

**THE EUROPEAN UNION AS A NORMATIVE POWER
AND
THE EUROPEAN NEIGHBOURHOOD POLICY:
CASES OF MOROCCO AND EGYPT**

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ABSTRACT

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This thesis aims to examine the European Union (EU) as a normative power in the context of the European Neighbourhood Policy (ENP) through case studies of Morocco and Egypt. The uniqueness of the EU as a distinct actor in international politics has led many observers to claim that the EU is a normative power. The ENP, which emerged in 2004, has been one of the main instruments of the EU within this framework. This thesis studies the claim as to whether the EU is, in fact, a normative power in the context of the ENP with two cases studies. The selection of Morocco and Egypt originates from the existing similarities which render an opportunity to have a comparative study. The thesis will analyze this puzzle through an analysis of both primary documents published by the EU and the secondary literature. Through a close scrutiny of Morocco and Egypt, the normative power of the EU in its near abroad will be explored through the analysis of democratization process in these countries in terms of democracy, rule of law and respect for human rights and fundamental freedoms. Based on theoretical analysis and two case studies, this thesis argues that the EU faces several challenges in its claim to be a normative power within the context of the ENP.

Keywords: European Neighbourhood Policy, EU's Normative / Civilian Identity, Democratization, Morocco, Egypt

ÖZ

NORMATİF GÜÇ OLARAK AVRUPA BİRLİĞİ VE AVRUPA KOMŞULUK POLİTİKASI: FAS VE MİSİR VAKA ANALİZİ

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Bu tez, normatif güç olarak Avrupa Birliği'ni (AB) Fas ve Mısır vaka analizleri ile Avrupa Komşuluk Politikası çerçevesinde incelemeyi amaçlar. AB'nin kendine has yapısı ile uluslararası ilişkilerde öne çıkması AB'nin normatif güç olarak sunulmasına neden olmuştur. 2004'te son halini alan Komşuluk Politikası AB'nin önemli enstrümanlarından olmuştur. Bu tez iki vaka analizi çerçevesinde AB'nin gerçekten de bir normative güç olup olmadığını ele almaktadır. Fas ve Mısır'ın vaka analizi olarak seçilmesinin nedeni iki ülke arasında var olan benzerliklerin politika çerçevesinde karşılaştırmalı analizi sağlamasıdır. Analiz hem birincil hem de ikincil kaynaklardan yararlanılarak yapılmıştır. Fas ve Mısır'ın detaylı incelemesi sürecinde, AB'nin yakın coğrafyasında normatif gücü ve dönüştürme kapasitesi, bu ülkelerdeki demokratikleşme süreci (demokrasi, hukukun üstünlüğü, insan haklarına ve temel özgürlüklere saygı) bağlamında incelenecektir. Teorik incelemenin ve vaka analizlerinin sonucunda, bu tezin temel önermesi, AB'nin Avrupa Komşuluk Politikası çerçevesinde normatif güç olma iddiasının bir çok sorunla karşı karşıya kalmasıdır.

Anahtar Kelimeler: Avrupa Komşuluk Politikası, AB'nin Normatif ve Sivil Kimliği, Demokratikleşme, Fas, Mısır

To my beloved family;

My dear mother Sevgi Tinas,

My dear father Ahmet Tinas,

My dear sister Özlem Kaya.

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LIST OF ABBREVIATIONS

CARDS	Community Assistance for Reconstruction, Development and Stabilization
CCDH	Royal Consultative Council on Human Rights
CEECs	Central and Eastern European Countries
CFSP	Common Foreign and Security Policy
CoE	Council of Europe
DFTAs	Deep Free Trade Agreements
DG	Directorate-General
EC	European Community
ECHR	European Convention on Human Rights
ECST	European Coal and Steel Treaty
EEC	European Economic Community
EMAA	Euro Mediterranean Association Agreement
EMP	Euro-Mediterranean Partnership
ENP	European Neighbourhood Policy
EPC	European Political Cooperation
EPE	Ethical Power Europe
ESDP	European Security and Defense Policy
EU	European Union
FTAs	Free Trade Agreements
GMP	Global Mediterranean Policy

IER	Moroccan Equity and Reconciliation Commission
IRCAM	Royal Institute for the Amazigh Culture
MEDA	Europe and Mediterranean Countries Co-operation
NDP	National Democratic Party
NGOs	Non Governmental Organizations
NIS	Newly Independent States
NPEU	Normative Power European Union
PAM	Authenticity and Modernity Party
PHARE	Poland and Hungary: Assistance for Restructuring their Economies
RELAX	Directorate-General External Relations
TACIS	Technical Aid to the Commonwealth of Independent States
TEC	Treaty on European Community
TEU	Treaty on European Union
USFP	Socialist Union of People's Forces
WTO	World Trade Organization

CHAPTER 1

INTRODUCTION

Europe, having witnessed too many bloody and destructive wars for centuries, had become very fragile for another war after the devastating World War II. However, the continent experienced an unprecedented and unique history in the second half of the twentieth century. Accordingly, conflictual relations between states can be overcome first in technical area. Since technical cooperation between the states creates interdependence, it will spill over to economic sphere of the state relations. With the same logic, since politics cannot be isolated from economy, economic cooperation will result in cooperation in political and security issues, which seem to be a difficult cooperation area for states. This idea created a new endeavor in Europe which resulted in the emergence of a *sui generis* entity in the continent.

While integration in Europe continues on the one hand, the European Union (EU) has emerged as an actor in international politics. At the initial stages, while there has been a large degree of integration between EU member states in the economic field, foreign relations were still a largely inter-governmental matter. Steps for a wider coordination in foreign relations began in 1970 with the establishment of the European Political Cooperation (EPC) which created an informal consultation process between member states with the aim of forming common foreign policies. It was not, however, until the 1987, that the EPC was introduced on a formal basis by the Single European Act. EPC was renamed as the Common Foreign and Security

Policy (CFSP) by the Maastricht Treaty.¹ The Maastricht Treaty has attributed to the CFSP the aim of promoting both EU's own interests and those of the international community as a whole. This includes also promoting international co-operation, respect for human rights, democracy, and the rule of law.

In the very first part of the Consolidated Version of the Treaty on European Union, the Article 6 asserts that the respect for and protection of human rights, fundamental freedoms, democracy and the rule of law are the founding principles of the EU. Thus, this general practice is also expressed in the same treaty. Article 11 defines one of the objectives of the foreign and security policy as developing and consolidating democracy, the rule of law, respect for human rights and fundamental freedoms.² To conclude, it can be argued that there is a close relation between the values of the EU and its foreign relations.

The debate on the European Union foreign policy mostly evolved around the issue of enlargement since the EU has been using the membership incentive as a quite powerful instrument towards the regional countries. Until 2004, the EU was using only the carrot of membership for any regional country that it wanted to transform or influence; yet, although the debate about where the EU's final borders should be set is still carried out by different groups, it was quite reasonable for the EU to come up with a new kind of policy with some of its neighbours. This policy would be surely an answer to the dilemma of exclusion or inclusion by providing a kind of middle way to create a "ring of friends" around the EU borders. Therefore, after an experience of Euro-Mediterranean Partnership, the attention has shifted towards a new foreign policy, namely the European Neighbourhood Policy (ENP), which is one of the aspects of the EU's regional policies.

¹http://europa.eu/scadplus/glossary/european_political_cooperation_en.htm (accessed on 10 December 2008).

² *Consolidated Version of the Treaty on European Union*, Official Journal of the European Union, C321 E/1, 29.12.2006.

Article 6/1 : "The Union is founded on the principles of liberty, democracy, respect for human rights and fundamental freedoms, and the rule of law, principles which are common to the Member States."

Article 11/1: "to develop and consolidate democracy and the rule of law, and respect for human rights and fundamental freedoms."

Thanks to the EU's enlargement experience, the EU has in a way constituted its identity in global politics as a different kind of power, which, according to some, can be called as normative power by promoting its values towards the third countries that would like to be in the EU. Unlike the traditional foreign policy of the EU, the ENP has also a perspective of 'Europeanization' but this time without accession. Similarly, the core of the ENP is also promoting European values in other countries without the promise of membership. Therefore, the ENP has certain similarities with the enlargement policy while it differs from the latter in terms of end-goals. In other words, there are some direct mechanical borrowings from enlargement experiences. As Romano Prodi, President of the European Commission from 1999 to 2004, stated in a speech, many of the elements in the ENP are taken from the enlargement process, which may even called as 'Copenhagen proximity criteria.'³ Here, at this point, the question arises as to whether Europeanization without accession can be an effective instrument for the Europe as a normative power in international politics. This paper, therefore, addresses a substantive critical question: Does this policy extension from the enlargement experiences, namely the European Neighbourhood Policy, have the potential to supply an effective instrument for the European Union to promote its political norms in its near abroad?

While searching an answer to the substantial question of this paper, the thesis will base its arguments on both primary and secondary sources. The primary sources are used in order to better understand the issues since they provide first-hand testimony or direct evidence concerning the topic under investigation. Thanks to the well-organized and user-friendly website of the ENP⁴, having access to many primary sources, such as presidency conclusions, country reports, action plans and progress reports, has been without difficulty. Therefore, during the thesis there are many references to the EU documents in order to see the official texts and the EU's vision. Secondly, and as important as primary sources, there is a great amount of literature

³ Judith Kelley, "New Wine in Old Wineskins: Policy Adaptation in the European Neighborhood Policy", *Journal of Common Market Studies*, Vol. 44, No.1, 2006, p.6 and p.28.

⁴ http://ec.europa.eu/world/enp/index_en.htm (accessed on 10 June 2009)

on the EU, the concept of civilian/normative power, and the ENP which presented very helpful ideas to this thesis.

The historical developments demonstrate that the European Union has emerged as a new actor in global politics although the individual EU member states still retain their own foreign policies, and the decision making mechanism of the EU depends heavily on unanimity in foreign policy and security issues. Although there are still ongoing discussions on the effectiveness of the EU in world politics, it is argued that the EU wants to stand as a global actor in world politics. This fact is also acknowledged by Benita Ferrero Waldner, EU External Relations/European Neighbourhood Policy Commissioner, that “the European Union can only strengthen its credibility by producing results. We must respond to the needs of the moment by finding the political will for a strong EU foreign policy, capable of delivering results. That will both answer our publics’ questions about the purpose of the EU and give Europe new momentum. And it will position us to manage the challenges we will face in the future.”⁵

Indeed, the global actorness of the European Union in world politics is a consequence of the historical legacy of its economic size, policy scope and political profile. European actors have always been in the first league of the global actors in recent history, but this time, member states would like to assert the EU as a leading power in global politics relying on its *soft power*. Until recent years, the EU has been overlooked as an international political actor by many experts since the foreign policy has been widely associated with nation states and also an overblown attention on high politics in traditional understanding of foreign policy. However, without doubt, this traditional state-centric approach based on realist view of international relations, was challenged by many leading scholars of international relations. So, the question would be what constitutes ‘global actorness’. If one looks from the perspective of International Law and classical Realist Approach of International Relations, actorness may be defined on the basis of statehood. Yet, is this definition

⁵ Statement by Benita Ferrero-Waldner, “Asserting the EU's New Role in the World”, http://www.eurunion.org/eu/index.php?option=com_content&task=view&id=47&Itemid=48 (accessed on 10 June 2009)

suitable according to our existing world political conjuncture? Therefore, it would be more practical to define actor in global politics from a wider picture. Charlotte Bretherton and John Vogler define actorness in terms of components: opportunity, presence, and capability.⁶ ‘Opportunity’ denotes factors in the external environment of ideas and events which constrain or enable actorness; ‘presence’ conceptualizes the ability of the EU to exert influence beyond its borders; and ‘capability’ refers to the international context of the EU external action. To conclude, an actor in global politics is an entity that has the capability with its instruments and policies to act where there is an opportunity.

Having a perspective of an actor in global politics, the European Union has to construct its identity as a civilian/normative power. It is argued that the notion of civilian power refers both to the use of civil or non-military means to support policy objectives and to the external ‘civilizing’ influence of the Community. On the other hand, it is also asserted that the notion of normative power in literature implies both the EU’s civilian power and fledgling military power through an ideational dimension which provides the ability to shape conceptions of ‘normal’ in international relations.⁷

It is commonly argued that the European Union is a unique international actor not only in terms of its influential role in economic and trade issues but also in terms of disseminating its model of economic and political governance and democratic ideal to the partner countries. Especially, the developments of the 1990s, when the notions of military and civilian powers came to be re-evaluated, have led us to rethink about the uniqueness of the EU in international relations. More specifically, the discussions on these traditional conceptions of power have paved the way to the international role of the EU as a promoter of norms. In fact, the EU has sought to establish itself as an influential actor in the field of norm promotion in the post Cold War era.

⁶ Charlotte Bretherton and John Vogler, *The European Union as Global Actor*, 2nd. ed., (New York: Routledge, 2006), pp.24-30.

⁷ Bretherton and Vogler, note 6, p.42.

Since the main aim of this thesis is to evaluate whether the EU has a transformative role in terms of political norms and values in its immediate neighbourhood through the ENP, the second chapter focuses on the idea of the normative power for a fuller understanding of what the EU's normative role means in world politics. In fact, there is a rich literature on the issue of 'soft', 'civilian' and 'normative' power. Thus, this thesis begins by offering a theoretical explanation of the evolution and the distinction of 'soft' or 'civilian' power from 'hard' or 'military' power under the scope of liberal and realist theories and the criticisms brought to these concepts. In this chapter, the main aim to present the conception of 'normative power' according to Ian Manners. After the examination of normative power EU, the chapter shifts the analysis to the democratization, as a part of Europeanization. Finally, the chapter will close the theoretical debate with certain criticism against the concept of normative power in general and EU's identity as a normative power in specific.

