

## **As You Like It**

European Union Normative Power in the European Neighbourhood Policy

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## As You Like It: European Union Normative Power in the European Neighbourhood Policy

*Ian Manners*

### Introduction

This chapter addresses some of the methodological, theoretical and empirical challenges of studying the European Neighbourhood Policy (ENP). It will argue that analysing the youthful ENP presents a wide variety of challenges for scholars of the EU's relations with its near neighbours, in particular the question of theoretical presuppositions. The chapter will discuss these challenges in four parts involving the methodological location of the ENP, the theoretical framing of the ENP, a 'normative power' approach to the ENP and concluding with a brief analytical reflection. The chapter also carries an argument – that the challenges of studying the ENP are least well served by traditional approaches to political science, and might be better advanced by rethinking these presumptions. Thus, conventional presumptions of 'much ado about nothing' in the ENP may benefit from a reflection on the extent to which these presumptions are determinate in analysing whether the ENP is 'as you like it'.

The rest of the chapter is as follows. First, the challenges of methodological location and analytical frameworks are discussed in this rest of this section. Second, the chapter will reflect on the theoretical framing of the ENP by comparing and contrasting conventional causal theories of EU policies with those of more constitutive theories. This section will also seek to locate some of the other contributors to this book in this theoretical framing. Third, the chapter will advocate a 'normative power' approach to the study of the ENP in order to better understand and judge the practices of EU engagement with its nearest

neighbours. Finally, the chapter will conclude with a brief analytical reflection on the relative merits of ‘much ado about the ENP’ versus an ‘as you like it ENP’.

### The analytical challenges of the ENP

The study of the ENP presents a wide variety of challenges for scholars, not least because the policy area is relatively new and different. With most scholars of the ENP migrating to the subject in the mid-2000s from the study of EU enlargement, EU-conflict policy and area/national studies (such as the Euro-Mediterranean Policy – EMP), it is unsurprising that ENP means many things to many people.<sup>1</sup> This mixture of backgrounds of scholars working on the ENP is further complicated by the two defining features of the area of study. First, ENP is a particularly diverse and thus difficult empirical field of study characterised by large geographical and linguistic differences. So it is not unfair to say that ENP scholars are either Eastern (Eastern Europe or the Caucasus) or Southern (North Africa or the Middle East) specialists. There are few, if any, ENP scholars who genuinely straddle this East-South divide and bring knowledge of both the post-Soviet space as well as the Mashreq/Maghreb regions. Second, the ENP is neither strictly EU enlargement policy nor strictly EU foreign policy. Instead, the ENP is best characterised as a mass of contradictory impulses, led by an EU desire to improve relations with its nearest neighbours in the aftermath of its most recent enlargements.<sup>2</sup> Its location within the wider frame of EU foreign policy is therefore contested as the ENP remains caught in ‘conflicts between practice and principle, security and democracy, interest and values’.<sup>3</sup> These two defining features mean that the study and analysis of the ENP almost requires differentiation between East and South – that one size cannot fit all.<sup>4</sup>

Such analytical contestation is further complicated by the agencies, instruments and states involved the ENP. The polycentric polity of the EU ensures that a variety of agencies, such as DG Relex and the High Representative, are involved in aspects of ENP relations. Furthermore, the extent to which the ENP involves a mixture of states who participate in a variety of existing instruments, such as the Barcelona Process, Association Agreements, and Partnership and Cooperation Agreements (PCAs). In addition a number of ENP states seek membership of the EU (such as Ukraine and Georgia), while other ENP states have little formal participation (Belarus, Libya). As well as this variety of agencies, instruments and states there is the observation that the EU is by

no means the only actor in the ENP region, with national (e.g. Russia and the US), international (e.g. the Organization for Security and Co-operation in Europe (OSCE), Council of Europe and African Union), and transnational (e.g. oil and gas companies and civil society) actors playing important roles. As the 2008 conflict in Georgia illustrated, the variety of agencies (Presidents of Council and Commission, High Representatives) and instruments (the European Neighbourhood and Partnership Instrument (ENPI), <sup>AQ2</sup>[ECHO] European Security and Defence Policy (ESDP)), as well as actors (Russia, the US and EU) make the analysis of ENP particularly challenging.

