): *Freedom in the World 2019*.

relation to the principle of solidarity, when Slovakia refused to lend money to the irresponsibly indebted and financially mismanaged Greece. These tensions have further deteriorated in 2015–2017 into political and legal clashes within and between EU institutions and the Visegrad members during and following the flood of refugees and illegal migrants across the Mediterranean from Asia and Africa. In both crises the kind of solidarity demanded by the European Commission from the Visegrad countries had no legal foundation in the Treaty of the European Union. The Lisbon Treaty in art. 2 namely stipulates the principle of solidarity within the societies and not among the EU member states.

In relation to the problems of illegal migration the following considerations also spoke in favour of positions taken by the Visegrad countries. The EU institutions have no exclusive competence in the matters of persons' mobility across the EU external borders and also in the field of social policies. They also have no competence at all in demographic policies conducted by member states. In 2014–2015 an invasion of over one million refugees and illegal migrants from the Near East threatened the social security of seven European states located between Turkey and Germany. This invasion, well organized by over a hundred criminal groups, violated the sovereignty of several EU members. In such matters it was legally inappropriate for the EU Council to use a majority vote and thus to outvote four V4 member states when prescribing obligatory quotas for receiving these and other refugees and illegal migrants (art. 331/1, TFEU). In September 2020 these V4 states won the legal battle over the obligatory quotas. The European Commission gave up this demand and as part of the proposed „New pact on migration and asylum” advanced the principle of flexible obligatory solidarity. The application of this principle was also rejected by four V4 states.

A public health and economic crisis caused in 2020–2021 by the Covid-19 pandemics confirmed once again that EU is a fair weather organization which malfunctions in times of crises. It also demonstrated the primacy of national interests when facing dire existential problems – in line with general positions advocated by Visegrad countries. The crisis confirmed also the specificity of V4 states and of their societies. It showed notable differences between four Visegrad states and four Western European EU members in epidemic statistics, including those in the number of deaths per million of inhabitants:

Poland: 1,950.84	France: 1,610.11
Hungary: 3,049.35	Italy: 2,095.31
Czechia: 2,824.44	Spain: 1,700.39
Slovakia: 2,268.95	Netherlands: 1,002.95

*Source: Statista.com (6. June 2021). Available at <https://www.statista.com/statistics/1104709/coronavirus-deaths-worldwide-per-million-inhabitants/>*

Another difference – a much lower percentage of immigrants and residents originating from non-European countries – has been related to the fact that, unlike all V4 states, all four above-mentioned Western European EU members and Belgium are former colonial powers with possessions in the past on other continents. This latter contrast has had notable social, demographic and also political consequences. For instance, in June 2020 there were mass protests in Western Europe against racism after the death of George Floyd in the USA. On the other hand no such protests took place in V4 states although some of them have a tangible racial-like problem of the Roma, particularly Hungary and Slovakia. There is a related cultural difference which indicates a lower level of social and political tolerance among the population in V4 states. According to a European survey of 140 thousand members of LGBTI communities in 2019 the percentage of individuals avoiding contacts with them in Poland, Hungary and Slovakia were between 58 and 46, while in France, Italy, the Netherlands, Belgium and Spain between 28 and 16 (European Union Agency for Fundamental Rights 2020). These facts indicate that the political systems in the V4 states operate in different social environments than those in older Western European democracies. This gap cannot be reduced by external political pressure or by financial or other sanctions imposed by EU institutions. The reduction could rather result from internal evolution in the V4 societies.

Another important specificity of some V4 states stems from their historically inherited anti-Russian grudges. The United States have, particularly during Donald Trump's presidency, exploited this specificity of „New Europe” in several directions – for deepening the East-West divide within the European Union, for endeavouring to reduce German-Russian economic, energy and political cooperation, for increasing the pressure of sanctions on the Russian Federation and for weakening economically both EU and the Russian Federation. During the then U.S. Secretary of State Mike Pompeo's tour in August 2020 the United States tried also to block the region's economic and technological cooperation with China. The Biden administration expanded this effort by endeavouring to entangle all other NATO members in its confrontation with China under the guise of an „Alliance of democracies”.

## ■ THE IMPACT AND CONSEQUENCES OF BREXIT

The departure of Great Britain from the EU has affected also the V4 states. It reduced the amount of payments by net contributors to the EU budget and thus also the payments from the budget to the net V4 receivers. Brexit has also brought notable shifts in the internal dynamics of EU institutions. It removed the most resolute internal opponent of the EU „deepening” and a vocal proponent of the EU „widening”, in connection with NATO, into the Western Balkans and to the ex-Soviet space. This void has been used by President Emmanuel Macron to reassert the

prominent role of France as a vocal promoter of the EU institutional development. Louder than on previous occasions Macron called for abandoning the EU member states' equality in the composition of the European Commission and for removing the rule of consensus in the EU decision-making on foreign and security matters. If adopted these changes would certainly reduce the V4 members' relative weight. Donald Tusk's departure from the Presidency of the European Council dispersed the previous illusion of their political importance in the EU decision-making.