In the third chapter, the thesis will continue with the historical evolution of the European Union's policy towards its neighbours. The European Neighbourhood Policy was developed in 2004, with the objective of avoiding the emergence of new dividing lines between the enlarged EU and its neighbours and, hence, strengthening the prosperity, stability and security of all concerned. However, the policy did not emerge overnight. There are precursors of the ENP. Therefore, the chapter firstly focuses on the Barcelona Process, also known as the Euro-Mediterranean Partnership, which constitutes the policy of the European Union towards the Mediterranean countries. Its purpose is to strengthen the links between the EU and the partner countries, whilst encouraging closer ties among the Mediterranean countries themselves. The objective of the Partnership launched in 1995 following the Barcelona Declaration is to promote peace and stability in the region by establishing a political dialogue that respects the partners' shared values, such as democracy and the rule of law. Further aims are to promote the prevention and resolution of conflicts, as well as prosperity, particularly through the creation of a free-trade area, and to develop cooperation. Surely, the southern Mediterranean is not the only neighbouring region of the EU. For that reason, the eastern neighbours were also the subject of the interest of the EU, where the enlargement policy was applied

towards the Central and Eastern European Neighbours after the end of the Cold War. Since the context of this thesis is limited to the ENP, there will not be a detailed analysis of the enlargement policy but a comparison of policies, namely enlargement and neighbourhood.

In the third chapter, secondly, the roots and causes of the policy are evaluated. Since the new political environment after the 2004 enlargement has necessitated a new approach, the thesis will focus on the evolution and formulation of the European Neighbourhood Policy. The third chapter will then continue with the analysis of the Wider Europe Initiative launched with the European Commission Communication named as “Wider Europe - Neighbourhood: A New Framework for Relations with our Eastern and Southern Neighbours” in March 2003. Wider Europe Initiative was the origin of the ENP and therefore, there will be a detailed analysis of this communication in terms of its scope, aims and instruments. The third chapter will finally touch upon the European Neighbourhood Policy Strategy Paper, which was issued on 12 May 2004 following the 2004 enlargement, in details. The content of this part is strictly confined on the Strategy Paper in order to evaluate the final version of the policy from the perspective of the EU since this document is the basic formal reference point. In this part there will be a comprehensive analysis of the Strategy Paper and the developments after 2004. In this context, story of the ENP in action after 2004 will be summarized and there will be a special part for the attempts of the EU in 2007 and 2008 to strengthen the policy.

After having analyzed the issue of normative power at theoretical level and the historical evolution and the formulation the European Neighbourhood Policy, the thesis will examine the policy in action. Therefore, in the fourth chapter, two countries, namely Morocco and Egypt, will be selected as the subject of analysis. The southern Mediterranean region is a very important region for the European Union, thus, the EU has always been tried to establish deep political, economic and social relations with countries from the region. Similarly, the European Neighbourhood Policy aims to be a new and more comprehensive approach by the EU towards the Mediterranean region in addition to other neighbours. The focus in this new approach is offering a kind of premium partnership but membership on the

condition that the partner country realized certain package of economic and political reforms. Although the name and method of the policies toward the region have changed overtime, the southern Mediterranean region has always been a central concern for the EU. The relations evolved from a perspective of a limited cooperation to the blurring of the frontiers between ‘in’ and ‘out’ without further accession negotiations. Therefore, the historical relations between the EU and the regional countries provide a researcher a vast number of issues to examine in a comparatively longer period. The second reason why these two countries are selected is that they, in spite of their intensive relations, have no membership perspective which suits to the aim of the ENP. On the other hand, for instance, certain countries, which are included in the ENP process especially in the European continent, expressed their will to be a member of the EU in the future. Therefore, their commitment to the ENP and reform process cannot be analyzed only within the structure of the ENP since they have a perception of membership. Also, both countries have comparatively authoritarian regimes in domestic politics and have a bad democracy and human rights record. So, their similarities in terms of democracy, rule of law and respect for human rights and fundamental freedoms at the beginning of the ENP will present similar cases. This similarity will make it easy to see the progress after 2004.

In the case studies, there will be an analysis of Europeanization of these countries. Europeanization is a very comprehensive concept that includes a transformation in a wide range of areas from politics to economics. Therefore, the key elements of Action Plans, which will be covered in chapter three, touch upon different subjects for each and every country. The ENP framework determines the targeted issue extensively. There are two main areas namely, ‘Political Issues’ and ‘Economic and Social Situation.’ Democracy and the rule of law, human rights and fundamental freedoms, regional and global stability, and justice and home affairs are the subtitles of Political Issues; whereas, Economic and Social Situation covers mainly macroeconomic and social outlook, structural reforms and progress towards a functioning and competitive market economy, trade, market and regulatory reform, and transport, energy, information society, environment and research and innovation.

The economic and social situation is considered as beyond the scope of this thesis. Therefore, there will not be an analysis of these issues in the case studies. In this chapter, after a short historical examination of relations between the EU and the partner country, respectively Morocco and Egypt, and their current political system, there will be an analysis of issues of 'Democracy and the Rule of Law' and 'Human Rights and Fundamental Freedoms' in order to analyze the democratization process in these two countries within the context of the ENP.

In general, especially after the 1970s, the traditional realist understanding of international relations has been challenged from different aspects. There is a huge literature on the issue of the changing nature of world politics. They focus on the distinction between soft and hard power. Consequently, these studies and also the practices show that soft power may also be an effective instrument although the hard power still keeps its importance. In the mean time, the world has also experienced the emergence of multiple actors in global politics. Especially, after the end of the Cold War, non-state actors, such as the non-governmental organizations (NGOs) and multi-national companies, started to play their own roles whether they are influential or not. Among these new actors, the EU has a central place in different studies due to its sui generis nature. These studies focus on varied issues related to the EU from its institutional structure to its foreign policy.

'European Union Foreign Policy' has become very popular in the academic field since the very end of twentieth century. Some influential thinkers such as Steve Smith and Christopher Hill in the field of International Relations started to study a 'foreign policy' which they attributed to the Europe or European Union in the 1990s. So the question is what the European foreign policy is. European foreign policy, as Hill stated, is the sum of what the EU and its member states do in international relations. However, when one analyzes the EU's role in international politics, it is questionable whether the EU could play a substantive role. This fact is also accepted by the EU officials. In the website of the EU, it is stated that "the idea that the European Union should speak with one voice in world affairs is as old as the European integration process itself. But the EU has made less progress in forging a common foreign and security policy over the years than in creating a single market

and a single currency.”⁸ However, among other foreign policy instruments, the enlargement policy has been a very central and important policy tool for the EU in order to influence or transform third countries. However, after the last enlargement in 2004, the European Union faced with difficult questions about the objectives and instruments of its foreign policy towards its new neighbours. Therefore, the impact of the last enlargement has not been limited to the accession of twelve member states but also creation of secure, stable, prosperous, and also ‘Europeanized’ neighbours. The policy of transforming the neighbours according to European values, namely the European Neighbourhood Policy, is a very interesting issue and rightfully attracts scholarly attention. Therefore, there is a great amount of studies and researches on the issue of the ENP although the policy is comparatively a recent phenomenon.

Apart from the descriptive studies on the ENP that concentrate on the structure, aims and incentives of the policy, there are also studies about the policy in action with case studies. However, case studies about the ENP showing the impact of the EU on specific countries are comparatively less than descriptive studies. Therefore, this thesis aims to make a contribution with a comparative case study of countries from the Mediterranean region, namely Morocco and Egypt. While individual case studies on each country may help to show both the impact of the ENP particularly and, the normative power of the EU in terms of promoting its values in neighbouring countries more generally, the comparative analysis will help to understand whether the policy works in different cases.

⁸ http://europa.eu/pol/cfsp/index_en.htm (accessed on 10 June 2009)

CHAPTER 2

THE EUROPEAN UNION AS A NORMATIVE POWER

It is commonly argued that the European Union is a unique international actor not only in terms of its influential role in economic and trade issues but also in terms of disseminating its economic and political governance and democratic ideal to the partner countries. Especially, the developments of the 1990s, when the notions of ‘military’ and ‘civilian power’ came to be re-evaluated, have led us to rethink about the uniqueness of the EU in international relations. More specifically, the discussions on these traditional conceptions on power have paved the way to the international role of the EU as a promoter of norms. In fact, the EU has sought to establish itself as an influential actor in the field of norm promotion in the post Cold War era.

Since the main aim of this thesis is to evaluate whether the EU has a transformative role in its immediate neighbourhood through the ENP, this chapter focuses on the idea of ‘normative power’ for a fuller understanding of what the EU’s normative role means in world politics. Thus, this chapter begins by offering the theoretical debate on the evolution and the distinction of soft or civilian power from hard or military power under the scope of liberal and realist theories. Then, the evolution of the role of the EU as a normative power is evaluated within the context of this chapter. Then following the arguments about the role of the EU as a normative power, which necessitates an analysis in depth of the EU’s normative basis including its normative difference compared to other global actors and an explanation on how the EU norms are diffused. Thirdly, this chapter touches upon *Europeanization* in general and *democratization* in specific in order to clarify two central concepts of the case studies as a substantial part of perception of normative power EU. Finally, in order to assess

the limits of the EU's so-called normative power, the critical arguments of the leading scholars of the International Relations theory is discussed.

The theoretical debate on the notion of EU's normative power in global politics is necessary in order to understand the impact of the European Neighbourhood Policy (ENP), since the ENP's strong rhetoric in terms of the promotion of European values invigorated the question of whether the EU has a normative impact on its neighbours.

2.1 A THEORETICAL APPROACH: FROM HARD POWER TO SOFT POWER

Since the Second World War, international politics has welcomed a new political entity- the European Union which has been increasingly seen as a system of multilevel governance, with a plurality of actors at different levels: supranational, national and sub-national.⁹ The analysis under this sub-title proceeds on the basis of (neo)liberalism concerning the soft power versus (neo)realism concerning the hard power. This part will offer a theoretical analysis of how (neo)liberals and (neo)realists consider the notion of power. This distinction is necessary to provide the origins of the literature on the "uniqueness" of the EU as a civilian/normative power. Thus, this section first analyzes the main differences between (neo)realism and (neo)liberalism; then it dwells on their different perceptions of the notion of power.

It can be claimed that the emergence of the EU as a unique and influential international actor in the post-Cold War era has generated a debate between the two mainstream international relations theories, that is, (neo)realism and (neo)liberalism. The *neo-liberal institutionalism*, which is one of the versions of (neo)liberalism with its roots in the regional integration studies of 1940s to 1960s, suggests that the way towards peace and prosperity can be achieved through independent states pooling their resources, and even surrendering some of their sovereignty to create integrated

⁹ Thomas Christiansen, "European and regional integration", in John Baylis and Steve Smith, *The Globalization of World Politics: An introduction to international relations*, 2nd ed., (Oxford University Press, 2001), p.499.

communities in order to promote economic growth or respond to regional problems. In accordance with this, the EU is regarded as one of such institutions that began as a regional community for encouraging multilateral cooperation in the production of coal and steel. The (neo)liberalism of 1970s; *transnational and complex interdependence* is the most relevant one for the explanations of the term 'soft power'. The most prominent scholars of this school, namely Robert Keohane and Joseph S. Nye, suggested in the 1970s that the world had become more pluralistic in terms of actors involved in international interactions and thus these actors had become more dependent on each other; so it is possible to talk about "complex interdependence." Hence, they claimed, a new world had been emerging with increasing linkages among states and non-state actors on a new agenda of international issues without a distinction between low and high politics through multiple channels for interaction across national boundaries.¹⁰ In fact, such arguments were rejected mostly by *structural realism*, one of the most influential generation of (neo)realism, which is mostly built on hard politics issues such as military security and war. The renowned scholar of structural realism, Kenneth Waltz claims that (neo)liberals are too optimistic about the possibilities of cooperation among states and underlines that in an anarchical international system where the survival is the main goal of each state, international cooperation cannot occur unless states make it happen. He asserts that the international system is a self-help system where states are the most important, if not the only, actors.¹¹ Thus, according to (neo)realism the EU cannot be regarded as a sovereign actor on its own right but acts as a vehicle for the collective interests of its member states. In addition to this, while (neo)liberals believe that international cooperation is easy to achieve in areas where states have mutual interests that serve to maximization of their absolute gains, (neo)realists assert that the condition of anarchy makes cooperation difficult to achieve since anarchy requires states to be preoccupied with relative gains and power, security and survival in a competitive environment. John Mearsheimer accepts the

¹⁰ Robert Keohane and Joseph S. Nye, *Power and Interdependence*, 2nd ed., (Harper Collins Publishers, 1989), pp.24-26.

¹¹ Kenneth Waltz, *Theory of International Politics*, (Reading, Mass: Addison-Wesley Pub., Co., 1979), p.65.

idea that states may have other concerns and motivations. However, he puts clearly, the motivations of states are not only and exclusively about security and power maximization concerns; but there are also second-order concerns which rank below the fundamental national interests that serves to the realization of the former.¹² In line with him, Adrian Hyde-Price argues, over the last decade, the EU has increasingly come to serve as the institutional repository for the second-order concerns of its member states. It means that the member states will only allow the EU to act as the repository of shared concerns as long as this does not conflict with their core national interests.¹³ In other words, where national security interests prevail, normative objectives are ignored. Furthermore, Waltz argues that states, especially the great powers, have an interest in the stability of their external environment, and for this reason they pursue what Arnold Wolfers termed ‘milieu goals.’¹⁴ In this context, Hyde-Price claims that the EU’s external policy cooperation constitutes a collective attempt at milieu shaping, driven primarily by the EU’s largest powers.¹⁵

After comparing the main assumptions of the abovementioned theories under a neo-neo debate, it will be better to detail their different perceptions of power which will in fact open the way for the elaborations of the EU as a civilian/normative power. But before doing this, it is necessary to make a definition of power since it is a central and contested concept in international relations. In general terms, *power* is described as the ability to influence the behavior of others to get the outcomes one wants. There are several ways to affect the behavior of others: you can coerce them with threats (sticks); you can induce them with payments (carrots) or you can attract

¹² John J. Mearsheimer, *The Tragedy of Great Power Politics*, (New York: Norton&Company, 2001), pp.32-36.

