European Political Economy Review *ISSN 1742-5697*
No. 7 (Summer 2007), pp. 181-194 *www.eper.org*

The (Non-)Normative Power EU and the European Neighbourhood Policy: An Exceptional Policy for an Exceptional Actor?

Elisabeth Johansson-Nogués[*]

Abstract

The ENP's strong rhetoric in terms of the promotion of normative values, or "milieu goals", has stimulated an interest in the academic community for the argument that the EU is somehow a "normative power". This brief article will, however, sustain that the many contradictions inherent in the multifaceted EU's foreign policy conducted in the Union's relations with neighbouring countries makes it difficult, for the time being, to fully concur with the assertion that the Union is a normative power.

Keywords: *Normative power EU, civilian power EU, European Neighborhood Policy, ENP, EU foreign policy, exceptionalism*

[*] Elisabeth Johansson-Nogués, Researcher at the Institut Universitari d'Estudis Europeus, Universitat Autònoma de Barcelona, Spain.

1. Introduction

When the European Neighbourhood Policy (ENP) was first launched it momentarily caused quite a stir in and around the European Union. The novelty of the ENP did not so much lie in the high normative component of the new policy – democracy, human rights, the rule of law had arguably also been part of many previous EU external policies. The originality of the ENP was rather its forceful language in terms of political conditionality. In its first Communication on the ENP the Commission proposed that relations with neighbouring countries should not only be made dependent on a demonstrated ability to effectively implement EU-promoted political, economic and institutional reforms, but also made "a function of *concrete progress in demonstrating shared values*" (Commission 2003; emphasis added). The impression of a European Union which was poised to become more forward-leaning in terms of value promotion was later strengthened by the adoption of the European Security Strategy proclaiming that it was in Europe's interest to have well-governed countries on its borders and that "[s]preading good governance…dealing with corruption and abuse of power, establishing the rule of law and protecting human rights" are the "best means of strengthening the international order" (European Council 2003).

Such a strong rhetoric in terms of the promotion of immaterial political objectives, or "milieu goals", triggered a heightened interest in the academic community for the argument that the EU is somehow a "normative power".[1] This article will, however, sustain that the many contradictions inherent in the EU's foreign policy vis-à-vis the ENP area makes it difficult, for the time being, to fully concur with the assertion that the Union is a normative power. What will, nonetheless, be argued in the final part of this article is that if the EU became more coherent in its foreign policy expression in terms of values, and using its instruments in a legitimate fashion, normative power could become a potentially significant additional foreign policy asset for the Union.

[1] See for example special issue of *Journal of European Public Policy*, 13 (2), March, 2006.

2. The end and means of the normative power EU

As noted by several authors, the concept of "normative power Europe" (NPEU) is still largely under-theorized (Sjursen 2006; Pace 2006). While a number of publications in recent years have referred to the topic, it is difficult to find a clear and precise definition of what normative power really entails. One could infer, however, that most analysts tend to use the concept in an implicit manner to denote an influential international actor which promotes norms beyond its territorial or institutional-functional confines.

The conceptual lack of clarity shrouding the definition of the NPEU also extends itself to what standards to use in order to determine whether the EU is truly a normative power or not, although some promising attempts have been made (cf. Sjursen 2006). For this reason, this article will borrow from the parameters used to explore the concept of civilian power.[2] Smith (2005) has argued that a civilian power can be told from what ends it pursues (objectives), what means it disposes (instruments) – and as seen through the prism of the ENP.

2.1 Objectives for the NPEU?

Manners, in one of his perhaps most detailed writings on the NPEU, sustains that the European Union is destined to be a normative actor as a consequence of a combination of the historical context in which the EC was created, its hybrid supranational-intergovernmental polity and its cumulative treaty based legal order (Manners 2002). To Manners and others writing about the NPEU, the exceptionalism inherent in the EU as a unique political construct in international relations compels the Union to have an equally *sui generis* foreign policy. In particular, Manners sustains that 'the central component of normative power Europe is that the EU exists as being different to pre-existing political forms, and that this particular difference pre-

[2] A "civilian power" is for the present purposes an influential actor pursuing cooperation to achieve its foreign policy objectives – preferring persuasive over coercive measures – and principally through the use non-military instruments (cf. Hill 1990; Whitman 1998; Smith 2005). There is some debate in the academic community to whether a civilian power can possess and employ military instruments.

disposes it to act in a normative way' (Manners 2002: 242). Sjursen (2006: 235) concurs with that finding and argues that:

> "[a] number of empirical observations regarding issues such as the EU's policy of democracy promotion, its introduction of human rights clauses in trade agreements, the emphasis on encouraging regional co-operation and its focus on strengthening international institutions could very well indicate that there is something distinctive about the EU's foreign policy, at least in comparison with what we tend to think of as the foreign policies of great powers".