The British departure left Poland among the remaining bigger EU members as the most ardent advocate of the EU military dependency on NATO and of its close political alliance with the USA. However, in this role Poland cannot possibly replace the UK. Great Britain had consistently, also for its own reasons, acted within EU as the main advocate and designer of EU's sanctions and various other anti-Russian measures. Several V4 states, notably Poland (and the three Baltic republics), have also for years championed in pressing for and in implementing anti-Russian activities on their own. They included i.a. futile attempts to prevent the completion of the Nord Stream 2 gas pipeline and thus to harm economic and energy cooperation between the Russian Federation and Germany.

Great Britain, a loud advocate of liberal-democratic values, thrice radically changed its position towards the European Communities/European Union – rejecting, entering and finally leaving the integration. These British policy variations clearly confirmed the fact that the true foundation of the European Union has always been political, economic, status and other interests of its member states and not the proclaimed liberal-democratic values. State interests have constituted the principal motivation for membership also on the part of the V4 countries and constitute today the true motivation of candidates for membership, notably that of Turkey. The declared liberal-democratic values have served as EU's ideological superstructure, decorative façade and also as a pressure instrument. If the proclaimed values of humanism and solidarity were the true foundation of the European Union, it would, for instance, have long ago adopted and implemented an appropriate immigration policy. The European Union has been incapable of adopting such a common policy due to different exposure to illegal migration and to conflicting interests of member states. It means i.a. that deviating for pragmatic reasons from the proclaimed values does not necessarily undermine the European Union and can even serve well its realpolitical interests. This consideration contradicts the values-based accusations levelled by Western European critics against the Visegrad states.

According to the Treaty of Lisbon the aims of the European Union are the promotion of peace and of its values, the wellbeing of its peoples, freedom, security, justice without internal frontiers and an internal market (art. 3). Among its liberal values proclaimed in art. 2 figure prominently democracy and the rule of law. In practice, also in Europe both phenomena have however had many

forms and variations. The Council of Europe has developed four gradations of democratic systems: basic, developed, stable and strong democracy, with specified elements at each stage. The Treaty of Lisbon contains neither a prescribed model of democracy nor agreed upon criteria for evaluating the degree of democraticness of political systems and of their performance. For example, from its establishment in 1951 the first European Community had contained among its members three hereditary monarchies in which three aristocratic families of feudal origin enjoyed the hereditary monopoly on the position of the head of state and other hereditary privileges in violation of the basic democratic principle of the citizens' equality. Today there are six hereditary monarchies among EU members while the critics of the Visegrad states, also from those monarchies, apparently find this state of affairs as compatible with the democratic values proclaimed by the EU.

The role of a chief guardian and promoter of human rights and of liberal democracy in Europe has since 1949 belonged to the Council of Europe. The three European Communities and later the European Union were created subsequently by mostly the same group of Western European states, but for other – economic, security and political – purposes. In today's Europe there is no other specialized and better professionally qualified international organization in the area of human rights and democracy. Moreover all EU states are simultaneously members of the Council of Europe. Dealing with these matters within the EU institutions, which are far less professionally qualified and lack appropriate legal competence, means sidelining and inappropriate undermining the role of the Council of Europe. In addition the EU institutions have on a number of occasions and also quite recently displayed obvious partiality and double standards when treating, on one hand, the older EU members and, on the other, the younger EU members. For example, all EU institutions kept silent when the Spanish Guardia Civil brutally treated peaceful demonstrators in Barcelona and the Spanish courts adjudged draconian imprisonment sentences on non-violent proponents of Catalonia's independence. In the same 2017, the European Commission however reacted very differently and initiated a procedure under art. 7 of the Treaty of Lisbon when the mandatory retirement age of Polish constitutional judges was reduced to 65. In 2018 the European parliament followed with a similar procedure against Hungary.

The voluntary withdrawal of Great Britain confirmed that the European Union does not and will never include all European states, among them the biggest European state – the Russian Federation and a number of smaller but important European states. Moreover, the European Union with its activities and policies has not diminished interstate tensions and the incidence of conflicts on our continent. This observation applies also to relations among EU member states as well as between them and the EU institutions. Only in the last two decades the EU institutions have been for several years deeply preoccupied with the political and institutional crises caused by the rejection of the Constitutional Treaty, with the

Greek financial crisis, with Brexit, with tensions related to divergent economic and other interests of Northern and Southern European members, to the pressure of illegal migration and also to controversies involving the Visegrad states.

The EU conflictual relation with the Russian Federation and the conflict in Ukraine have negatively impacted on V4 states politically, economically and security-wise. The conclusion of the EU association agreement with Ukraine and the European Commission's obtrusive meddling in 2013–2014 in Ukraine's internal political conflict contributed to an outbreak of violence and to a *coup d'état* in Kyiv. These events were followed by Crimea's secession from Ukraine, its reunification with Russia and by a civil war in southeastern Ukraine. Since the signing in 2015 of the Minsk 2 agreement, on behalf of EU also by Germany and France, EU has tolerated and indirectly supported the non-implementation and sabotaging by Ukraine of the most important political clauses of that agreement. EU has thus acted contrary to its legal obligation as the cosignatory and to the declared intention of its sanctions against Crimea and the Russian Federation. This state of affairs has so far made impossible the peaceful resolution of a burning armed conflict in Eastern Europe. The EU economic and other anti-Russian sanctions, combined with Russian countersanctions, have produced more than twice heavier economic losses on the economics of EU member states than on the Russian economy. Most importantly, they brought no desirable political effects. Moreover, the conflict has negatively affected European security. Among great powers only the USA have apparently geopolitically gained from its continuation.