¹³ Adrian Hyde-Price, “ ‘Normative’ power Europe: a realist critique”, *Journal of European Public Policy* 13:2, March 2006, pp.220-223.

¹⁴ Arnold Wolfers, *Discord and Collaboration: Essay in International Politics*, (Baltimore: John Hopkins University Press,1962); in Hyde-Price, note 4, p.222.

¹⁵ Hyde-Price, note 5, p.222.

or co-opt them.¹⁶ K. J. Holsti has put forward six ways in which an international actor can influence others: it can use persuasion, offer rewards, grant rewards, threaten punishment, inflict non-violent punishment or use force.¹⁷ *Hard power*, according to Karl Deutsch's definition, is "willful power" as the ability to impose one's goals without regard to others", "the ability to talk instead of listening and to afford not to learn them."¹⁸ Accordingly, it is mostly placed in the (neo)realist discipline, where military power is seen as the expression of a state's strength in the anarchical international system based on self-help capacity. Thus, military force appears to be the defining resource in the hard power notion of (neo)realism. Hard power is a term describing power obtained from the use of military and/or economic coercion to influence the behavior or interests of other political bodies. It can rest on inducements (carrots) or threats (sticks). This power, which Nye also names as 'command power', can be used through coercive diplomacy, war and alliance using threats and force with the aim of coercion, deterrence and protection.¹⁹ (Neo)realism also admits alternatively that this power can be exercised through economic power, which relies on aid, bribes and economic sanctions. It is used in contrast to 'soft power'. According to the concept's father, Joseph Nye, soft power is the ability to obtain what you want through co-option and attraction rather than the hard power of coercion and payment.²⁰ British historian Niall Ferguson describes soft power as "non-traditional forces such as cultural and commercial goods."²¹ Since soft power

¹⁶ Joseph S. Nye, "The Benefits of Soft Power", 08.02.2004, <http://hbswk.hbs.edu/archive/4290.html> (accessed on 10 June 2009)

¹⁷ K. J. Holsti, *International Politics: A Framework for Analysis*, 7th ed., Englewood Cliffs, (NJ: Prentice-Hall, 1995); in Karen E. Smith, *European Union Foreign Policy in a Changing World*, (Oxford: Blackwell Publishing, 2003), p.22.

¹⁸ K.W. Deutsch, *The Nerves of Government*, (New York: Free Press, 1963) p.111; in Song Lilei, "The Discourse of EU's Power and its Mediterranean Policy", p.5. <http://www.garnet-eu.org/fileadmin/documents/phd.../6th.../Lilei.pdf> (accessed on 10 June 2009)

¹⁹ Nye, note 16.

²⁰ The concept of *soft power* was first developed by the prominent (neo)liberal scholar Joseph Nye in a 1990 book titled as *Bound to Lead: The Changing Nature of American Power*. He further developed this concept in his book *Soft Power: The Means to Success in World Politics* in 2004.

²¹ Joseph S. Nye, "Think Again: Soft Power", http://www.foreignpolicy.com/story/cms.php?story_id=3393&page=1 (accessed on 10 June 2009)

rests on the ability to shape the preferences rather than their coercion, the distinction between them can be thought not only in terms of the nature of behavior but also in terms of the tangibility of resources: hard power is associated with tangible resources like military and economic strength while soft power, with intangible power resources such as culture and ideology. In other words, the ability of soft power to establish preferences tends to be associated with civilian instruments such as diplomacy, strategic communications, foreign assistance, civic action, economic reconstruction and development. The difference between coercion and persuasion can also be characterized as that between a ‘civilian model’ and a ‘power bloc’ in Christopher Hill’s term. Hill argues that in the *civilian power* model, the EU relies primarily on persuasion and negotiation in dealing with third countries and international issues whereas *power bloc* behavior involves the EU using its economic and diplomatic strength in the pursuit of its self-interest.²² Finally, Nye indicates that a country’s soft power can come from three resources: its culture (in places where it is attractive to others), its political values (when it lives up to them at home and abroad), and its foreign policies (when they are seen as legitimate and having moral authority).²³ So, soft power which Nye labels also as “co-optive power” is more than just persuasion but it is also the ability to attract.²⁴

2.2 THE EUROPEAN UNION AS A NORMATIVE POWER: ‘NORMATIVE POWER’ ACCORDING TO IAN MANNERS

Over the decades, the EU was conceptualized as a distinctly different type of actor: it has been described as a ‘civilian’ power by Louis-François Duchêne, a ‘soft’ power by Christopher J. Hill, and, most recently, a ‘normative’ power by Ian Manners in its international relations. Conceptualization of the EU as a ‘civilian power’ has its roots

²² Christopher Hill, “European foreign policy: power bloc, civilian model-or flop?”, cited by Smith, note 17, p.22.

²³ Nye, note 21.

²⁴ Nye, note 16.

in Duchêne's conception of the EU in 1972. His argument about the EU's potential 'civilizing' influence is linked with a perception of the international system as characterized by interdependence and joint problem-solving between states and non-state actors.²⁵ Moreover, he believes that the particular role of the EU is linked with the nature of its polity, which is perceived as unique or *sui generis*. In other words, the EU's strength and novelty as a unique international actor is based on its ability to extend its own model of ensuring stability and security through economic and political rather than military instruments.²⁶ A further contribution to the notion of civilian power has been made by Kenneth J. Twitchett and Hanns W. Maull as they both identified it with three key features: the centrality of economic power to achieve national goals, the primacy of diplomatic cooperation to solve international problems, and the willingness to use legally-binding supranational institutions to achieve international progress.²⁷

Before outlining the evolution and the key features of the notion of 'normative power', a related question here is what it is meant by norms. Daniel S. Hamilton explains that norms are generally understood as standards of appropriate behavior but the appropriateness of the course is subjective.²⁸ Martha Finnemore and Kathryn Sikkink argue that the strength of norms evolves through a 'life-cycle' of three stages: first is the norm emergence stage in which the norm entrepreneurs attempt to convince others to follow their desired norm; the second is the norm cascade stage in which the 'norm leaders', namely those who accepted the norm attempt to socialize others to accept the norm and become the 'norm followers'; and the final is the norm

²⁵ François Duchêne, "Europe's Role in World Peace", cited by Richard Mayne (ed.), *Europe Tomorrow: Sixteen Europeans Look Ahead*, (London: Fontana, 1972), pp.32-47.

²⁶ Helene Sjursen, "What kind of power?", *Journal of European Public Policy* 13:2 March 2006, p.169.

²⁷ K. Twitchett (ed.), *Europe and the World: The External Relations of the Common Market*, (New York: St. Martin Press, 1976), pp.1-2; and Hanns Maull, "Germany and Japan: The New Civilian Powers", *Foreign Affairs*, Vol. 69, No.5, pp. 92-93, 1990; both cited by Ian Manners, "Normative power Europe: A Contradiction in Terms?", *Journal of Common Market Studies* Vol. 40 Number 2, 2002, pp.236-237.

²⁸ Daniel S. Hamilton, "The United States: A Normative Power?", in Nathalie Tocci (ed.), *Who is a Normative Foreign Policy Actor? The European Union and Its Global Partners*, Centre for European Policy Studies (CEPS), Brussels, 2008, p.78.

internalization stage by the end of which ‘norms acquire a taken-for granted quality and are no longer a matter of broad public debate.’²⁹

While the idea of normative power is rather recent, the conceptualization of the EU as such can be found in the literature since the early 1970s. The image of the EC/EU as a relatively benign actor has been commonplace among observers in the early 1970s. For instance, Edward Hallett Carr made a distinction between economic power, military power and power over opinion; Duchêne was interested in the normative power of the EC as an *idée force* and commented on the EC’s civilian form of action that was ‘long on economic power and relatively short on armed force’; and Johan Galtung argued that ‘the ideological power is the power of ideas’ and suggested that the international profile of the EC should be one of a ‘nonmilitary superpower.’³⁰ However, it was in 2002 that Ian Manners picked up the ‘civilian power’ notion as a starting point for re-conceptualizing the impact and the role of the EU as an international actor, which then has become a core reference. He tries to get a grip on the notion of ‘normative power’ and his consideration of the EU’s normative power was primarily on cognitive processes. According to Manners, it is possible to think of the ideational impact of the EU’s international identity/role as representing a normative power. He further asserts that the impact and the particularity of the EU rest in its ability to redefine what can be *normal* in international relations.³¹ For him, the ethics of the EU’s normative power are located in its ability to normalize a more just world with a strict observance and development of international law, including the respect for the principles of the United Nations Charter.³² In his argument of the EU as a normative power in the world politics, he

²⁹ M. Finnemore and K. Sikkink, “International Norm Dynamics and Political Change”, *International Organization*, 1998, Vol. 52, No. 4, pp.895-905; in Daniel S. Hamilton, note 28, p.80.

³⁰ E.H. Carr, *The Twenty Year’s Crisis 1919-1939: An Introduction to the Study of International Relations*, 2nd. ed., London: Macmillan, 1962; Francois Duchêne, “The European Community and the Uncertainties of Interdependence” 1973; Johan Galtung, *The European Community: A Superpower in the Making*, (London: Allen&Unwin, 1973); all of three are cited by Manners, note 27, p.239.

³¹ Manners, note 27, p.253.

³² Ian Manners, “The normative ethics of the European Union”, *International Affairs*, 84:I, Blackwell/The Royal Institute of International Relations, 2008, p.47.

claims that the EU promotes a series of normative principles that are generally acknowledged within the United Nations system to be universally applicable.³³

In fact, Manners made a distinction between ‘normative power’ and ‘civilian power.’ From his perspective, the notion of civilian power connoted, just like military power, a *Westphalian* concept of state.³⁴ In line with this argument, Manners focuses on six distinctions in order to draw the difference between normative power and civilian power. The first distinction dwells upon the idea that civilian power entails neo-colonial discourses.³⁵ Secondly, he states that civilian power formulations mostly place an emphasis primarily on economic means, in distinction with normative power which emphasizes the diffusion of norms through imitation and attraction.³⁶ Thirdly, he thinks that civilian power inspires an interest for those who exercise it. However, Manners states that the ‘normative power Europe’ approach emphasizes the cosmopolitan nature of this power through a commitment to place these norms and principles not only at the centre of its relations with the member states, but also with the rest of the world. In other words, the idea of normative power implies universality.³⁷ Fourthly, he points out that the acceptance of Westphalian culture, an unchanging state system, contrasts with the normative power approach of transcending the ‘normal’ of world politics.³⁸ Fifthly, he claims that civilian power notion reduces power to relations between agents, no matter whether multilateral, non-military, legal relations. For Manners, the idea of the EU as a normative power reflects the fact that the structural elements of international relations are radically changed by the mere existence of the EU, most particularly by example, rather than

³³ Manners, note 32, p.46.

³⁴ Manners, note 27, p.239.

³⁵ Ian Manners, “The European Union as a Normative Power: A Response to Thomas Diez”, *Millennium- Journal of International Studies*, 2006:35:167, published by SAGE, p.175.

³⁶ Manners, note 35, p.176.

³⁷ *Ibid.*

³⁸ *Ibid.*

presumed goal-driven instrumentalism.³⁹ Last but not least, Manners underlined that another distinction lies in the fact that the normative power approach has enabled the literature to move away from the “neo-colonial Cold War approaches”⁴⁰ to the EU.⁴¹

Apart from these distinctions, Manners also argues that while the discussions regarding the civilian and military roles of the EU tend to focus on the question of capabilities, the EU’s normative role requires a discussion of *culturation* and *conciliation*.⁴² Manners explains that the understanding of culturation is about the extent to which the EU’s civilian role provides the continuity of the norms of Westphalian international relations, in particular by keeping the inside/outside distinction between those within and without Europe. He continues that the understanding of conciliation is related to the extent to which the EU’s military role ensures the continuity of the norms of Westphalian international relations that favor intervention in the symptoms of conflict over conciliation.⁴³ Most importantly, his arguments behind the difference of the EU’s normative role derives from its particular historical evolution into a hybrid polity and political-legal constitution.⁴⁴ That is to say, EU’s allegedly normative role in foreign policy can be explained in part by its *sui generis* nature. This uniqueness of the EU is also underlined by Richard Rosecrance:

³⁹ Manners, note 35, pp.176-177.

⁴⁰ After the Cold War, a debate in literature emerged about the neo-colonial identity of the European Union in its external relations. For a comprehensive understanding of the debate see: Guido Rings and Anne Ife, *Neo-Colonial Mentalities in Contemporary Europe? Language and Discourse in the Construction of Identities*, ed., Cambridge Scholars Publishing, 2008.

⁴¹ Manners, note 35, p.177.

⁴² Ian Manners, “The symbolic manifestation of the EU’s normative role in world politics”, in Ole Elgström and Michael Smith (ed.), *The European Union’s roles in international politics*, (London: Routledge, 2007), p.68.

⁴³ *Ibid.*

⁴⁴ Manners, note 27, p.240.

Europe's attainment is normative rather than empirical...It is perhaps a paradox to note that the continent which once ruled the world through the physical impositions of imperialism is now coming to set world standards in normative terms.⁴⁵

In order to understand and examine the nature of the conception of EU's normative power, Manners operationalizes the normative difference of the EU by exploring further its normative basis through identification of five 'core' norms which have been developed over the years through a series of declarations, treaties, policies, criteria and conditions that have compromised the *acquis communautaire* at last. He notes that the primary EU normative principle is *sustainable peace*, which addresses the roots and causes of conflict in order to make war unthinkable. Manners notes that even though it has not been yet ratified, the first objective of the EU as the promotion of peace is illustrated in the Treaty establishing the European Community⁴⁶ and in the Article 3-I of the draft Lisbon Treaty Amending the Treaty on the European Union, as the most recent example showing how the EU's normative power in world politics is in a constitutive process.⁴⁷ This principle is also found in key symbolic declarations such as that by Robert Schumann's opening words on 9 May 1950⁴⁸, as well as the preambles to the European Coal and Steel Treaty (ECST) in 1951. Also, the Treaty on European Union (TEU), Article I-3 of the Constitution⁴⁹ for Europe establishes peace as the EU's primary objective.⁵⁰

⁴⁵ Richard Rosecrance, "The European Union: a new type of international actor", quoted in Manners, note 27, p.238.