However, there are several problems with such a depiction of the European Union as a foreign policy actor. First, it has been widely acknowledged that the argument of the EU somehow acting in a normative way in support of immaterial objectives is treacherous in that it seems to imply that the EU is acting for virtuous or altruistic reasons, portraying the EU as a "force for goodness in international society" (Jørgensen, Laatikainen 2004: 15; Sjursen 2006). Such a notion of the EU as a global player is surely self-gratifying to Brussels-based EU officials. Nevertheless, one should be vary of that such a glorified reading of the EU's impact on the international system might give way to arguments in favour of (however benign) neo-imperialism, whereby it is contended that the Union could, and indeed should, develop into a "post-modern empire" for the benefit of global stability (cf. Cooper 2002).

Indeed, when the ENP was first fielded in 2002 it went by the name of "Wider Europe". Officials explain, however, that the policy would soon have to change name as the original designation evoked negative imagery in former colonial states, such as Algeria or Tunisia, and revived fears of new forms of subjugations and dependency (Johansson-Nogués *forthcoming*).[3] Moreover, the English term 'Wider Europe' also became troublesome as it was translated into other official EU languages. In Austria and Germany, for example, the tentative translation *Größeres Europa* would stir up the ghost of

[3] Such fears cannot be discarded if one is to believe Marchetti (2006), who holds that geopolitical considerations are precisely the essence of the ENP: "The European Neighbourhood Policy is designed to establish a semi-periphery around the European Union. This functionalisation of neighbours has the advantage of buffering and protecting by at the same allowing for an increased exchange between the entities involved".

World War II Nazi expansionism (Interviews, Brussels, 4 July 2005). It is worth noting that the controversy which the issue of EU promoting norms, values and ideas as objectives of its foreign policy raises is perhaps much more pronounced and politicized in the ENP area than in the EU's relations with other, further-flung regions of the world. This illustrates that norms and values are important parts of EU policy and should remain so, however, it also shows that the Union has to be careful in its rhetoric in order not to offend anyone's sensibilities. In the aftermath of the US-led intervention in Iraq, where the lack of democracy and human rights has frequently been cited as motives behind the toppling of the Saddam Hussein's regime, many countries, especially non-democratic Arab countries, see in the Western normative rhetoric a veiled threat against their regimes. The unclear and less than transparent *finalité* of the ESDP, in particular the EU battle groups (coming into force 2007), have further added to this generalized unease in the Arab world.[4] The EU therefore must be wary of coming on too strong with its normative discourse lest it will trigger the age-old security dilemma and cause instability in its neighbouring areas.

A second problem with the NPEU argument is that the normative facet of the EU's foreign policy has been elevated to a chief place among the EU's foreign policy objectives. The label 'normative power' in and by itself indicates that its inventor conceived this dimension of the EU foreign policy to be the most important and the most descriptive of the nature of the EU as a international actor, at least more important than other ends the EU might pursue. However, the trouble of such a narrative of the EU foreign policy is that it tends to simplify, overlook and, at worst, fail to account for other equally important rationales behind the EU foreign policy. Almost four decades of rich academic debate – first over the European Political Cooperation and later the Common Foreign and Security Policy – has left us with many pieces of evidence for the different motivations behind EU action, whether it is normative, inter-

[4] EU neighbours are particularly worried over the ambiguities surrounding the ESDP, whether or not it will eventually develop further into a full-blown defence mechanism. Moreover, the lack of clearly defined rules of engagement of the EU battle groups is also a cause of concern. There is fear that the EU troops, to date not explicitly limited to act only upon UN Security Council approval, could perform on a Kosovo-style action alleging normative concerns.