While questions of locating the ENP and its actors are analytically problematic, there are also wider issues of *climate*, *sovereignty* and *time* associated with studying the ENP in the 2003–2008 period.<sup>5</sup> First, the changed international *climate* of the Bush/Bin Laden world since 11 September 2001 raises the question of whether the EU emphasis on counter-terrorism and traditional security promotion in the period 2001–2008 will prove representative of the much longer timescales going into the ENP funding period 2007–2013.<sup>6</sup> Second, the resistance of the ‘axis of ego’ to the sharing of *sovereignty* in international law has made the promotion of multilateral treaty commitments, and their acceptance by ENP partners, particularly difficult. The ‘axis of ego’ refers to the permanent members of the UN Security Council (here the US, Russia and China) when they consider themselves exceptional or superpowers, and thus above international norms and law.<sup>7</sup> Finally, the important question is that of *time* – in the case of an open-ended policy field such as the ENP, it may be simply too early to assess the EU’s role in any meaningful way. As Barbara Lippert has argued, the ENP is ‘neither conceptually complete nor operationally stable’, and is likely to remain this way for some time.<sup>8</sup>

Compounding these analytical questions are the methodological difficulties regarding *how* to study ENP. For example, is it only appropriate to study the whole of the ENP region, or is it possible to study just one region (East/South), or one country? Furthermore, *what* exactly is it appropriate to study in the ENP – shared values, political dialogue, economic and social development policy, trade and the Internal Market, justice and home affairs, neighbourhood connections, human resource development or all of the above? All of these areas are identified as important in the 2004 ENP Strategy Paper, but clearly it is improbable that all of them could be promoted at the same time, to the same extent, in all the partner countries. Last, what should be the *focus* of empirical study of the ENP – data, documents, discourses, public opinion, press

opinion or researcher opinion? All of these have been and are the focus of current ENP studies, raising the suggestion that it is problematic to make ‘much ado about nothing’, when the ‘something’ is relatively uncertain.

This observation regarding the uncertainty of the ‘something’ ensures that the object of study is largely constituted by study itself – that the ENP as a field of study is in the process of being created by scholarship in the field. Thus analysis of the ENP, which is neither conceptually complete nor operationally stable, at the same time as the field is being continuously reconstituted by study itself, produces more analytical challenges than agreements. As the rest of the contributions to this volume illustrate, the mixture of scholarly backgrounds and presumptions, analytical locational contestation, variety of agents and instruments, wider analytical questions and methodological difficulties make studying the ENP both challenging and potentially interesting. One of the most important challenges is the role of theory, or means of understanding the ENP, as the next section will now explore.

#### ‘Much ado about nothing’ or ‘as you like it’?

‘Given the topicality of its theme, the play [*As You Like It*] may well indeed have been written at speed. Yet it is actually well constructed, with no major discrepancies or loose ends. It is a good deal more watertight, as a narrative, than *Much Ado About Nothing*, written a year or two earlier.’<sup>9</sup> In the short time since the ENP was proposed a number of commentators have deployed the idiom of ‘much ado about nothing’ to capture the EU’s relations with its nearest neighbours.<sup>10</sup> While this analytical emphasis on the ‘something’ in neighbourhood relations is interesting, understanding the EU as a regional actor requires that we think about its ENP both causally and constitutively. The emphasis on theory in this chapter is driven by the argument that ‘theory is a guide to empirical exploration, a means of reflecting... upon complex processes of [political] evolution and transformation in order to highlight key periods or phases of change which warrant closer empirical scrutiny’.<sup>11</sup> But theories of the ENP do more than simply guide exploration and scrutiny; they also represent the realities of it, for as Catherine Hoskyns observed, ‘theory constitutes as well as explains the questions it asks (and those it does not ask)’.<sup>12</sup> In the study of the ENP it is useful to contrast causal with constitutive approaches in order to understand how differing theories lead to differing understandings of the ‘nothing’ or ‘something’ that EU policy makes possible.