⁴⁶ The Treaty establishing the European Economic Community (hereinafter referred as 'Reform Treaty' as Ian Manners calls), on 25 March 1957, the representatives of Belgium, the Federal Republic of Germany (FRG), France, Italy, Luxembourg and the Netherlands sign the Treaty establishing the European Economic Community (EEC).

⁴⁷ Manners, note 32, p.48.

⁴⁸ Robert Schuman's opening words on 9 May 1950 provided the historical *raison d'être* for European integration: "world peace can not be safeguarded without the making of creative efforts proportionate to the dangers which threaten it."

⁴⁹ It states that "The Union's aim is to promote peace, its values and the well-being of its peoples."

⁵⁰ Manners, note 42, p.70.

The second EU norm is *liberty*, found in the preambles of the Treaty on European Community (TEC) and TEU in 1991, and in Art. 6 of the TEU which sets out four foundational principles of the EU.⁵¹ As the extract from the Article 3-2 of the Reform Treaty illustrates, the second objective of the EU is to offer its citizens freedom.⁵² Manners puts forward *democracy* as the third EU norm. This norm was first codified in the 1970 Luxembourg Report which stated that membership of the EC was open only to democratic states with freely elected parliaments. In fact consensual democracy has become as the operating principle of the EU. The Reform Treaty indicates that there are three ways for the promotion of democracy: first the provisions on democratic principles set out in Article 8; second, the solidarity clause which the EU and its member states invoke to protect democratic institutions from any terrorist attack; and third, enlargement and accession as well as neighbourhood and development policies.⁵³ He continues with the fourth EU norm, *human rights*, which has developed since the 1973 Declaration on European Identity through the 1986 Declaration of Foreign Ministers of the Community on Human Rights and the 1991 Resolution of the Council on Human Rights, Democracy and Development. Regarding the Reform Treaty, the principle takes place in Article 6. The final norm is the *rule of law* which is seen essential for ensuring the stability and success of the other norms of liberty, democracy and human rights. Manners reveals that apart from the membership criteria adopted at the Copenhagen European Council in 1993, these third, fourth and fifth norms are all expressed in the preamble and founding principles of the TEU, the development cooperation policy of the Community (TEC Art.177), the common foreign and security provisions of the EU (TEC Art. 11).⁵⁴ Additionally, the Article (10a-2b) of the Reform Treaty illustrates that promotion of

⁵¹ For detailed information on the codification of this norm, please look at Manners, note 42, p.71.

⁵² Manners, note 32, p.49.

⁵³ Manners, note 32, p.50.

⁵⁴ Manners, note 27, p.242.

rule of law, democracy and human rights is an essential element in the EU agreements with third countries.⁵⁵

Manners also suggests that in addition to these core norms, there are also four 'minor' norms within the constitution and practices of the EU which all have their own historical context: *social solidarity*, *anti-discrimination*, *sustainable development* and *good governance*.⁵⁶ For Manners, *social solidarity* becomes clear in the objectives of the draft Reform Treaty in terms of balanced economic growth, social market economy, full employment, combating social exclusion, promotion of social justice and protection.⁵⁷ Regarding *anti-discrimination*, Article 21 of the 2000 Charter of Fundamental Rights of the EU includes references the prohibition of any discrimination on the basis of sex, race, color, ethnic and social origin, language, religion, minority rights and freedom of expression. In addition to this, Article 3-2 of the draft Reform Treaty underlines that the EU combats discrimination and promotes equality.⁵⁸ When it comes to *sustainable development*, the emphasis is put on the dual problems of balance and integration. As Article (10a-2f) of the Reform Treaty illustrates, the EU promotes sustainable development through encouraging international environmental protection and sustainable management of global natural resources.⁵⁹ The final minor norm as one of the EU's normative principles is *good governance* which is related with quality, representation, participation, social partnership, transparency and accountability, which the Reform Treaty emphasizes indispensable elements for the democratic life of the EU. Manners underlines that there are two distinctive elements of good governance, namely, civil society and the strengthening of multilateral cooperation.⁶⁰ Apart from above mentioned internal reference points as the legal bases of these norms, Manners also mentions the

⁵⁵ Manners, note 32, p.52.

⁵⁶ Manners, note 27, pp.242-243.

⁵⁷ Manners, note 32, p.53.

⁵⁸ Manners, note 32, p.52.

⁵⁹ Manners, note 32, p.54.

⁶⁰ *Ibid.*

external reference points for the core norms. For instance, in the case of *peace*, the main reference point is the 1945 United Nations Charter together with references to the 1975 Helsinki Final Act and the objectives of the 1990 Paris Charter.⁶¹ As for the norms of *liberty*, *democracy*, *human rights*, and *rule of law*, the primary external reference points are the Council of the Europe's (CoE) 1950 European Convention on Human Rights (ECHR) together with the CoE's 1997 Convention on Human Rights and Biomedicine, and the case law of the European Court of Human Rights.⁶²

However, it should be noted that accepting the normative basis of the EU is not enough to conceptualize the EU as a normative power. At that point, it is important to examine how the EU diffuses the aforementioned norms in its relations with the rest of the world. In that regard, it is timely to dwell upon how Manners distinguishes six mechanisms of diffusion through which the EU is spreading norms as a normative power. The first is through *contagion*, that is, diffusion of norms taking place mostly through the role of 'symbolic manifestations.'⁶³ Here Manners categorizes the symbolic manifestations of the EU under *symbolic totems* such as its flag, anthem, the Ninth Symphony by Beethoven, single currency, 9 May as Europe day; *symbolic rituals* such as 'founding fathers', 'European city of culture' and representation of the EU ranging from the Presidents of the Commission, Council and Parliament to the High and Special Representatives; and *symbolic taboos* such as 'four freedoms', 'Copenhagen criteria', 'unity through diversity', 'near neighbourhood', 'Petersburg tasks' and even 'partnership and cooperation'.⁶⁴ As being a 'virtuous example' in exporting its experiment in regional integration, Manners shows that such regional replication of the EU model can be seen in Mercosur.⁶⁵ *Informational* diffusion is another mechanism of spreading norms. It is the result of the range of strategic communications such as new policy initiatives and

⁶¹ Manners, note 35, p. 171.

⁶² *Ibid.*

⁶³ Manners, note 42, p.76.

⁶⁴ Manners, note 42, pp.74-76.

⁶⁵ Manners, note 27, p.244.

declaratory communications of the EU.⁶⁶ Third, there is *procedural* diffusion which happens when the EU institutionalizes its relationship with third parties such as an inter-regional cooperation agreement, membership of an international organization or the enlargement of the EU itself. Manners' examples are the membership of the EU in the World Trade Organization (WTO), inter-regional dialogue with the Southern African Development since 1994 and current enlargement negotiations.⁶⁷ Fourth, *transference* diffusion concerns the transmission of norms when the EU is involved in the transfer of material or immaterial assets such as humanitarian aid and technical assistance. Manners gives the example of the impact of the Phare and Tacis programmes to this type of diffusion.⁶⁸ Fifthly, Manners states that another type of diffusion- *overt* diffusion- occurs as a result of the physical presence of the EU in third states and international organizations. Examples to it include the role of Commission delegations and embassies of member states, presence of the troika of foreign ministers or even monitoring missions like that deployed in the former Yugoslavia.⁶⁹ The final mechanism of diffusion is the *cultural filter* which affects the impact of international norms and political learning in third states and organizations leading to learning, adaptation or rejection of norms. According to Manners, such a cultural filter has been at work in spreading democratic norms in China, human rights in Turkey or environmental norms in Britain.⁷⁰ Furthermore, he states that the significance of the EU's normative significance can also be seen in the important role the EU played in the abolition of death penalty in many parts of the world.

Furthermore, Manners uses conceptualization of normative power as being *ideational*; that is involving *principles*, *actions* and *impact* as well as having broader *consequences* in world politics. On each point, he makes a specific comment about the EU. For instance, he believes that "the concept of normative power, in its ideal or

⁶⁶ *Ibid.*

⁶⁷ *Ibid.*

⁶⁸ Manners, note 27, p.245 and Manners, note 42, p.78-79.

⁶⁹ *Ibid.*

⁷⁰ *Ibid.*

purest form, is *ideational* rather than material or physical which means that its use involves normative justification rather than the use of material incentives or physical force”. He exemplifies it with ‘sustainable development’ and ‘humanitarian intervention’, which demonstrate the power of ideas in the EU in its post-Cold War relations.⁷¹ In addition to this, the conceptualization of normative power as ideational involves a three-part understanding of its use and analysis, linking principles, actions and impact. The *principles* in the EU and its relations with the rest of the world have developed on the principles of the UN Charter, the Helsinki Final Act, the Paris Charter, the Universal Declaration of Human Rights and UN Covenants, and the Council of Europe/European Convention on Human Rights. Hence, there is legitimacy, coherence and consistency of the principles in their international promotion by the EU.⁷² In terms of *action*, he asserts that normative power should be perceived as persuasive in its actions in the promotion of the principles. He states that the EU adopts a holistic and comprehensive approach to many challenges of world politics, and its greatest strength in the promotion of the principles comes from its encouragement of engagement and dialogue.⁷³ Regarding the *impact*, Manners holds that normative power should be regarded as socializing in the impact of the actions in the promotion of principles. That is to say, if normative power is to be justified as convincing or attractive, then socialization as having an impact on the promotion of principles should be seen as a part of an open-ended process of engagement, debate and understanding in which the relevant parties are involved. He claims that the impact of the EU in promoting principles can be evaluated according to the clarity of the principles, consistency of promotion, holistic thinking and partnership as opposed to unilateralism.⁷⁴ Finally, he explains that in practice, a normative power has three broader *consequences* in the promotion of principles which are concerning a more holistic thinking, a justifiable way and a more

⁷¹ Ian Manners, “The Concept of Normative Power in World Politics”, May 2009, *DIIS Brief*, p.2. <http://www.diis.dk/ima> (accessed on 06 June 2009)

⁷² Manners, note 71, pp.2-3.

⁷³ Manners, note 71, p.3.

⁷⁴ Manners, note 71, pp.3-4.

sustainable world politics. Here he underlines that “such holistic thinking demands more thorough consideration of the rationale/principles, practices/actions, and consequences/impact of actors/agents in world politics”. Furthermore, the justifiable way necessitates any subsequent use of material incentives and/or physical force. Lastly, he states that the concept of normative power with its emphasis on holistic thinking and justifiable practices entail the possibility of a more sustainable world where the EU is able to exercise normative power in world politics by addressing global challenges.⁷⁵

Related with the analysis made above, Manners attempts to develop a tripartite analysis for normative ethics in judging the principles, actions and impact of the EU. He propounds that the EU promotes principles by virtue of ‘living by example’, by reasonable actors and by consequence of its impact in ‘doing least harm’. He states that *living by example* involves ensuring that the EU is normatively coherent, that is, it does not only promote its own norms but also universal principals. It is universal and consistent, in the sense that there is a harmony between its internal policies and external actions.⁷⁶ Here, the most fundamental example is the UN Charter. When it comes to *being reasonable*, Manners contends that it is related with ensuring that the EU rationalizes its external relations through processes of engagement in communication and partnership, and dialogue involving a reciprocal deliberation and discussion such as through the ENP, Generalized System of Preferences and its relations with African, Caribbean and Pacific countries.⁷⁷ Finally, concerning *doing least harm*, he underlines that the EU thinks and behaves reflexively about the impact of its actions on partner countries in particular through local ownership, which is crucial in ensuring ‘other empowering’, and through positive conditionality, which is based on giving rewards and incentives.⁷⁸ That is to say, the EU tries to provide that norms should be looked after and accepted by the partner countries

⁷⁵ Manners, note 71, p.4.

⁷⁶ Manners, note 32, p.56.

⁷⁷ Manners, note 32, p.58.

⁷⁸ Manners, note 32, p.59.

themselves. For that reason, the EU aims to achieve this ownership through giving these countries the right to choose the way of adopting its values such as democracy, rule of law, respect for human rights and fundamental freedoms, and market economy rather than forcing them to implement a top-down approach since such an approach can be inflammatory on using their own sovereign rights on their own territory. Thus, in this process, the positive conditionality is being used as a crucial factor to induce them to possess the norms.

This conceptualization of the EU as a “normative power” has become the main reference in the literature. Manners states powerfully that the most important factor shaping the international role of the EU is not ‘what it does’ or ‘what it says’, but ‘what it is’.⁷⁹ It is also explained that ‘what the EU is’ is “*its principles*”; ‘what the EU says’ is “*its actions*”; and ‘what the EU does’ is “*its impact*”. Furthermore, it is stated that the central component defining normative power of the EU results from its different pre-existing political form which shapes its acts in a normative way. He characterizes the EU as a normative power because it is constituted in a normative way, has normative interests, behaves according to norms, uses normative means of power and achieves normative ends.

2.3 DEMOCRATIZATION IN NEAR ABROAD

Having a perspective of being normative power, the EU seeks to promote its values and norms in its near abroad, which is a kind of strategy that aims at ‘Europeanization’ of neighbouring countries. Within this Europeanization process, democracy promotion plays a central role as a substantial part of European values. Therefore, this section focuses on Europeanization in general and democratization in specific in order to clarify two central concepts for the analysis of normative power EU within the context of the ENP.