Due to a division among the EU members on the recognition of Kosovo's independence the European Union has contributed too little to resolving the sharpest conflict in the Balkans, conceding the main mediating role to the USA. EU's role has been inappropriately low also in dealing with several other inter- and intrastate conflicts on Europe's periphery – over Gibraltar, Northern Cyprus, Nagorno-Karabakh, South Ossetia, Abkhazia and Transnistria. The unwise decisions to extend the Schengen system without prior securing the EU external borders have led to the erection of more than 1600 kilometres of new obstacles and fences along European interstate borders, including borders between EU members. These obstacles, some fortified and with barbed wire, were installed also there where they were absent even during the Cold War. All these and other facts testify that the European Union with its policies and bureaucracy does not bring closer to realization the ideal of a unified and peaceful Europe.

## ■ THE EUROPEAN UNION'S FUTURE AFTER BREXIT

The main reasons for Great Britain's departure from EU were its elite's refusal to participate in an „ever closer Union” and that great power's resistance to the pressure of EU's federalization. Brexit thus clearly showed from where comes the main threat to the European Union in its present form. Compared with seven now existing

federations or quasi-federations in Europe and with the three, since 1991–1992 defunct, „socialist” federations (USSR, Yugoslavia, Czechoslovakia) the European Union in all (national, ethnic, linguistic, religious, cultural, economic, political, etc.) respects is a much more heterogeneous association of states and peoples. Even a more important difference, as was shown also by Brexit, stems from Europe’s long history during which the societies of remaining important EU members have developed the strong collective identity of a sovereign state. Furthermore no EU state is today or will likely become so existentially threatened from outside as to be compelled to enter a federation with other states. For all these reasons, the European Union will never evolve into the „United States of Europe”, similar to Switzerland or the USA. The attempts to transform the integration into such a federation by its „deepening” from above are thus not only futile but also harmful for the European Union’s longevity.

Among the EU members there is a great variety of political systems – monarchies, parliamentary and parliamentary-presidential republics, centralized and regionalized unitary states as well as federations. Among the aims of the Union listed in art. 3 of the Treaty of Lisbon there is absent unification of its members’ political systems and of their internal functioning. Consequently, there is no such legal obligation of the EU members and no prerogative of any EU institution to enforce such unification. This is why the resistance of the Visegrad countries to the pressure of political *Gleichschaltung* is consistent with the only viable long-term future of the European Union.

In Europe’s history the longest-existing association of over 300 theocracies, monarchies and republics had been the Holy Roman Empire. With its elected (later hereditary) head, chancellery, parliament, courts, small imperial army etc. it had existed as a confederation for about nine centuries. **The European Union might be able to celebrate the first centenary of its existence in 2093 with at least 27 members under several conditions. It will have to remain a hybrid between an international organization and a loose confederation of largely sovereign states, a successful economic bloc with a common market and flexible models of variable voluntary integration of members and non-members.**

The main problem with the Visegrad group is not the resistance of its members to the EU federalization. In this dimension the Visegrad group, often together with the so-called soft „Eurosceptics” or „Eurorealists” in other EU member states, plays a positive role of an antidote to the main threat to the European Union’s health and longevity. The real problem with the Visegrad group stems from the fact that its resistance has been waged by some right-wing populist and „illiberal” regimes. These regimes practice a relatively new variety of elective authoritarianism and implement also some socially retrograde policies. These policies are however pursued by democratically elected governments with support of a majority of voters. To deny to these voters the right to elect illiberal leaders and to punish them for it would violate one of the basic principles of democracy advocated by the European Union. The

phenomenon of a new populist authoritarianism moreover has not been confined to the V4 region alone but has been present also in some older Western democracies. **No V4 state intends to leave the European Union and, according to the Treaty of Lisbon, none could be expelled from it. As in the earlier and somewhat similar Austrian episode about two decades ago the European Union and its institutions will have to live and deal also with controversies related to ruling illiberal regimes in some V4 states. A more self-confident V4 will continue to contribute to the European Union's vitality and to its meeting external challenges while successfully managing its own internal diversity.**

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The East-West divide within the EU has deep roots in history. It has been reflected also in the Visegrad Four's specificity and in its conflictual relations with several EU institutions and governments of several Western European members. As Brexit showed the V4 resistance to the EU federalization positively contributes to the EU longevity as a loose confederation. The real problem for the EU are illiberal regimes in V4 states and the phenomenon of elective authoritarianism which is not confined to Eastern Europe. The EU will have to learn to manage tensions created by these phenomena.

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