Causal theory argues that the object of study can be explained as a causal relationship between one factor and another.<sup>13</sup> Hence a causal expectation would be for the ENP to be ‘some ado about something’ analytically. In contrast, constitutive theory contends that the subject of study is constituted or created within the context of a specific social relationship.<sup>14</sup> Thus a constitutive expectation would be for the ENP to constitute, and to reconstitute, its subjects through their relations. In other words the focus of a constitutive approach is on how the practices and experiences of the participants are changed by the ENP – is the ENP ‘as you like it’? rather than asking if there is ‘much ado about nothing’? To stretch the idiom into a metaphor, following Duncan Jones it may be suggested that an understanding of the ENP ‘as you like it’ might be a good deal more water-tight as a narrative than the ENP as ‘much ado about nothing’. By keeping in mind that causal and constitutive explanations are not looking for the same thing in their social science, we can reflect on differing existing theories of the EU’s ENP.

#### Causal theories of the ENP – ‘much ado about nothing’?

From the perspective of causal theory, the evolution of the EU’s ENP can be explained as the result of three determining factors suggested 30 years ago by Carole Webb in her tripartite analysis of intergovernmental cooperation, supranational community and transnational processes.<sup>15</sup>

The first factor is the role of member states primarily seen in intergovernmental bargaining in the Council of Ministers and at the European Council. The role of states, their governments and ministries has long been an important factor in explaining the policies of the EU, as Helen Wallace’s work on national governments in the study of the communities has made clear since the early 1970s.<sup>16</sup> Wholly state-based, or intergovernmentalist, explanations for European integration reached their peak in the 1990s with the publication of Andrew Moravcsik’s widely repudiated *Choice for Europe*.<sup>17</sup> Despite this, Moravcsik and Milada Anna Vachudova have argued ‘the EU enlargement process and its consequences are decisively influenced by material national interests and state power’.<sup>18</sup> The widespread criticism that the ENP has primarily been articulated within the framework of security concerns may well be attributable to member state preferences in the post-11 September world. Within this volume the contributions by Sten Rynning and Christine Pihlkjær Jensen, and to a lesser extent Narine Ghazaryan, serve as examples of state-based casual explanations for the ENP. For example, Rynning and Jensen describe the ENP in terms of competing geopolitical spheres of interest between the US and Russia, while

Ghazaryan writes of the competing alliances in the Caucuses between US and Russian interests.

The second factor is the role of the supranational institutions of the EU, in particular the Commission and Court, as a central factor in explaining the policies of the EU. Writing in the 1950s and 1960s, Miriam Camps stressed the importance of understanding a 'European Community' that was a 'living experiment in creating new relationships among states and between peoples'.<sup>19</sup> Wholly supranationalist explanations for European integration have mutated over the decades, but have been advocated by neo-functionalists, political system theorists and supranational governance approaches. Supranationalist explanations for the ENP are advanced in varieties of institutionalist theories, for example in the emphasis placed on historical institutionalism and path dependency in the work of Judith Kelley, as well as Sandra Lavenex's governance perspective on the ENP's macro-institutional set-up.<sup>20</sup> Within this volume, Carmen Gebhard's chapter serves as a good example of a supranational, historical institutionalist, causal explanation for the ENP with her discussion of 'path-dependent stickiness' in the strategic conception and structural design of the ENP.

The third factor is the role of transnational actors and institutions inside and outside the EU, such as transnational capital, social movements/groups and transnational institutions. EU transnational institutions include the European Parliament, the Economic and Social Committee and the Committee of the Regions, all of which represent local and transnational civil society, rather than the member states or the supranational EU. The role of transnational factors has been of increasing importance in explaining the policies of the EU since the 1970s, with Susan Strange's emphasis on transnational firms and economic interdependence and Carole Webb's focus on transnational activities within the EU.<sup>21</sup> Wholly transnational explanations for European integration have emerged as important in the post-Cold-War world with emphasis placed on the role of transnational firms and business, transnational parties and networking and transnational trade unions and non-governmental organisations (NGOs).<sup>22</sup> Transnational explanations for the ENP are to be found in work emphasising the role of cross-border, transnational and regional cooperation in the ENP programmes and instruments, as well as approaches focused on NGOs and civil society. For example, Rosa Balfour and Antonio Missiroli look at how the EU focuses support on civil society by directing the 'bulk of its aid...towards NGOs dedicated to human rights training and awareness-raising in civil and military services', while others emphasise

the role of NGOs and civil society actors within both EU member states and ENP partner countries.<sup>23</sup> In this volume, the discussion of 'global public goods' by Sven Biscop illustrates the role of transnational factors in shaping the ENP through a method of 'positive conditionality'.