The ENP offers a means to strengthen relations between the EU and its partners neighbouring the EU, which are not involved in the present accession or pre-

⁷⁹ Manners, note 27, p.252.

accession process. The objective of ENP is to share the benefits of enlargement with neighbouring countries in strengthening stability, security and well-being for all. By drawing countries into an increasingly close relationship with the EU, it aims to create a '*ring of friends*' and prevent emergence of new dividing lines. It offers these countries the chance to participate in various EU activities, through greater cooperation on political, security and economic issues as well as culture and education. However, what is underlined in the ENP is that through this deeper engagement with its partners, the EU seeks to promote partners' commitment to common values such as the rule of law, good governance, respect for human rights, and the promotion of good neighbourly relations. In other words, the EU, through this policy, seeks to create 'a ring of friends' which are politically stable, well-governed, and economically prosperous. Hence, the ENP is fully in accordance with the goals of the European Security Strategy which are to: "make a particular contribution to stability and good governance in our immediate neighbourhood [and] to promote *a ring of well governed countries* to the East of the European Union and on the borders of the Mediterranean with whom we can enjoy close and cooperative relations."⁸⁰

What the EU tries to develop is a kind of strategy that aims at 'Europeanization' of neighbouring countries, but short of membership. Although the ENP differs from the policy of enlargement, it works with a similar method. Relying on the promise of deepened relations in political, economic and cultural terms, conditionality, rewards based on the acceptance of reform process decided by the EU, is the basic tool of the EU or a leverage to transform these neighbours into more democratic, prosperous and stable countries. In fact, this transformation is what is called 'Europeanization'.

⁸⁰ Council of the European Union, *A Secure Europe in a Better World. European Security Strategy*, 12 December 2003, Brussels, p.8 (hereinafter referred as "*European Security Strategy Paper*"). The document is accessible at: <http://ue.eu.int/pressData/en/reports/78367.pdf> (accessed on 27 January 2009)

The European Security Strategy is the document in which the European Union clarifies its security strategy which is aimed at achieving a secure Europe in a better world, identifying the threats facing the Union, defining its strategic objectives and setting out the political implications for Europe. The European security strategy was for the first time drawn up under the authority of the EU's High Representative for the Common Foreign and Security Policy, Javier Solana, and adopted by the Brussels European Council of 12 and 13 December 2003.

What does Europeanization mean? Is there a specific identity as European? How a country can be Europeanized? In other words, is it the country itself which is Europeanized or is it others which Europeanize it? For the purpose of this study, it is important to note that the term ‘Europeanization’ cannot be based on a technical definition made by, for instance, Erol Külahçı as “the ratification of European and international conventions by Turkish parties in government”⁸¹ because Europeanization, or the transformation is not only a parliamentary process based on numbers of votes in favor and against. Europeanization should be considered as basically “EU-ization”⁸² meaning that it is the acceptance of impositions of particular policies, political structures or social identities common in member states. These policies, structures and identities are “founded on the principles of liberty, democracy, respect for human rights and fundamental freedoms, and the rule of law, principles which are common to member states.”⁸³

The term ‘Europeanization’ has been a very popular term in the political science literature in recent years. It has been frequently used during the period of accession of ex-communist states after the end of the Cold War. One of the earliest conceptualisations of the term is by Robert Ladrech who defines Europeanization as a gradual process of re-orienting the direction and shape of politics to the extent that European Community’s political and economic dynamics become part of the organizational logic of the partner country’s politics and policy making process.⁸⁴ As easily observed from the definition, Europeanization is an all-encompassing process, a re-shaping of a country from its legislation to its social life. In other words, Europeanization describes the change caused by European integration in particular and co-option at the EU level in general. Therefore, this transition is a long-lasting

⁸¹ Erol Külahçı, “EU political conditionality and parties in government: human rights and the quest for Turkish transformation”, *Journal of Southern Europe and Balkans*, Vol.7, Number 3, December 2005, p.388.

⁸² Thomas Diez, Apostolos Agnantopoulosi and Alper Kaliber, “File: Turkey, Europeanization and Civil Society”, *South European Society and Politics*, Vol.10, No. 1, April 2005, p.2.

⁸³ Treaty on European Union, note 2, Article 6.

⁸⁴ Robert Ladrech, “Europeanization of Domestic Politics and Institutions: The Case of France”, *Journal of Common Market Studies*, 32(1), 1994, pp.69–88.

and gradual in its nature. Similarly, Cladia Major defines Europeanization as a process of gradual transformation and socialization.⁸⁵ Indeed, Thomas Diez was one of the leading scholars who brought a broader look to Europeanization. He added certain concepts such as changing structure of policy-making process, public-private balance and the balance between the executive and the legislative.⁸⁶ Then, he further systematized his conception of Europeanization. According to Diez, there are at least two substantial features of Europeanization. The first one is that it is, indeed, EU-ization, meaning that it occurs in the context of European integration, while the second is that it is a one-way approach, referring the imposition of particular policies, political structures or social identities on the partner.⁸⁷ Diez also contributed to the literature on the Europeanization by not defining the term as a single unified concept. He argues that Europeanization occurs at four different but inseparable levels: policy-Europeanization, political Europeanization, societal Europeanization and discursive Europeanization.⁸⁸

From the point of the ENP, a recent definition comes from Michael Emerson:

Europeanization may be seen as working through three kinds of mechanisms, which interact synergistically:

- **legal obligations** in political and economic domains flowing from the requirements for accession to the EU, and/or from Council of Europe membership and accession to its Convention on Human Rights and Fundamental Freedoms;

- **objective changes** in economic structures and the interests of individuals as a result of integration with Europe; and

⁸⁵ Cladia Major, "Europeanization and Foreign and Security Policy – Undermining or Rescuing the Nation State?", *Politics*, 2005 Vol.25(3), p.185.

⁸⁶ Thomas Diez and Antje Wiener, *European Integration Theory*, Oxford University Press, UK, 2004, pp.109-111.

⁸⁷ Diez, Agnantopoulosi and Kaliber, note 82.

⁸⁸ For a detailed analysis of the Europeanization please see: Diez, Agnantopoulosi and Kaliber, note 82, pp.1-15.

- **subjective changes** in the beliefs, expectations and identity of the individual, feeding political will to adopt European norms of business, politics and civil society.⁸⁹

Europeanization, therefore, is not an easy process, but rather a deepened transformation of a country through combining policies of conditionality and social learning. At the same time, it is a multi-dimensional and a multi-issue process, encompassing a wide range of transformation in various aspects of social, political and economic life a country. The focus, however, in the case studies of Morocco and Egypt in this thesis will be specifically on the issue of the rule of law, democracy and respect for human rights and fundamental freedoms, which the European Union is based on and wants to promote toward third states especially in its near abroad. In fact, the experiences of the second half of the twentieth century show a quite successful image of the EU in the field of democracy promotion in Southern Europe in 1970s and 1980s and recently in the Central and Eastern European countries with the carrot of membership.⁹⁰ Differently from the accession policy, however, the incentive of membership is not on the agenda of the ENP. Nevertheless, the new strategy benefits from different instruments to promote democratic reforms in near abroad within the context of the ENP. A close analysis of the impact of the ENP on democratization in these countries will help us better understand the effectiveness of the ENP as an instrument of “normative power”.

Since the transition to democracy of the neighbouring countries within the context of the ENP is the subject of this chapter, it would be suitable to clarify the meaning of democracy and democratization although it should be noted that there is no

⁸⁹ Michael Emerson, “European Neighbourhood Policy: Strategy or Placebo?”, Centre for European Policy Studies, CEPS Working Document, No.215, November 2004, p.2, <http://se1.isn.ch/serviceengine/FileContent?serviceID=ISN&fileid=948F245F-A4CD-1E95-7911-48AF676C749A&lng=en> (accessed on 15 January 2009)

⁹⁰ Francesco Cavatorta, “The International Context of Morocco’s Stalled Democratization”, *Democratization*, Vol. 12, No. 4, August 2005, p.550; and Laurence Whitehead, “Democracy by Convergence: Southern Europe”, in Laurence Whitehead (ed.), *The International Dimensions of Democratization* (New York: Oxford University Press,1996), in Francesco Cavatorta, Raj Chari, Sylvia Kritzing, “The European Union and Morocco. Security through authoritarianism”, Political Science Series 110, Institute for Advanced Studies, Vienna, June 2006, p.1.

universally applicable definition of these two terms. In general, ‘democracy’ is a form of governance in which the right to govern is vested in the citizens of a country and exercised through a majority rule which is responsible in front of law. Although there is no consensus in the literature on the definition of democracy, there are two basic principles of democracy which are accepted universally: The first principle is that all citizens have equal access to power and the second one is that all citizens enjoy fundamental freedoms and liberties. Defining democracy only with the principle of ‘governmental authority deriving from the people’ is not adequate. Charles Tilly argues that “a regime is democratic to the degree that political relations between the state and its citizens feature broad, equal, protected and mutually binding consultation.”⁹¹ Therefore the principle of rule of law is one of the basic components of a democratic regime. In European context, the rule of law should be understood as:

....more than just forcing governments to respect their legal obligations. The rule of law implies that law and legal considerations become part of the political process itself, shaping and constraining political decision-making. . . . An effective rule of law must also be legitimate and thus responsible to democratic concerns.⁹²

Similarly, democratization is the process of reform which is influenced by various factors towards democratic governance. The literature on transition to democracy is very large and can count on both on theoretical works and a number of case studies, which, is beyond the scope of this study. According to Samuel P. Huntington, there have been three waves of democratization that have taken place in history. The first one brought democracy to Western Europe and Northern America in the 19th Century. The second wave was experienced from 1945 to mid-1960s. The last wave began in mid-1970s and is still ongoing.⁹³ Especially the end of the Cold War was blessed by liberal thinkers as the start of a new age where democracy could be established all over the world. Although the expectations did not last long, it is quite

⁹¹ Charles Tilly, *Democracy*, (New York: Cambridge University Press, 2007), p.14.

⁹² Karen Alter, *Establishing the Supremacy of European Law. The Making of an International Rule of Law in Europe*, (Oxford: Oxford University Press, 2001), p.208.

⁹³ Samuel P. Huntington, *The Third Wave: Democratization in the Late Twentieth Century*, (Norman: University of Oklahoma Press, 1991), pp.13-26.

true that the democratization of the European continent as a whole has been completed with some exceptions. Within the context of the third way of democratization, the transition of Central and Eastern Europe countries can be added as well as the upcoming transition processes in near abroad of the EU under the ENP.

Unlike the vague definitions of democratization, the European Union is very clear about what it wants from a neighbouring country in the reform process at least in the formal language of the EU documents. The Country Reports and the Action Plans, prepared by the European Commission, describe and assess the situation under two headings, namely, 'Political Issues' and 'Economic and Social Situation.' Democracy and the rule of law, human rights and fundamental freedoms, regional and global stability, and justice and home affairs are covered within the political issues. As for the economic and social situation, it mainly includes macroeconomic and social outlook, structural reforms and progress towards a functioning and competitive market economy, trade, market and regulatory reform, and transport, energy, information society, environment and research and innovation. As can be understood from the official documents, the reform process is all encompassing for a country from minority rights to regulations in energy sector. Nevertheless, within the scope of this thesis, only the democratization process will be subject of the analysis as a part of normative power EU.

2.4 “NORMATIVE POWER” AND ITS CRITIQUE

The liberal perception of the EU as a civilian/normative power and actor and its attribution to the EU as normative foreign policy have been criticized by many others, most prominently the (neo)realists. There are mainly nine criticisms directed against this liberal perspective on the EU as a normative power within the context of the European Neighbourhood Policy, which will be discussed further below. First, there is a claim that the idea of EU's normative impact is not different from that of previous European colonial powers. The second challenge is directed to the efficiency of the ENP in terms of achieving its ends while lacking sufficient means.

Another criticism comes from neo-realists for the development of the European Security and Defence Policy (ESDP) which makes the EU similar to any traditional great power. The fourth challenge concentrates on the concept of 'Ethical Power Europe' which will be further discussed below. The next criticism touches upon the content of the term 'normative' since there is no consensus on it. Another point of criticisms is to the assertion of the uniqueness of the EU in terms of promotion of norms and values. As for the seventh challenge, neo-realists also criticize EU's success in terms of achieving normative ends. The eighth criticism is directed to the difference between discourse and implications because according to the neo-realists, security concerns of the EU always prevail in its policies when they are not complementary with normative aims. The last challenge to the normative power of the EU is directed to the image of the EU as a relatively benign actor.

The first and the most important and harsh criticisms directed to liberal notions have been done by neo-realism. The neo-realist critique of the concept of the EU as a normative power focuses on the assumption of the so-called distinctiveness of the normative identity of the EU from traditional great powers. Neo-realists regard the EU as an international actor which is not different than any other great power. They assert that the notion of the normative power is not a distinguishing feature of the EU. For instance, Helene Sjursen defines the EU as an agent of 'cultural imperialism' of the former European colonial states in a new era.⁹⁴ She states that a 'true' normative power would be one that seeks to overcome power politics through strengthening international law since the "core feature of a putative normative or civilizing power would be that it acts in order to transform the parameters of power politics through a focus on strengthening the international legal system."⁹⁵ Instead, the neo-realist critiques argue, the EU serves as an instrument of collective hegemony and can be considered, more likely, as a repository for the interests of the big members. According to Hyde-Price, the EU acts as a civilian power only if it is

⁹⁴ Helene Sjursen, "The EU as a 'Normative Power': How Can This Be?", Paper prepared for EUSA Ninth Biennial International Conference, Panel: From civilian to military power: the European Union at a crossroads?, March 31-April 2, 2005, Austin, Texas, p.18.