institutional rivalries (Allen 1998, Emerson *et al.* 2005), commercial interests, parochial geopolitical interests making member states reluctant to pursue norms with determined neighbouring countries, complex intra-Council trade-offs in regards to the southern or the eastern periphery (Barbé 1998) or "special relationships" based on notions of identity (Natorski 2006).[5]

In a complex framework policy such as the ENP all these objectives (normative, commercial, geopolitical, identities) compete with each other in dynamic tension, albeit perhaps not on an equal basis. Youngs (2004) has, for example, shown that normative promotion can be thought of as suffering from the same ills as many public policy goods where if there is a conflict for resources between particularistic interests and the common good ("tragedy of the commons"), the latter often has to give way. The EU's not-so-normative and ambiguous behaviour over Ukraine in response to the "Orange revolution" reveals this dilemma. The EU would first respond very cautious to the surge of pro-European, pro-reform movement, although once the tide turned in favour of the democratic revolutionaries the Union would seemingly intervene normatively in favour of democracy by sending Javier Solana and representatives of two member states to negotiate with Russia and Ukrainian opposition parties to allow a second round of elections to take place. However, once the democratic government of Yushchenko took office, other non-normative concerns driving the EU's foreign policy would kick in. The EU-Ukraine ENP Action Plan (originally accorded with Kuchma) was refurbished after the elections and in principle offered better trade relations, more aid, easier visas and closer cooperation (Wolczuk 2005). However, posterior concretization of the terms showed a less than generous offer. Trade restrictions on Ukraine's principal export products, such as agricultural produce, textiles and steel continued to be important, whether through non-tariff barriers (e.g. technical and phytosanitary standards) or outright trade quotas. Financial assistance to the newly democratized country was to be delayed for inter-institutional battles between the Council and the

[5] Examples of "special relationships" which Natorski cites are Spain / Morocco and Poland / Ukraine.

Commission. The promise of visa liberalization also at first met unexpected troubles.[6]

In other words, contrary to the NPEU community's expectation that the exceptional political construct pursues an exceptional foreign policy, it would appear that at least in the ENP area the EU is nothing but a "normal" political force. The EU foreign policy appears as an organic whole with multiple dimensions and in which competing visions of different intervening actors co-habit. One should not forget that the EU is a pluralistic political community. While some member states (and/or the Commission) may honestly pursue normative ends in some situations, they might not have their voices heard when faced with the concern of another member state for the impact trade liberalization would have on its metallurgic industry or agricultural sector. This pluralism can also be explained from the perspective of divergent political traditions among the EU member states. For example, northern member states tend to use their foreign aid in part for normative purposes, while southern EU members have tended to think of external financial assistance as an instrument to promote commercial ventures (Gillespie 2004: 4). One can conclude that Manners' expectation that the history of the EC, its hybrid polity and its legal order would suffice as a convergent force to contrive an amalgamated EU foreign policy expression in favour of the normative is far from about to be fulfilled. Nor does Manners' affirmation that the EU as a promoter of norms displaces the state as the centre of concern seem sustained by the above empirical evidence (Manners 2002: 236).

2.2 The instruments of the NPEU?

Long-standing International Relations concepts such as "civilian power" or "military power" have at their heart a focus on instruments and capabilities. In contrast, the concept of normative power

[6] National level foreign policy concerns would play into a certain backtracking on the visa liberalization in its first stages. A scandal involving the then German foreign minister Joschka Fischer was uncovered during the technical negotiations to grant Ukraine a more liberal visa regime. Fischer faced accusations of complicity in long-term visa fraud involving thousands of Ukrainian citizens, among others and as a result, the German government forced a change in the EU text making it more restrictive than originally proposed.

is 'an attempt to refocus analysis away from the empirical emphasis on the EU's institutions or policies, and towards including cognitive processes, with both substantive and symbolic contents' (Manners 2000). The NPEU argument therefore wants to shift the reference frame away from a focus on instruments ("what the EU does or what it says") and towards focusing on what the EU is in order to avoid 'an unhealthy concentration on how much like a state the EU looks' *(ibid).*

However – and this perhaps being the most sustained criticism against the NPEU concept – not only is the NPEU projection debate very much couched in terms of EU instruments, but also, and possibly as a consequence, the NPEU concept becomes almost indistinguishable from Duchêne's civilian power notion.[7] Duchêne (1973: 19-20) argued that the EC should use its foreign policy instruments and *idée force* (magnetic attraction) for normative ends in order to 'domesticate' relations between states. One could argue that it is, for this reason, not clear how the normative power concept can truly further our understanding of the EU's impact on the international system in comparison to already existing concepts.