#### **Constitutive theories of the ENP – 'as you like it'?**

In contrast to causal theories of the ENP, from the perspective of constitutive theory the evolution of the ENP can be best understood via three approaches – social constructivism, post-structural theory and critical social theory.<sup>24</sup>

Social constructivist perspectives on the EU emphasise the role of norms, identity and socialisation in European integration. First becoming influential in the 1990s, following the collapse of Cold War theoretical rationalisations, social constructivist approaches flourished as two edited volumes brought together new scholarship using 'reflective' or 'constructivist' theories.<sup>25</sup> Social constructivist approaches to enlargement and the ENP have become widespread in the 2000s, with volumes edited by Frank Schimmelfennig, Ulrich Sedelmeier and Rachel Epstein proving particularly important in theorising enlargement, Europeanisation and conditionality in the EU neighbourhood.<sup>26</sup> Scholars in this volume have made some important contributions to the study of the ENP from a constructivist perspective such as Federica Bicchì's work on the ideational processes and definition of ideas in EU-Mediterranean policy, Hiski Haukkala's study of international institutionalisation and Wendtian thin constructivism in EU-Russian relations and Gwen Sasse's argument regarding 'conditionality as a process rather than a clear-cut causal or intervening variable'.<sup>27</sup> Within this volume the chapters by Haukkala, Bicchì and Sasse all illustrate some of the insights gained from a constructivist understanding of the ENP, in particular the discussions of 'international society' (Haukkala) and the ENP as a framework for socialisation (Sasse).

Post-structural theoretical perspectives on the EU go beyond social construction toward discursive deconstruction and genealogical excavation as a means of revealing EU structures of knowledge. Similarly to constructivism, post-structural scholarship began to engage with EU politics in the 1990s with the work of Thomas Diez being particularly influential.<sup>28</sup> Post-structural approaches to the ENP have been advanced by Pertti Joenniemi, Christopher Browning and Michelle Pace, all placing theoretical emphasis on the construction of EU policies and identity in opposition to a neighbouring 'other'.<sup>29</sup> Within this volume, Ben Tonra's contribution on identity construction in the ENP serves as



a good example of post-structuralist theory with its emphasis on the role of borders and boundaries in constructing the identities of insiders and outsiders.

The final perspective considered here is that of critical social theory, which seeks to both critique and change society at the same time. Critical social theory perspectives on the EU are relatively rare, but can be found in the work of Gerald Delanty, Chris Rumford and Craig Calhoun and their emphasis on the need to understand European integration in the context of more general changes represented by globalisation.<sup>30</sup> Critical social theory approaches to the ENP suggest that the policy represents attempts to organise (non-)European space that blurs external borders and creates governable spaces.<sup>31</sup> Within this volume there are no other contributions which seek to use critical social theory to understand the ENP, so the rest of this chapter will set out how a 'normative power' approach might be used to study the ENP.

#### **EU normative power in the ENP**

Critical social theorists such as Craig Calhoun and Seyla Benhabib critique aspects of universalism and relativism inherent in much normative theory. As Calhoun comments '[t]he very scientific attempt to sever empirical theory from normative theory has contributed to normative theory's problematic over-commitment to a culturally insensitive Enlightenment universalism', while Benhabib argues 'against attempts in normative political theory that reify cultural groups and their struggles for recognition'.<sup>32</sup> The normative power approach attempts to strike a critical path between culturally insensitive universalism and the reification of cultural relativism in order both to critique and change the EU in world politics. It does this by seeking to study the ideational aspects of the EU, and by seeking both to advocate and critique such aspects in order to change EU policy.<sup>33</sup>

In order to study the EU's normative power in the ENP, it is useful to analyse and judge the ideational aspects found in EU principles, actions and impact in this policy field.<sup>34</sup> Although the normative power approach is aimed at analysing single policies, rather than an entire policy field such as the ENP, this section suggests how the approach might be used.