⁹⁵ *Ibid.*

in the interest of the most powerful states to impose their values and norms to near abroad. Thus, in his view, “the EU is far from being a normative power whose influences derives from what it ‘is’ rather than what it ‘does’ ”; conversely, its transformative power depends on its economic pressures in terms of the fear of exclusion from its markets and the promise of future membership. In addition to this, “EU’s soft power is based on diplomatic persuasion, negotiation and compromise while its hard power involves the coercive economic statecraft, primarily in the form of *conditionality clauses*, in order to impose its vision of political and economic order on the post communist democracies.”⁹⁶ Nathalie Tocci, on the other hand, underlines that while the non-state, *sui generis* nature of the EU distinguishes it from crucial powers such as US, Russia and China, this does not necessarily mean that it adopts a different foreign policy agenda.⁹⁷ In fact, while, at times, EU foreign policy can be normative, at other times it can be rather realist and status quo oriented. For instance, in the case of eastern enlargement of the EU towards Central and Eastern European countries (CEECs), the EU has pursued normative goals through accession policy to realize political and economic reforms in these countries. However, in the cases of Russia and Syria, it has behaved in a *realpolitik* manner. From a neo-realist perspective, this double-track strategy of the EU in its foreign policy is explained by the argument that EU has had to defend its security in bilateral commercial relations with Russia and energy relations with Syria. At the same time, the EU has to preserve the regional balance of power between Israel and its neighbours as well as the superior position of the US in the region.⁹⁸ It is plausible for many neo-realist scholars to assume that idea of the normative power Europe does not work in the balance of power situations. Rosa Balfour identifies this as “EU’s flexible adherence

⁹⁶ Hyde-Price, note 13, p.227.

⁹⁷ Nathalie Tocci, “When and why does the EU act as a normative power in its neighbourhood?”, in François Heinsbourg, Nathalie Tocci *et al.* , “What Prospects for Normative Foreign Policy in A Multipolar World?”, European Security Forum Working Paper, No. 29, July 2008, p.3.

⁹⁸ Nathalie Tocci, “The European Union as a Normative Foreign Policy Actor”, CEPS Working Document No. 281, January 2008, p.29.

to principles.”⁹⁹ In a similar way, Michelle Pace contends that “the asymmetry in power relations in turn affects processes and any desired outcome of Normative Power EU (NPEU) aimed at.”¹⁰⁰ Again, Tocci refers to the EU as a multifaceted foreign policy actor. She claims that the EU is more likely to pursue normative means when power relations between the EU and a third country are relatively balanced.¹⁰¹

Secondly, it is possible to talk about a discrepancy between enlargement with a promise of membership on the one hand and the partnership with nebulous and insufficient incentives on the other. Therefore, in other words, there is still a need to elaborate on the idea of EU foreign policy strategy. Although the enlargement and the partnership policies differ in terms of ends, the partnership policy is heavily influenced by the former in terms of implication. Since the ENP is one of the most important tools of partnership policy, the conditionality cannot be effectively implied due to lack of sufficient incentives. James Hughes and Gwendolyn Sasse define conditionality as “an instrument to exert political leverage on candidates to ensure the requisite outcomes in policy or legislation.”¹⁰² Similarly, regarding what is the meaning of conditionality concept, Michael Emerson and Gergana Noutcheva defines it by stating that the EU first clarifies types of incentives it offers, and then it sets out the grounds on which these incentives will be delivered.¹⁰³ More clearly, as noted by Alina Mungiu-Pippidi, conditionality implies that the EU is delivering assistance, varying from economic to political and institutional incentives for the

⁹⁹ Rosa Balfour, “Principles of Democracy and Human Rights: A Review of the European Union’s Strategies Toward its Neighbours”; in Sonia Lucarelli and Ian Manners (ed.), *Values and Principles in European Union Foreign Policy*, (London: Routledge, 2006) p.118.

¹⁰⁰ Michelle Pace, “The Construction of EU Normative Power”, *Journal of Common Market Studies*, Vol. 45, Number 5, December 2007, p.1055.

¹⁰¹ Tocci, note 97, p.30.

¹⁰² James Hughes and Gwendolyn Sasse, “Monitoring the Monitors: EU Enlargement Conditionality and Minority Protection in the CEECs”, *Journal on Ethnopolitics and Minority Issues in Europe*, Issue 1/2003, p.1.
http://www.ecmi.de/jemie/download/Focus1-2003_Hughes_Sasse.pdf (accessed on 14 June 2009)

¹⁰³ Michael Emerson, Gergana Noutcheva and Nicu Popescu, “European Neighbourhood Policy Two Years on: Time indeed for an ‘ENP plus’”, CEPS Policy brief, No. 126, March 2007, p.6.

final aim of full membership on the condition that political and economic objectives are met.¹⁰⁴ It is obvious that the pre-conditions for a successful conditionality which are available in the enlargement context are absent in the EU's neighbourhood policy. While the ENP adopts the traditional conditionality tool in the promotion of reforms, the outcome is different since it comes in the form of privileged partnership rather than prospect of membership. Although the EU emphasizes the importance of shared norms and common values, it is not able to enforce normative pressure on Mediterranean partners to endorse these principles. Michelle Pace argues that "the EU seems, so far, unable to stick to one strategy, namely, either fostering its image as a normative power through EU-Mediterranean relations or pursuing its political and economic interests in the region."¹⁰⁵ Moreover it is the EU that stands as an exclusive generator of norms and the sole agent that defines the norm structure in EU-Mediterranean relations. This issue leads to the reluctance and hesitation of the neighbouring countries to carry the burden of alignment with the EU model of governance, which does entail high domestic costs. Thus, this decreases the normative power of the EU in its ENP policy as it is perceived to be driven solely by Brussels in the conduct of the policy. In relation to this, Fabrizio Tassinari claims that:

[w]hen the EU talks membership to its neighbours, it is inclusive: it sets conditions, offers significant incentives and most of all signals the strength of its integration process. When Brussels talks partnership to its neighbours, it is exclusive: it is often ineffective, rather unattractive and unable to exert influence or to preserve security on the continent.¹⁰⁶

Thirdly, neo-realists claim that liberals tend to see the lack of coercive instruments as the very source of EU's strength. Thus, they consider that liberals choose to

¹⁰⁴ Alina Mungiu-Pippidi, "EU Enlargement and Democracy Progress", in Michael Emerson, (ed.), *Democratization in the European Neighbourhood*, CEPS Policy brief, 2006, p.17.

¹⁰⁵ Michelle Pace, "Norm shifting from EMP to ENP: the EU as a norm entrepreneur in the south?", *Cambridge Review of International Affairs*, Volume 20, Issue 4, December 2007, p.671.

¹⁰⁶ Fabrizio Tassinari, "Security and Integration in the EU Neighbourhood: The Case for Regionalism", CEPS Working Document, No. 226, July 2005, p.5.

underestimate the importance of military power. However, the development of the European security and defence policy strengthens the hand of neo-realists in that the EU is not different from any traditional great power. The EU's acquisition of military capability has raised the question of whether its civilian identity is still valid. However, for the advocates of the civilian power approach, what is important here is the will and interest of the EU to develop and use military means. According to Kalypso A. Nicolaidis and Robert L. Howse, the deeper question is how such a state-centric thinking affects the EU itself which is considered as having a distinct role.¹⁰⁷ Indeed, the deployment of force under the European Security and Defence Policy (ESDP) can be regarded as a transformation in which the EU acquired not only an unprecedented military capability but also a security strategy. While the strength of the EU as a civilian power image lies in its challenge to the traditional reliance on military instruments, the development of an EU military dimension thus weakens this image. However, in his reconsideration of the EU's normative power, Manners tries to defend that militarization of the EU does not necessarily lead to the diminution of the EU's normative power since normative and military power are not necessarily incompatible.¹⁰⁸

Fourthly, Lisbeth Aggestam has invited the notion of "Ethical Power Europe (EPE)" in order to capture the EU back into a concept of ethical power despite its acquisition of military power. In Aggestam's term, EPE transcends the notion of Europe as a 'civilian' and 'normative' power since there is a clear overlap between them. First of all, she stresses that EPE puts emphasis on the behavior of the EU (what it does), rather than its institutional structure (what it is). She argues that "rather than examining the EU in terms of indirect or passive power, the research agenda on the EPE focuses on the intentions and purposes behind the active exercise of the EU's power."¹⁰⁹ Secondly, she states that both civilian power and normative power

¹⁰⁷ Kalypso A. Nicolaidis and Robert L. Howse, "This is my EUtopia ...": Narrative as Power", *Journal of Common Market Studies*, Vol. 40, No. 4, 2002, p.772.

¹⁰⁸ Ian Manners, "Normative Power Europe Reconsidered: Beyond the Crossroads", *Journal of European Public Policy*, Vol. 13, No.2, March 2006, p.182.

¹⁰⁹ Lisbeth Aggestam, "Introduction: ethical power Europe?", *International Affairs* 84:I, 2008 I-II, p.1.

concepts overrate the idea of declining military power in a domesticated world of international relations; on the contrary, she argues, the focus has to be on justifications in choosing either military or civilian instruments in foreign policy.¹¹⁰ Thirdly, EPE evaluates the EU's role in a broader context rather than simply assessing it by its internal characteristics. That means that the normative development and globalization at the international level since the end of the Cold War have a deep impact on the EU's foreign policy.¹¹¹ Fourthly, Aggestam develops a criticism against the perception that the *sui generis* character of the EU leads to its normative difference from other actors.¹¹² Although she agrees with the idea of uniqueness of the EU, she does not accept the claim that this unique nature of the EU automatically leads to a distinctive normative foreign policy. Finally, she points out that while the civilian and normative power notions seek to conceptualize the EU's role beyond the state, EPE aims to bring back the concepts of 'international' and 'national' since it recognizes that the material interests and ethical considerations are closely intertwined and, that, as a result, the EU has mixed motivations.¹¹³ In a nutshell, Aggestam indicates that the consideration of the EU as a civilian/normative power does not mean it follows an ethical policy since it can use this power coercively as in strict application of conditionality. Because of this, EU can be perceived as an ethical power rather than a 'power of attraction' to the extent that it does not pursue its interests on behalf of the others, but rather for the world, with a vision of the 'global common good'.¹¹⁴ Nonetheless, Hazel Smith insists that although the EU is not always successful and efficient in achieving its foreign policy objectives, what is structurally important about the ethics of the EU's foreign policy is its visibility.¹¹⁵

¹¹⁰ Aggestam, note 109, p.3.

¹¹¹ Aggestam, note 109, p.4.

¹¹² *Ibid.*

¹¹³ *Ibid.*

¹¹⁴ Aggestam, note 109, pp. 1,9.

¹¹⁵ Hazel Smith, "Guns or Butter?", *European Union Foreign Policy: What it Is and What it Does*, (London, Sterling, Va: Pluto Press, 2002), pp.267-271.

Another challenge posed by most of the neo-realist scholars is about the content of the term “normative.” Indeed, Tuomas Fosberg states that the term ‘normative’ begs the question of how normative power can be distinguished from non-normative. According to him, the question of how normative the EU is as an actor is a difficult question to answer because there are not pre-determined parameters to measure it.¹¹⁶ Fosberg also underlines that it is not clear whether the identity of the EU is seen in objective or subjective terms: if it is seen in subjective terms, then he asserts that the EU can be perceived as representing a normative power like so many actors in world politics. However he poses a crucial question: if it is an objective understanding of identity, where do we ground it?¹¹⁷ In line with him, Sjursen criticizes existing conceptions of the EU as a civilian/normative power since there is a lack of sufficient precision and they are too indiscriminate. She wonders how one knows a normative or civilian power when one sees one and how we can be sure about its way of acting is a good thing.¹¹⁸ In parallel with Fosberg and Sjursen, Nicolaidis and Howse underline the anomaly between the perception of the EU as ‘ideal Europe’ in international arena and ‘what the EU actually is’.¹¹⁹ This is why Sibylle Scheipers and Daniela Sicurelli claims that this anomaly results in ‘EUtopia’ in which the EU tries to export what it would like to be rather than what it actually is.¹²⁰

Another point of criticism is the liberal claim of the EU’s uniqueness in promotion of norms and values. According to the critique of this argument, the idea of normative power on diffusion of norms, values and ideas is not a particular characteristic of the EU. Although the example of the US’s normative foreign policy provokes a profound skepticism, Sjursen finds some normative undertones in US foreign policy, with a

¹¹⁶ Tuomas Fosberg, “The EU As A Normative Power (Once More): A Conceptual Clarification and Empirical Analysis”, Paper prepared for presentation at the Annual Meeting of the International Studies Association’s 50th Annual Convention, New York, 15-18 February 2009, p.9.

¹¹⁷ Fosberg, note 116, p.12.

¹¹⁸ Sjursen, note 94, p.1.

¹¹⁹ Nicolaidis and Howse, note 107, pp.769-771.

¹²⁰ Sibylle Scheipers and Daniela Sicurelli, “Normative Power Europe: A Credible Utopia?”, *Journal of Common Market Studies*, Vol. 45. No. 2, 2007, p.438.

particular focus on human rights and democratic principles. For instance, President Woodrow Wilson's Fourteen Points achieved a status of being the basic charter for freedom among European people at the end of the First World War. Similarly, the case in Jimmy Carter's foreign policy in 1970s had a normative basis too.¹²¹ While recently, the US seems to have lost its ability to employ soft power, as the policies of the Bush administration in the Middle East have opted for hard power over soft power. Neo-realists similarly question the use of negative measures¹²² by the EU, although it does not have a power of challenging sovereignty by imposing sanctions in third countries, that can even worsen the situation through antagonizing states and losing their support which will at the end hamper the living conditions' of population.

As for the seventh challenge, neo-realists also criticize EU's success in terms of achieving normative ends. Despite the fact that the EU may have normative interests and identity, to what extent it achieves normative ends raise a question mark when we look at their real impact. Although Robert Kagan, in his well-known slogan, states that Americans are from Mars while Europeans are from Venus based on the contrast of the reliance on military power and a Hobbesian perception of international relations by the former and the use of civilian means in line with Kantian approach by the latter. However, his Hobbes-vs.-Kant metaphor misses one point according to neo-realist narrative as he overlooked whether this civilian means achieved its normative goals at the end.¹²³ There were shameful cases when the EU failed to provide effective solution as a soft civilian power. As in the case of the crisis in former Yugoslavia, the incapacity of the EU shows a capability-expectations gap given that the EU was expected to deliver humanitarian aid and to help reconstruction. However, the necessity of protection of minority rights for the prevention of severe conflicts was not at the stance of the EU until 1991 crisis in the

¹²¹ Sjursen, note 94, pp.7-10.