Nevertheless, in order to continue with the discussion here we will simply accept Manners (2002) argument at its face value. Manners holds that there are six principal substantive and symbolic ways in which the EU promotes values: contagion (EU as a source of attraction for third parties); informational (declarations, demarches), procedural (institutionalized relationships), transference (trade norms, political conditionality), overt diffusion (EC delegations) and cultural filter (political learning). Now, turning our attention to the ENP, the policy arguably allows both for substantive (political dialogue, trade norms, cooperation, financial and technical assistance etc.) and symbolic (EU attraction, political learning) transmission of norms.

First, as for the substantive transmission of norms, the Action Plans are perhaps the most tangible element of the ENP so far. Here one

[7] One might speculate that this is the reason why it is not uncommon to find texts using the terms "civilian power" and "normative power" as synonyms for each other.

can nonetheless see an important discrepancy between what was proposed in the Commission's ENP Strategy paper and what was later accepted by the ENP partners (Commission 2004). The ENP Strategy Paper is replete with references to normative action, sometimes very concrete in reference to different regions of the ENP area. However, as the first waves of Action Plans were concluded it became clear how little progress over status quo could be reported. The commitments to values are rather vague in the finalized Action Plans. Across the board the pledges for normative reform are kept in a very general language and without specifying what exact measures in terms of democracy, human rights and liberties should be taken by partners in order to obtain new "privileges" from the EU. At another level, contradictions are also evident in the above already mentioned meagre contents of the refurbished ENP Action Plan with Ukraine, compared to with the ease that non-reformist Tunisia obtained a fairly far-reaching Action Plan without having to make any substantial concessions in the normative realm (e.g. neither in terms of free and fair elections or even easing restrictions on political opposition or civil society etc.) (Johansson-Nogués 2004).

Second, as for the symbolic transmission of norms, it relies predominantly on the NPEU's power of attraction ("soft power").[8] It has been readily acknowledged both by practitioners and academics that the perspective of EU enlargement has in the past decade been the EU's biggest "carrot" for prodding on change beyond its borders. For example, one of the major factors motivating the Central and Eastern Europe countries to pursue reform was the lure exerted by the EU as a successful politico-economic community. However, without this "carrot", as a consequence of the moratorium the member states have put on further enlargement rounds, the NPEU soft power projection is currently noticeably circumscribed. Hence, without the stimulus of the membership perspective, how can the EU promote milieu values in the ENP area?

On the one hand, it could be argued that the EU's soft power could still prove to have an effect on those countries which, in spite of the

[8] Nye has coined and popularized the expression "soft power" referring to the ability of an actor to use its attractiveness in terms of culture, political ideals and policies to draw other actors closer (Nye 1990, 2004).

Union's reluctance, continue to harbour the hope that the EU's doors will open again one day in the future, such as Georgia or Ukraine. Their expectation would rest on that if their respective countries reform satisfactorily by ways of the ENP framework, including in the terrain of norms, their "European dream" will eventually come true the day the Union is ready and willing to once more absorb new member states.[9]

On the other hand, and as for the rest of the ENP partners, the EU's capacity to transmit norms will be very different. However, paradoxically perhaps here the idea that the EU can have normative power (as opposed to being one) could become key to the Union's success. Nye (2004) has held that soft power is an essential attribute of an international actor, in that through soft power it "may obtain the outcomes it wants in world politics because other countries – admiring its values, emulating its example, aspiring to its level of prosperity and openness – want to follow it." What appears to be undermining the EU's normative power projection in the ENP area at the moment is above all the many contradictions between competing normative and parochial concerns. What is more, given the EU's past fickleness in terms of normative promotion, ENP partners will be forgiven for questioning the EU's willingness to act positively for norms now. The "shadow of the past" thus impairs the EU's foreign policy standing in these countries. The EU must therefore boost its soft power *vis-à-vis* the ENP partners. One might infer that the way to do that could be by enhancing the coherence in its foreign policy objectives and actions as well as legitimacy when applying its instruments. Hence, to "act in a normative way" would then mean that if particular interests clashed with obligations undertaken by the EU, the commitments would still be respected by the EU member states (i.e. coherence). Coherence in this perspective is not so much a structural feature of the rules themselves, but a political ideal or guiding principle at work both in the construction of norms and in their interpretation and application (Lerch, Schwellnus