#### **EU principles in the ENP – legitimacy, coherence and consistency**

'The Union's neighbours have pledged adherence to fundamental human rights and freedoms, through their adherence to a number of multilateral treaties as well as through their bilateral agreements with

the EU. All the EU's neighbours are signatories of UN human rights conventions.<sup>735</sup> The passage from the 2004 Communication from the Commission 'European Neighbourhood Policy: Strategy Paper' illustrates the way in which the principles promoted in the ENP gain their legitimacy from previously established treaties, agreements and conventions. For eastern neighbours the passage continues with reference to further sources of legitimacy:

Some are members of the Council of Europe and OSCE and have ratified the European Convention for the Protection of Human Rights and Fundamental Freedoms and committed themselves to adhere to relevant conventions and bodies setting high democratic and human rights standards as well as to accept strong and legally binding mechanisms to ensure that they comply with human rights obligations.

Here the Communication refers to the pre-existing commitments given by the five eastern participants (Armenia, Azerbaijan, Georgia, Moldova and Ukraine) as part of their memberships of the Council of Europe and the OSCE. For southern neighbours the passage continues with reference to other sources of legitimacy:

Signatories to the Barcelona declaration have accepted inter alia a declaration of principles to act in accordance with the United Nations Charter and the Universal Declaration of Human Rights, and to develop the rule of law and democracy in their political systems, respect human rights and fundamental freedoms and guarantee the effective legitimate exercise of such rights and freedoms.

This part of the Communication refers to the ten southern participants (Algeria, Egypt, Israel, Jordan, Lebanon, Libya, Palestine, Morocco, Syria and Tunisia) as signatories to the Barcelona Declaration and members of the UN. Finally, the passage ends with reference to broader international sources of legitimacy within the UN system: 'Partner countries are committed to respecting core labour standards and to promoting fundamental social rights, as parties to relevant ILO conventions; they are also committed to the pursuit of a sustainable mode of development, as defined at the Johannesburg world summit.' This final part of the passage on 'commitment to shared values' refers to the fact that all ENP partners, both non-EU and EU, have committed themselves to core labour standards and sustainable development. Such references

to pre-existing commitments to non-EU organisations, treaties, conventions and agreements can act as important sources of legitimacy for the promotion of principles that are external to the EU.<sup>36</sup> These external sources of legitimacy have at least four effects on this promotion through EU normative power. First, the external sources of legitimacy act as 'clear and public objectives and benchmarks.... key benchmarks should include the ratification and implementation of international commitments which demonstrate respect for shared values, in particular the values codified in the UN Human Rights Declaration, the OSCE and Council of Europe standards'.<sup>37</sup> Such benchmarks are set out in the Annex to the 2004 Strategy Paper and include UN core human rights conventions, fundamental International Labour Organization (ILO) conventions on core labour standards, Council of Europe 'core' conventions on human rights, the Rome Statute of the International Criminal Court, the UN Framework Convention on Climate Change and the Barcelona Convention for the protection of the marine environment and the coastal region of the Mediterranean.<sup>38</sup> These benchmarks are referred to in the discussions of 'political dialogue and reform', including 'democracy and the rule of law', 'human rights and fundamental freedoms' and 'fundamental social rights and core labour standards', as well as 'sustainable development' under 'economic and social reform and development' in the processes and dialogues on country reporting, action planning and progress reporting.

Second, the use of external sources of legitimacy encourages such organisations to engage more directly with ENP partner countries as seen, for example, in the Council of Europe's 2006 initiatives to encourage the incorporation of its standards and values into the ENP and its programme on human rights, democratic governance and development through dialogue between Europe, the southern Mediterranean and Africa, as well as the renewing the OSCE's 'Mediterranean Partnership'.<sup>39</sup> Both the use of benchmarking and the engagement of other organisations can act as reference points in debates within ENP countries regarding such principles, as Soha Bayoumi illustrates in her discussion of Egyptian civil society: 'governmental stances towards the EU... differ from those of civil society, which sometimes seem more attracted by the "normative power" of the EU as a (potential) promoter of human rights, democracy and the rule of law in the world'.<sup>40</sup>