¹²² In fact the EU has usually imposed diplomatic and economic sanctions as negative measures in cases of violations of democratic principles.

¹²³ Robert Kagan, *Of Paradise and Power. America and Europe in the New World Order*, (New York.: Knopf, 2003) p.57.

former Yugoslavia. Thus, the EU's insistence on minority rights in third countries reflects lessons learned from the Yugoslav crisis. In fact, the desirability of democracy, human rights protection, good governance and conflict prevention permeates the EU's foreign policy since the end of the war. The consolidation of a strong link between these principles has become an indispensable clause incorporated in all cooperation and association agreements. These normative principles have clearly shaped the EU's foreign policy orientation in its relations with the third countries in accordance with the democratic peace theory glorified by the traditional liberal theories which defends that democracies do not fight with each other. However, neo-realists criticize this by showing that the inclusion of the human rights clause in agreements is also inconsistent with the EU practice as its most important trading partners, namely the US, China and Russia, are not subject to this clause. As a complementary example, in contrast to the arguments of Karen Smith in line with liberal-idealist narrative which assume that "the EU's stance on death penalty distinguishes it from any key actors, thus emphasizing its distinct international identity and providing its policy with some legitimacy"¹²⁴ neo-realists underline that while the EU insist on abolishment of death penalty, it does not envisage taking sanctions against its major trading partners over human rights issues. Thus, empirical evidence shows that the record of the EU in achieving normative ends is questionable. This ambiguity is even unofficially endorsed by EU actors that Normative Power EU ideal constructions sometimes choose not to act"¹²⁵

In addition to this and relating to the question posed above as to whether the EU has success in achieving normative goals, neo-realists attempt to show that the EU's normative ends such as the promotion of human rights and democracy in near abroad are motivated by its security concerns, prevailing over all other interests. Thus, foreign policy and its instruments are calculated by the interests of the big powers of the EU. Hence, the EU is criticized for being their repository. The instruments that

¹²⁴ Karen E. Smith, "Human Rights", *European Union Foreign Policy in a Changing World*, (Cambridge, UK: Polity; Madlen, MA: Distributed in the USA by Blacwell Pub., 2003) pp.108-110.

¹²⁵ Interview, European Commission, DG External Relations, Brussels, 22 January 2004; cited by Pace, note 100.

the EU uses in its foreign policy of *milieu shaping* in its near abroad are various such as political partnership, economic carrots and sticks, the promise of membership or the threat of exclusion.¹²⁶ Adopting a structural-realist approach, Hyde-Price argues that the EU can hardly be called as a collective attempt at milieu shaping but it is rather used by its leading powers as an instrument for collective exercise of hegemonic power and shapes its 'near abroad' in accordance with their long-term strategic and economic interests.¹²⁷ This understanding actually rests on the logic that a more peaceful periphery means a more secure Europe. This desired outcome of the EU as a normative power can even be seen in the statements of the EU actors emphasizing stability and security in and around the EU borders.¹²⁸ For instance, critiques question the motivation behind the EU pursue of human rights as a foreign policy objective and they argue that the so-called pursue of human rights in other countries are actually the pursue of the security considerations of the European countries. Smith identifies three reasons of inconsistency in the EU's human rights policy abroad: "commercial considerations of one or more member states; security and political considerations including the desire of member states to protect important bilateral relationships; and doubts about the effectiveness of negative measures."¹²⁹ In a way, they argue that democracy and human rights promotion have evolved within a dual system of the EU's external relations resulting in the problem of a fragmented nature of EU foreign policy making. These objectives are compatible with the security calculations of the great powers in the EU's foreign policy making. Smith argues that "the lack of a comprehensive human rights policy illustrates that the EU's promotion of human rights externally does not stem from its experiences and practices but from those of its member states."¹³⁰

¹²⁶ Hyde-Price, note 13, p.227.

¹²⁷ *Ibid.*

¹²⁸ *European Security Strategy Paper*, note 80.

¹²⁹ Smith, "Democracy and Good Governance", note 124, p.141.

¹³⁰ Smith, note 124, p.101.

In parallel with the above mentioned considerations of the neo-realist account, Youngs argues that the EU's approach to the promotion of human rights in third countries is inspired by its self-interested calculations.¹³¹ Heather L. Tafel observes that the EU's success as a democracy promoter has been most visible in Central and Eastern Europe, where democratic conditionality is the main strategy to ensure with the European standards of democracy and human rights.¹³² The doctrine of 'democratic conditionality' which is a *sine qua non* political condition of the EU accession is similarly the core of the EU strategy for inducing non-member states. However, while the incentive of membership is the most effective mechanism for the promotion of human rights and democracy in non-member states, as Frank Schimmelfenning *et al.* show, "the EU offers only two kinds of rewards to non-member countries: technical and financial assistance in their transition to market economies and the institutional ties which range from trade and cooperation agreements via association agreements."¹³³ Similarly, David Allen notes that without the 'carrot' of potential membership, the normative impact of the EU over third countries is likely to be minimal.¹³⁴ Annika Björkdahl supports these arguments by adding that the EU's ability to affect other countries as a 'norm-maker' differs among candidate, potential candidate or non-candidate states since 'carrots' such as material rewards or institutional ties are different.¹³⁵ Thus, the partnership policy is severely criticized as there is a wide inconsistency between its inputs and outcomes which causes an apparent weakness of the EU both as a normative power and policy maker. As mentioned before, the neo-realist account of normative power Europe is

¹³¹ Richard Youngs, "Normative Dynamics and Strategic Interests in the EU's External Identity", *Journal of Common Market Studies*, Vo. 42, No.2, pp.421-422.

¹³² Heather L. Tafel, "The EU as a Democracy Promoter: EU Identity, Leverage, and Institutions", Paper presented at the annual meeting of the ISA's 49th Annual Convention, Bridging Multiple Divides, Hilton San Francisco, CA USA, Mar 26,2008, p.2.

¹³³ Frank Schimmelfenning, Stefan Engert and Heiko Knobel, "Costs, Commitment and Compliance: The Impact of the EU Democratic Conditionality on Latvia, Slovakia and Turkey", *Journal of Common Market Studies*, Vol. 41, Issue 3, p.495.

¹³⁴ David Allen, "EPC/CFSP, the Soviet Union, and the Former Soviet Republics: Do the Twelve Have a Coherent Policy?" 1997, cited by Tafel, note 132, p.2.

¹³⁵ Annika Björkdahl, "Norm Maker and Norm-Taker: Exploring the Normative Influence of the EU in Macedonia", *European Foreign Affairs Review* 10:257-278; cited by Tafel, note 132, p.2.

skeptical of the efforts of the EU in promotion of democracy, respect for human rights and political reforms in the third countries. Given the growing debates, most of the neo-realist scholars argue that under the guise of democracy and human rights promotion, the EU choose to act instrumentally to the cases such as migration, fighting with organized crime, drug trafficking, and environmental and energy issues which pose severe threats to regional stability to ensure security in near abroad.

Last but not least, the image of the EU as a relatively benign actor is another point of issue that is seriously criticized by neo-realists. The self-identity of the EU is described in the EU Security Strategy of December 2003 as a ‘force for good’ and a ‘peacebuilder’ in the world.¹³⁶ However, civilian instruments cannot be always referred as benign and soft. Sjursen states that the self-identity of the EU as a civilian and normative power does not mean necessarily it is a benign and non-coercive power since the enforcement of economic sanctions can be so detrimental to the lives of the ordinary people.¹³⁷ For example, it is easy to see a very recent example of Iraq where the economic sanctions caused serious harm on civilians. Almost all the great realist scholars state that economic goals and instruments are significant since there are key aspects of state security policy. Hyde-Price insists on that while the EU is frequently characterized as a ‘force for good’ in the world, its normative objectives are ‘second order’ concerns since the leading member states will only allow the EU to act as a normative power as long as this does not conflict with their core national interests.¹³⁸

In brief, aforementioned critiques provide crucial contributions for conducting the debate not only on the EU’s putative civilian/normative power but also on its related actorness and policy. Otherwise, it would be not only reductive but also normatively biased manner to purely accept the EU’s normative power from the outset. This is not to deny that the EU is indeed a unique international actor. However, they offer a broader framework since the normative power EU perception fails to provide the

¹³⁶ *Ibid.*

¹³⁷ Sjursen, note 94, p.249.

¹³⁸ Hyde-Price, note 13, p.223.

complete picture concerning the EU's power, actorness and policy. After having analyzed the literature on the perception of normative power of Europe from different perspective, it would be suitable to shift the analysis on to the European Neighbourhood Policy, as a tool for the perception of normative foreign policy of the EU, in the next chapter.

CHAPTER 3

HISTORICAL EVOLUTION AND ANALYSIS

OF

THE EUROPEAN NEIGHBOURHOOD POLICY

“The European Union is enjoying an unprecedentedly high standard of living, and the longest peace in its history- but what about the states just outside its borders?”¹³⁹ asks the Commissioner, Benita Ferrero-Waldner, who is responsible for European Neighbourhood Policy (ENP), in the official website of the ENP. This is a very crucial question, which emerged after the last historic enlargement launched in 2004, since the neighbouring geography is more insecure and instable compared to previous enlargements. Therefore, dealing with the near abroad turned out to be a challenging as well as an inevitable issue on the agenda of the European Union. How can a Union of 27 members cope with frontier issue? The ENP was formulated in an environment to satisfy these questions. After the 2004 enlargement, relations with neighbours have become the EU’s main external priority. Therefore, through the European Neighbourhood Policy, the EU aims to avoid new dividing lines between the enlarged EU and its neighbours to the east and on the southern and eastern shores of the Mediterranean. As the ENP puts it, the EU invites these neighbours, on the basis of mutual commitment to common values, to move beyond existing cooperation to deeper economic and political, cultural and security cooperation-

¹³⁹ http://ec.europa.eu/world/enp/welcome_en.htm, (accessed on 02 December 2008).

strengthening stability, security and well-being for all concerned.¹⁴⁰ In other words, the ENP is a response to the new challenges and opportunities that the EU has to address with its extended borders.

This chapter outlines the historical evolution of the European Union's policy towards its neighbours. Although the issue of how to deal with neighbours become popular after the 2004 enlargement, the relations between the EU and its neighbours have a long history since the EU has always been interested in its near abroad. In other words, since the ENP did not emerge overnight, it is important to know the precursors of the ENP in order to have a full understanding of the new policy. Therefore, the chapter starts with the Barcelona Process, the Euro-Mediterranean Partnership, which aimed at strengthening the link between the EU and the partner countries, whilst encouraging closer ties among the Mediterranean countries themselves.

Secondly, the chapter deals with what the reasons behind the formulation of a new policy after the 2004 enlargement, namely the ENP, towards the neighbouring countries. Accordingly, the analysis shifts to the Wider Europe Initiative launched with the European Commission Communication named as "Wider Europe - Neighbourhood: A New Framework for Relations with our Eastern and Southern Neighbours" on March 2003. Wider Europe Initiative was the origin of the ENP and therefore, there will be a detailed analysis of this communication in terms of its scope, aims and instruments.

This chapter will finally focuses on the European Neighbourhood Policy Strategy Paper, which was issued on 12 May 2004 following the 2004 enlargement. In this part, there will be a comprehensive analysis of the Strategy Paper and the developments after 2004. In this context, the story of the ENP in action after 2004 will be summarized and there will be a special part for an examination of the attempts of the EU in 2007 and 2008 to strengthen the policy.

¹⁴⁰ http://ec.europa.eu/world/enp/index_en.htm, (accessed on 02 December 2008).

3.1 EURO-MEDITERRANEAN PARTNERSHIP

The European Union itself is an example of a regional cooperation; therefore, the EU has always looked forward to establish cooperative relations with regional countries. As pointed out by Rosa Rossi, EU's interest in developing close cooperative relationships with near countries is not noticeably novelty within EU's external actions and has been a very important issue also in the past.¹⁴¹ However, especially after the end of the Cold War, European policy makers felt themselves much more flexible and free to initiate cooperative relations with neighbouring countries with the abatement of the high tension between the two super powers. The new political environment has fostered regional cooperation. This fact is also acknowledged by the European leaders in the 1992 Lisbon European Council Conclusion: "The European Council believes that the far-reaching changes in the international scene have contributed to the creation of a new climate and favorable opportunities for the revitalization of a constructive dialogue aimed at promoting development based on solidarity, mutual interest and shared responsibilities."¹⁴² Therefore, for the EU's own identity, regional approach incontestably has become a key element. Within this line, the regional cooperation is defined by the Commission as a general concept that refers to all efforts on the part of (usually) neighbouring countries to deal with issues of common interest.¹⁴³ This definition leads to the question of neighbouring countries and common interest. In other words, the EU has to clarify what neighbouring countries are and what the meaning of common interest is. Indeed, these questions do not have a fixed answer as they are redefined continuously by the EU leaders according to the current political and economic conditions. In the Lisbon Summit,

¹⁴¹ Rosa Rossi, "The European Neighbourhood Policy in Perspective", in Fultivo Attina and Rosa Rossi (eds.), *European Neighbourhood Policy: Political, Economic, and Social Issues*, The Jean Monnet Centre "Euro-Med", University of Catania, Department of Political Studies, p.8, 2004, <http://www.fscpo.unict.it/EuroMed/ENPCataniabook.pdf> (accessed on 13 January 2009)

¹⁴² The June 1992 Lisbon European Council Presidency Conclusions, SN 3321/1/92, p.24, http://www.europarl.europa.eu/summits/lisbon/default_en.htm (accessed on 13 January 2009)

¹⁴³ Rossi, note 141, p.8.

however, the EU included three geographic areas in to the “EU Near abroad” on the basis of “geographical proximity.”¹⁴⁴ For the first definition of neighbouring countries, the 1992 Lisbon Presidency Conclusions defined the Central and Eastern European Countries, the Balkans and the Maghreb and the Middle East as its near abroad. After almost two decades later, it is easily observed that the EU has adopted various policy efforts towards these three regions. The differences between policy packages towards these regions did not only derive from the EU itself but also international conjuncture and the specialties of these regions played important role for the achievements. For instance, for the Central and Eastern European Countries (CEECs), due to geographic proximity and the EU’s dedication towards this region, enlargement policy was applied and it was successful for most of the countries and many of them are now in the EU. The Balkans was comparatively harder to deal with for the EU due to hot conflicts and wars after the dissolution of Yugoslavia. Finally, with Maghreb and the Middle East, or namely the Mediterranean, the EU launched the Euro-Mediterranean Partnership, a broad range of initiatives, in Barcelona in November 1995, which consisted of political, economic, social and cultural cooperation.¹⁴⁵

The Euro-Mediterranean Partnership (EMP) is a well organized example of policy effort of the EU towards the neighbouring countries. The cooperative relations between the EU and the Mediterranean countries have a long history compared to other near abroad regions. Therefore, this case became an initial example of the EU’s external policy for its later efforts towards its neighbours. Even before the Barcelona process, the EU had tried to strengthen its relations with regional countries. The Global Mediterranean Policy was launched by the EC in 1972 to provide a single and coordinated framework for the existing bilateral trade and cooperation agreements.¹⁴⁶

¹⁴⁴ European Council Presidency Conclusions, note 142.