[9] The Georgian aspirations are very tangible, as Leonard and Grant (2005) have reported: "[a]ll public buildings in downtown Tbilisi fly EU flags next to Georgian ones. The flags are a symbol of Georgia's determination to integrate itself into the West after the "rose revolution", and a reminder of the potency of the European dream outside the European Union's borders".

2006). Moreover, the legitimacy of the EU's foreign policy, both in its use of civilian and military instruments, could be derived from being consistent with agreed legal norms and "[i]f coercion were used, it would be so only in consistence with existing legal arrangements and in order to uphold the respect for such arrangements" (Sjursen 2006: 245). This would seem particularly important in terms of the burgeoning military instruments that the Union has at its disposal. To avoid creating unnecessary fears among the ENP partners the EU should end the ambiguity surrounding the ESDP and declare that the battle groups will only be used as according to international law.

2. Conclusion: Exceptionalism revisited

Can we thus conclusively draw the conclusion that the EU is unique and this makes it act in a normative way? In other words is the EU an exceptional actor and the ENP an exceptional policy? The NPEU argument is very seductive on many levels in that it blends together the ontological with the normative. Indeed, one would wish for the EU to be different from other actors (especially in light of the US veer towards military power unilateralism) and act for the betterment of the international system in an altruistic spirit. However, from the evidence related to the ENP area one must conclude much more mundanely that the EU is a normal political force in international relations. Such finding should not surprise anyone, Smith (2005), for example, has noted that most international actors hail themselves on a continuum between ideal (utopian) models of civilian and military, with no actor hailing at either extreme. Even Ronald Reagan's foreign policy must be seen as inspired by a sense of moral conviction and not only by *realpolitik* (Sjursen 2006). The aim of this article has not been to invalidate any arguments that allow us to account for normative behaviour as a "rational choice" nor to nullify the relevance of normative conviction in foreign policy as an extension of identity. On the contrary, the argument put forward here is only to highlight the danger of only focusing on one single dimension of a multifaceted foreign policy making, making us emphasize some parameters and overlook others. To this author it seems overly rash to single out one factor – the normative – as the

most dominant or most descriptive of the type of actor the EU is in international affairs.

The survey of the ENP also reveals more normalcy than exceptionalism. So far there is little evidence to the fact that the ENP is trying to live up to the strong language used at the policy's outset in favour of normative promotion. The ENP has rather come to once more highlight the many conflicting interests and ideas/norms which co-exist within the heterogeneous making of the EU foreign policy. The ENP therefore essentially repeats the patterns and processes of its policy predecessors such as the Euro-Mediterranean Partnership, the Partnership and Cooperation Agreements, etc.

Acknowledgements

The author is member of the Observatory of European Foreign Policy < www.uab.es/iuee >. This article falls within the framework of CHALLENGE – The Changing Landscape of European Liberty and Security – a research project funded by the Sixth Framework Program of the European Commission's Directorate-General for Research < www.libertysecurity.org >; as well as the Project "Coordination, integration and Europeanization in the periphery of the European Union (Mediterranean and Eastern Europe)", (SEJ2006-03134/CPOL) financed by the Spanish *Ministerio de Educación y Ciencia*. The author wishes to thank Prof. Esther Barbé for her insightful comments.

References

ALLEN David (1998), "Who Speaks for Europe? The search for an effective and coherent external policy", in: PETERSON, John, SJURSEN, Helene (Eds.), *A Common Foreign Policy for Europe?* London, Routledge, pp. 41-58.

BARBÉ Esther (1998), "Balancing Europe's Eastern and Southern Dimensions", in: ZIELONKA Jan (Ed.), *Paradoxes of European Foreign Policy*, The Hague, Kluwer Law International, pp. 117-130.

COMMISSION (2003), "Wider Europe-Neighbourhood: A New Framework for Relations with our Eastern and Southern Neighbours", COM(2003) 104 final.