Finally, external sources of legitimacy for principles promoted by the EU can contribute to their coherence and consistency. The importance of claims to legitimacy for such principles involves ensuring that the EU is both normatively coherent and consistent in its policies. Coherence

involves ensuring that the EU is not simply pragmatically promoting its own norms, but that the principles are part of more international commitments. The coherence of EU principles is improved by the fact that democracy, human rights, rule of law, social solidarity (core labour standards and social rights) and sustainable development are all part of the UN system. In this context, the EU may better exercise normative power if 'a neighbourhood policy for a European Union acting coherently and efficiently in the world' is aware that 'in the implementation of the ENP it is of the utmost importance that the Institutions and the Member States act in a consistent and coherent way'.<sup>41</sup>

Thus, in addition to legitimacy and coherence, consistency is important in ensuring that the EU is not promoting norms with which it does itself not comply. In the case of the Euro-Mediterranean Partnership (EMP) Kalypso Nicolaïdis and Dimitri Nicolaïdis have put this clearly when they conclude that:

Fundamentally, normative power can only be applied credibly under a key condition: consistency between internal policies and external prescriptions and actions.... Nevertheless, at least initially, the democratic peace argument won the day in the design of the EMP simply because this is the narrative at the core of the EU construct itself, and one increasingly applied to its relations with the rest of the world.<sup>42</sup>

Roland Dannreuther has argued that 'the ENP seeks to promote a greater coherence and consistency in its neighbourhood policy' by the introduction in 2007 of the ENPI, which seeks to simplify the existing and complex financial relations, replacing the AQ3 INTERREG, Poland and Hungary: Assistance for Restructuring their Economies (PHARE), Community Assistance for Reconstruction, Development and Stabilisation (CARDS), Technical Assistance for the Commonwealth of Independent States AQ4 (TACIS) and MEDA instruments.<sup>43</sup> However, despite these two previous discussions of coherence and consistency, a critical question remains regarding the consistent application of the freedom of movement of people within the EU to ENP citizens.<sup>44</sup> Problems of consistency are clearly greatest in the ENP-South which was an 'add-on' to the original aim of improving EU relations with its Eastern neighbours. This problem was further compounded by the later development of strategic partnerships with Russia (as well as China, Canada, Japan, India, and the US). The creation of the ENP in the context of so many compromises between the aims and practices of the Barcelona Process, EMP,

Association Agreements, PCAs and the perceived advantages of strategic partnerships, means that consistency is very difficult to achieve – which badly undermines the images of the EU in the eyes of partners.

From a critical perspective, the extent to which the ENP constantly refers to external sources of legitimacy suggests that there is a tension here in the post-colonial context of EU-Mediterranean relations. This tension is between the perceived ‘imposition’ of EU values in the ENP process and the lack of imposition implicit in the notion on ‘ownership’ discussed below. Therefore a normative power approach to the study of ENP would begin by analysing the legitimacy, coherence and consistency of the principles the EU seeks to promote, and it would then turn to looking at the actions taken by the EU in the neighbourhood. However, it would need to be critically aware of the tensions between imposition and ownership in post-colonial relations within the Mediterranean.

#### **EU actions in ENP – persuasion, engagement and differentiation**

The second stage of analysis involves studying the means through which EU normative power is enacted in ENP, in particular by looking at the processes of persuasion, engagement and differentiation. If normative power has importance as a concept it is through the powers of persuasion, argument and ability to shame or confer prestige.<sup>45</sup> As Rosemary Foot has argued, persuasion is important because ‘norms are expressed through language and the process of argumentation and debate can shape what is said subsequently in both domestic and international venues’.<sup>46</sup> But persuasion has little meaning in the ENP without fora for engagement and an ability to differentiate in the attribution of shame or prestige.

Thus, engagement involves ensuring that the EU encourages dialogue and participation in the conduct of its relations with others, including public discussions both within the EU and with EU partners. Historically, the EMP has been about engagement – between institutions, governments, ministers, parties, social groups, NGOs and civil society – in order to allow many more voices to be heard. In contrast to these EMP multilateral (if not plurilateral) practices, the ENP was designed more as bilateral relations with an aim to encouraging reform. However, the sheer growth of voices being heard in and on ENP relations since 2003 does provide some illustration of the importance of engagement. Examples of this growth of voices in and on the ENP can be seen in the increase in venues for argument and debate between participants.<sup>47</sup> Scholarly dialogue and participation increasingly includes ENP voices and expertise from the Mediterranean and Eastern Europe.

It is clear, as Raffaella Del Sarto and Tobias Schumacher (as well as Dannreuther) have shown, that the ENP has abandoned the one-speed regionality of the EMP for 'differentiated bilateralism' based on Action Plans and benchmarking.<sup>48</sup> As the ENP puts it:

the drawing up of an Action Plan and the priorities agreed with each partner will depend on its particular circumstances. These differ with respect to geographic location, the political and economic situation, relations with the European Union and with neighbouring countries, reform programmes, where applicable, needs and capacities, as well as perceived interests in the context of the ENP. Thus the Action Plans with each partner will be differentiated. Differentiation should at the same time be based on a clear commitment to shared values and be compatible with a coherent regional approach, especially where further regional cooperation can bring clear benefits.<sup>49</sup>

ENP Commissioner Benita Ferrero-Waldner added in 2006 that 'we agree Action Plans with our partners which set out the path to a closer relationship. Differentiation is the key – each country's Action Plan responds to its particular needs and benefits'.<sup>50</sup> This differentiation in approach provides a greater opportunity for partners to participate in the drawing up, reviewing, and completion of the content of Action Plans. The intention is that the ENP offers participants a 'privileged form of partnership' which 'increases the opportunity of voicing their particular concerns'.<sup>51</sup> The first example of such a form of partnership was announced by Benita Ferrero-Waldner in October 2008 as an 'advanced status' for Morocco involving a range of measures strengthening political, economic and social relations.<sup>52</sup>

As discussed here, a normative power approach to the study of ENP would proceed by analysing the persuasion, engagement and differentiation in the actions the EU takes to promote the principles discussed previously, and then it would finally look at the impact of the EU in the neighbourhood.

#### **EU impact in the ENP – socialisation, ownership and conditionality**

The final stage of analysis looks at the impact of EU normative power in the ENP by studying the processes of socialisation, ownership and conditionality. To a remarkable degree, much of the recent ENP literature argues that traditional, rationalist incentive-based explanations for EU conditionality needs rethinking. Gwen Sasse argues that 'a more

flexible conceptualisation...frames conditionality as a process rather than a clear-cut causal or intervening variable'.<sup>53</sup> Sandra Lavenex suggests that 'traditional rationalist, actor-based foreign policy approaches to the ENP that stress its weakness owing to the absence of accession conditionality may miss an essential part of EU external influence'.<sup>54</sup> Rachel Epstein and Ulrich Sedelmeier have called into question the 'dominant incentive-based explanation for EU conditionality', arguing instead that 'only the long-term perspective of the post-accession phase will allow researchers to identify and appreciate the full importance of socialization processes that accompanied the use of conditionality'.<sup>55</sup> What this scholarship argues is that the ENP must be seen as a longer-term process of socialisation rather than the application of shorter-term utilitarian calculation.

This longer-term process of socialisation should to be reflected on in the context of the EU's open-ended institutionalisation of the ENP. Open-ended institutionalisation of the ENP goes includes the creation of a Commission-based responsibility within DG Relex; the commitment to promoting good governance in neighbouring countries set out in the 2003 European Security Strategy (ESS); and the aim of developing special relationships with neighbouring countries set out in the Lisbon Treaty. Such bureaucratic, strategic and treaty-based institutionalisation illustrates the extent to which the ENP is seen within the EU as an open-ended process continuing beyond the foreseeable future.