COMMISSION (2004), "European Neighbourhood Policy Strategy Paper", COM(2004) 373 final, 12 May.

COOPER Robert (2002), "Why we still need empires", *The Guardian*, 7 April.

DUCHÊNE François (1973), "The European Communities and the Uncertainties of Interdependence", in: KOHNSTAMM M., HAGER, W. (Eds.), *A Nation Writ Large? Foreign Policy Problems before the European Community*, London: Macmillan, pp. 1-21.

EMERSON Michael, AYDIN Senem, NOUTCHEVA Gergana, TOCCI Nathalie, VAHL Marius, YOUNGS Richard (2005), "The Reluctant Debutante – The EU as Promoter of Democracy in its Neighbourhood", in: EMERSON, Michael (ed.), *Democratisation in the European Neighbourhood*, Brussels, CEPS, pp. 169-230.

EUROPEAN COUNCIL (2003), "A Secure Europe in a Better World: European Security Strategy", Brussels, 12 December 2003.

GILLESPIE Richard (2004), "A Political Agenda for regional-building? The EMP and Democracy Promotion in North Africa", *Institute of European Studies papers*, (040530).

HILL Christopher (1990), "European Foreign Policy: Power Bloc, Civilian Model – or Flop?", in: RUMMEL R. (Ed.), *The Evolution of an International Actor: Western Europe's New Assertiveness*, Boulder, Westview Press.

JOHANSSON-NOGUÉS Elisabeth (forthcoming), "The EU and its Neighborhood: An Overview", in: WEBER K., SMITH M. E., BAUN M. (eds.), *Governing Europe's New Neighborhood: Partners or Periphery?* Manchester, Manchester University Press.

JOHANSSON-NOGUÉS Elisabeth (2004), "A 'Ring of Friends'? The Implications of the European Neighbourhood Policy for the Mediterranean", *Mediterranean Politics* 9 (2) Summer, pp.240-247.

LERCH Marika, SCHWELLNUS Guido (2006), "Normative by nature? The role of coherence in justifying the EU's external human rights policy", *Journal of European Public Policy* 13 (2) March, pp. 304-321

LEONARD Mark, GRANT Charles (2005), "Georgia and the EU: Can Europe's neighbourhood policy deliver?" *CER Policy Brief*, 10 October.

MANNERS Ian (2000), *Substance and Symbolism: An Anatomy of Cooperation in the New Europe*, Aldershot, Ashgate.

MANNERS Ian (2002), "Normative Power Europe: A Contradiction in Terms?" *Journal of Common Market Studies*, 40 (2) pp. 235-258.

MARCHETTI Andreas (2006),"The European Neighbourhood Policy: Foreign Policy at the EU's Periphery", *Zentrum für Europäische Integrationsforschung Discussion Paper*, (C158).

NATORSKI Michal (2006), "Polish and Spanish visions of the European neighbourhood: Competing or Complementary interests for the EU foreign policy?" in: ŠARUNAS Liekis *et al*. (eds.), *EU and its' New Neighbourhood: Different Countries, Common Interests*, Vilnius, Mykolas Romeris University.

NYE Joseph S. Jr, (1990), *Bound to Lead: The Changing Nature of American Power*, New York, Basic Books.

NYE Joseph S. Jr, (2004), *Soft Power: The Means to Success in World Politics*, New York, Public Affairs.

PACE Michelle (2006), "EU Normative Power in Relation to Border Conflicts", *CFSP Forum*, 4 (2) pp. 4-7.

SJURSEN Helene (2006), "The EU as a 'normative' power: how can this be?", *Journal of European Public Policy*, 13 (2) March, pp. 235-251.

SMITH Karen E. (2005), "Still 'civilian power EU'?", *European Foreign Policy Unit Working Paper*, (2005/1).

WHITMAN Richard G. (1998), *From Civilian Power to Superpower? The International Identity of the European Union*, Houndmills, Macmillan Press.

WOLCZUK Kataryna (2005), "Ukraine after the Orange Revolution", *CER Policy Brief*, 4 February.

YOUNGS Richard (2004), "Normative dynamics and strategic interests in the EU's external identity", *Journal of Common Market Studies*, 42 (2), pp. 415-35.