Thus, in this context, socialisation should be seen as being a part of an open-ended process the EU thinks reflects on the impact of its policies with the partner countries, in particular through encouraging local ownership and practising positive conditionality. Local ownership is crucial in ensuring that the ENP relationship is one that is 'other-empowering' rather than replicating some of the self-empowering motivations of much foreign, development and humanitarian policy. The 2004 ENP Strategy Paper suggests this might be possible:

The ENP is an offer made by the EU to its partners to which they have responded with considerable interest and engagement. Joint ownership of the process, based on the awareness of shared values and common interests, is essential. The EU does not seek to impose priorities or conditions on its partners. The Action Plans depend, for their success, on the clear recognition of mutual interests in addressing a set of priority issues. There can be no question of asking partners to accept a pre-determined set of priorities. These will be

defined by common consent and will thus vary from country to country.<sup>56</sup>

Del Sarto and Schumacher suggest that 'the introduction of the principle of 'joint ownership' is certainly a positive development' in encouraging partner involvement and consultation in the formulation of priorities.<sup>57</sup> Dannreuther also argues that 'local ownership...fits in with the increasing recognition that economic reform and democracy cannot be imposed from outside but must be nurtured from within'.<sup>58</sup>

Positive conditionality is also important in ensuring that 'progress is rewarded with greater incentives and benefits [and] an even deeper relationship'.<sup>59</sup> The move from the negative conditionality of sanctions to the positive conditionality of the ENP reflects lessons learnt from other policy fields over the past ten years. Del Sarto and Schumacher observe that positive conditionality involves a 'benchmarking approach' and moves the EU from 'passive engagement' to 'active engagement'.<sup>60</sup> There is, however, one major dilemma to the aims of partnership and local empowerment expressed here, as Nicolaïdis and Nicolaïdis make clear:

when normative power aims at changing deep-seated patterns of governance, framing the one-way imposition of certain norms as an exercise in 'partnership' raises major dilemmas of disempowerment in partner societies. While one may argue that normative power is not neo-colonial if it is meant to empower local actors, it may in fact rob them of their autonomy in defining the substance of empowerment; for example, activists do not share with Europeans the same appreciation of pluralism and point to a European secular bias... The EU's failure to apply principles of democracy promotion consistently over time is the result in part of the lack of government agreement between member states over the desirable trade-offs they are willing to make among different goals and the values underpinning these goals (e.g. political reform versus stability or poverty reduction).<sup>61</sup>

From a critical perspective, two questions can be asked of the EU's impact regarding socialisation and ownership. The difficulty with seeing the ENP as a longer-term process of socialisation is that so far all the evidence and examples appear to come from ENP-East, rather than ENP-South. There is a parallel to this differentiation in the question of ownership, where civil society/pro-democracy movements in ENP-East partners have tended to be more empowered through processes



of ownership. In contrast, it is likely to be the case in the ENP-South that partner governments will never take ownership of a process which might challenge their grip on power.<sup>62</sup> As almost 15 years of EMP illustrate, in a climate of non-coercion it appears too easy for participants to avoid a process that challenges their power base, assuming that base remains solid. Thus, the last stage illustrates how a normative power approach to the study of the ENP would finish by analysing the socialisation, ownership and conditionality in the impact of the EUs promotion of the principles introduced at the beginning of the analysis. But it would also seek to identify critical concerns in these processes and whether they live up to principles identified in the earlier stages of the analysis.

### **Conclusion: ‘much ado about...you’?**

This chapter has suggested one way of overcoming some of the analytical challenges of studying the ENP might be to pursue a normative power approach. Such an approach would have the advantage of getting away from discourses of force (e.g., transatlanticist discourses of the EU as a ‘force for good’) and from the utilitarian emphasis placed on conditionality (e.g., the lack of the ‘golden carrot’ of membership).<sup>63</sup> The analytical challenges identified in the first section suggest that non-traditional methods of analysis appropriate to the subject of study should be found. The chapter has further suggested, in the second section, that critical social theory may provide a means to critique, advocate and change EU politics and policy. In the third section, the chapter set out how an emphasis on ideational aspects, including the legitimisation of principles, persuasiveness of actions and impact of socialisation in the normative power approach may be appropriate in the study of the ENP. A brief overview of ENP literature provided in this chapter indicates that rather than prematurely concluding that the lack of material leverage in, for example conditionality leads to ‘much ado about nothing’, the ENP might be seen as an open-ended process of socialisation, changing whether the ENP is ‘as you like it’ for both the EU and neighbours. A normative power approach might shift an objective focus on the ‘ado’ to a more subjective focus on the ‘you’, asking instead whether ENP is ‘much ado about...you’?

### **Notes**

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