¹⁴⁵ Rossi, note 141, p.9.

¹⁴⁶ Sevilay Kahraman, “The European Neighbourhood Policy: The European Union’s New Engagement Towards Wider Europe”, *Perceptions*, Vol. 10, Winter 2005, p.9, <http://www.sam.gov.tr/perceptions/Volume10/winter2005/SevilayKahraman.pdf> (accessed on 11 January 2009)

In other words, even in the context of the Cold War, the EU, or the EC, demonstrated its close interest in the region. After the end of the Cold War, the EU continued to strengthen its relations with the Mediterranean countries with no vision of membership. In November 1995, the Barcelona Conference brought together the member states of the EU and its proposed Mediterranean partners to agree on a declaration. This declaration, the founding document of the EMP, was named as the Barcelona Declaration or the Euro-Mediterranean Partnership. Participants in the conference agreed on the Declaration and the EMP was launched in order to create 'a zone of peace and stability' on southern borders of the EU. The Barcelona Process is a unique and ambitious initiative, which laid the foundations of a new regional relationship, a turning point in Euro-Mediterranean relations. In the Barcelona Declaration, the Euro-Mediterranean partners established three main objectives of the Partnership:¹⁴⁷

- *Definition of a common area of peace and stability through the reinforcement of political and security dialogue (Political and Security Basket):*

In the Political and Security Basket, the declaration confirms participants' conviction that the peace, stability and security of the Mediterranean region are common assets which they pledge to promote and strengthen by all means at their disposal. The EMP Declaration also symbolizes both the EU's strategic policies and also the EU's commitment to the liberal values. There is a strong reference to certain liberal values such as human rights, rule of law, democracy, fundamental freedoms, protection of diversity and pluralism.

- *Construction of a zone of shared prosperity through an economic and financial partnership and the gradual establishment of a free-trade area (Economic and Financial Basket):*

In order to encourage regional cooperation and prosperity, the participants agreed to establish an economic and financial partnership which will be based on the

¹⁴⁷ The full english text of the Barcelona Declaration adopted at the Barcelona Conference on 27-28.11.1995 is available at: http://trade.ec.europa.eu/doclib/docs/2005/july/tradoc_124236.pdf (accessed on 05 January 2009)

progressive establishment of a free-trade area, the implementation of appropriate economic cooperation and concerted action in the relevant areas, and a substantial increase in the European Union's financial assistance to its partners.

- *Rapprochement between peoples through a social, cultural and human partnership aimed at encouraging understanding between cultures and exchanges between civil societies (Social, Cultural and Human Basket):*

The participants recognized that the traditions of culture and civilization throughout the Mediterranean region, dialogue between these cultures and exchanges at human, scientific and technological level are an essential factor in bringing their peoples closer, promoting understanding between them and improving their perception of each other. For this end, they identified certain instruments to promote socio-cultural relations.

Although the Barcelona Declaration was a very ambitious and innovative project by combining political, economic and social aspects, in practice it falls behind its aims except certain economic achievements. As stated by Kahraman, "Barcelona partners, including the EU countries have adhered to conditionality at a declaratory level and conceived it mainly in economic and governance terms rather than as a democratic principle."¹⁴⁸ Therefore, when conceived as a process of transforming the EU to a normative power aiming at reconstructing the Mediterranean countries in economic and political terms by promoting its values, the Euro-Mediterranean Partnership could not be considered as successful.

The southern neighbours were not only area of interest for the EU. The EU has been trying to create a zone of peace and stability on the near abroad including also eastern and northern regions. The EU has been having more comprehensive policies including membership towards the neighbours in the European continent. On 1 January 1995, Austria, Finland and Sweden acceded to the EU marking its fourth enlargement. The northern near abroad has enlarged especially after the eastern enlargement in 2004 towards the Russia. Therefore, the EU felt the necessity to

¹⁴⁸ Kahraman, note 146, p.10.

establish a well governed relationship with its eastern and northern neighbours in particular with Russia in a new environment that is free from the tension of the Cold War.

However, after the 2004 enlargement it was assessed that previous approaches for near abroad including southern and eastern shall be re-evaluated and systematized which necessitates a new policy which would be also an answer to the dilemma of exclusion or inclusion.

3.2. THE NECESSITY OF A NEW APPROACH: NEITHER EXCLUSION NOR INCLUSION

In May 2004, the European Union realized its giant enlargement by the inclusion of eight central and eastern European countries as well as Malta and Greek Cyprus state.¹⁴⁹

Like any previous enlargement, this last wave was also quite challenging for Europe to transform the poor and ex-socialist states and to make them adopt its values such as democracy, rule of law, respect for human rights and fundamental freedoms, and market economy. However, what is additionally challenging in this enlargement was that after the enlargement the EU is surrounded by many states which are not in the continent but somehow the EU has to establish friendly relations with these new neighbours for both its own security and well-being. Before, the EU was using the membership carrot for any country that it wanted to control or influence as the central instrument in its external relations towards neighbours but this time it was quite difficult to present them an offer or possibility of membership since they are not in the continent. Indeed, the debate about where the EU's final borders should be set is not a new issue, however, this time it was more difficult for those, who always insisted on more enlargement, to justify their arguments. How could one justify

¹⁴⁹ These ten new member states are Greek Cyprus state, Malta, Estonia, Latvia, Hungary, Lithuania, Poland, Czech Republic, Slovenia and Slovakia. Bulgaria and Romania were also included in this enlargement process however due to certain problems in accession period, their memberships were delayed to 2007.

opening of a membership path to, for instance, Algeria, Israel, or Palestine? On the other hand, there is the risk of isolating those countries that are very near to European continent and having borders with the European Union. As Rosa Rossi asserts “the new geopolitical environment increases the importance for the EU to establish innovative forms of cooperation within its new geographic proximities, considering the fact that EU’s most successful instrument to build cooperation - the prospect of membership – is not anymore sustainable.”¹⁵⁰ Apart from the EU’s dilemma, the international context after the 11 September attack on the United States and following attacks in Europe affected European security perception. The ENP has, also, emerged as an instrument for the securitization of neighbourhood in order to respond international crime, trafficking, terrorism and immigration.¹⁵¹ In era of globalization, especially after 9/11 attack, it is understood by Europeans that ‘distant threats may be as much a concern as those that are near at hand’, therefore, ‘the first line of defence will often be abroad.’¹⁵²

In the end, policy makers in the EU found a way to create a ‘ring of friends’ by neither excluding others nor including them into the EU. Thus the European Neighbourhood Policy emerged as an answer to “an immediate need to ensure that the wider neighbourhood was stable, to avoid the risk of instability spilling over into the larger EU.”¹⁵³ It was not only an answer for the neighbourhood stability but also perceived as an instrument to promote European values in the near abroad. In addition to them, simultaneously, while addressing efficient and secure border management and creating Europeanized friends in the periphery, the ENP will solve the enlargement fatigue problem in the EU. The enlarging Europe to the infinite may cause to the failure of the peaceful European project that has been ambiguously

¹⁵⁰ Rossi, note 141, p.8.

¹⁵¹ Roberto Aliboni, “The ENP in the Mediterranean: Evaluating the Political and Strategic Dimensions”, in Michele Comelli, Atila Eralp and Çiğdem Üstün (ed.), *The European Neighbourhood Policy and the Southern Mediterranean*, (Ankara: Middle East Technical University Press, 2009), p.17.

¹⁵² *European Security Strategy Paper*, note 80, pp.6-7.

¹⁵³ Karen E. Smith, “The outsiders: the European neighbourhood policy”, *International Affairs*, Oxford Vol. 81 issue 4, Blackwell Publishing, July 2005, p.758.

carried out since the establishment of the European Coal and Steel Community because the history of integration of Europe in the second half of the twentieth century has certain differences from other integration processes all around the world. This fact is also remarked by previous President of the European Commission Romano Prodi in December 2002 in Brussels at a conference: “We cannot go on enlarging forever. We cannot water down the European political project and turn the European Union into just a free trade area on a continental scale. Accession is not the only game in town.”¹⁵⁴ Indeed, the fear of smashing up the whole process experienced in the second half of the twentieth century was general among many bureaucrats of the EU. For instance, similarly with Prodi’s point, Eneko Landaburu¹⁵⁵ also acknowledges his fear of infinite enlargement process in 2006:

EU cannot expand ad infinitum - everything has its limits. Our own absorption capacity - it is clear that in some member states the pace and scale of enlargement is approaching the limits of what public opinion will accept. To overstretch, rather than consolidate, the EU would be detrimental not only for us but also our partners.¹⁵⁶

In conclusion, to express the situation in a more concrete way, the obvious choice between over-extending the enlargement process to the point of destroying its own structure, versus rejecting one of its founding values to be open to all democracies willing to cooperate becomes the EU’s existential dilemma in the very beginning of the twenty-first century.¹⁵⁷ The question, now, is if the accession is not the only game

¹⁵⁴ Speech of Romano Prodi, “A Wider Europe - A Proximity Policy as the key to stability "Peace, Security and Stability International Dialogue and the Role of the EU", Sixth ECSA-World Conference, 5-6 December 2002, Jean Monnet Project, Brussels, <http://europa.eu/rapid/pressReleasesAction.do?reference=SPEECH/02/619&format=HTML&aged=0&language=EN&guiLanguage=en>. (accessed on 10 January 2009)

¹⁵⁵ Spanish Politician and Director General for External Relations since 2003 and Director General for Enlargement between 2000 and 2003.

¹⁵⁶ Speech of Eneko Landaburu, Director General of the DG External Relations of the European Commission, “From Neighbourhood to Integration Policy: Are there Concrete Alternatives to Enlargement?”, CEPS Conference “Revitalising Europe”, Brussels, 23 January 2006, p.2, http://www.delgeo.ec.europa.eu/en/eu_and_georgia/060223_el_ceps_en.pdf. (accessed on 10 January 2009)

¹⁵⁷ Michael Emerson, “European Neighbourhood Policy: Strategy or Placebo?”, Centre for European Policy Studies, CEPS Working Document, No.215, November 2004, p.17, <http://se1.isn.ch/serviceengine/FileContent?serviceID=ISN&fileid=948F245F-A4CD-1E95-7911-48AF676C749A&lng=en> (accessed on 15 January 2009)

in town, what kind of alternatives the new neighbours have. At this point, it would be suitable to start the analysis of the Wider Europe Initiative as an origin of the ENP in details, a mid-way between accession and just cooperation.

3.3 THE WIDER EUROPE INITIATIVE

After a decade, the new political and economic conditions of world politics changed EU's perspective towards the world and especially its near periphery. The definitions of near abroad and common interest have changed dramatically. Not only these definitions but also the policies and efforts had to be re-evaluated according to new environment especially after the May 2004 enlargement. This led to the EU officials to think about the upcoming opportunities and risks in front of the EU and the new strategies to deal with these new phenomena because this big bang enlargement was drastically different than the previous ones. As stated by Hiski Haukkala, there was a dialectic at work, where the shadow of enlargement forces the European Union and its member states to adopt its own dynamic to meet the changing circumstances and this adaptation – together with the growing geographic exposure to new neighbours and regions – in turn create an opening and a demand for further enlargement, which then starts the dialectic anew.¹⁵⁸ However, this enlargement brought the borders almost to the limits of the European continent and therefore new policy, or approach, was necessary. When neither exclusion nor the inclusion was a solution, President of the European Commission Prodi asserted in 2002 that the EU had to be prepared to offer more than partnership and less than membership, without precluding the latter to new neighbours.¹⁵⁹

The call from the President was answered by the British Government which led to the creation of origins of the ENP under the name of 'Wider Europe Initiative.' The

¹⁵⁸ Hiski Haukkala, "A Hole in the Wall? Dimensionalism and EU's 'New Neighbourhood Policy', Ulkopolittinen Instituutti (UPI) - The Finnish Institute of International Affairs (FIIA), UPI Working Working Papers No.41, 2003, p.1.

¹⁵⁹ Speech of Romano Prodi, note 154.

British plan, indeed, covered so narrow geography, namely Belarus, Moldova, Russia and Ukraine. Nevertheless, the initiative was welcomed by other Europeans and the European Council approved the idea of 'Wider Europe' in December 2002 but included also the southern Mediterranean States in it. In the Presidency Conclusion of December 2002, it is stated under the heading of 'The Enlarged Union and Its Neighbours' that:

The enlargement will bring about new dynamics in the European integration. This presents an important opportunity to take forward relations with neighbouring countries based on shared political and economic values. The EU remains determined to avoid new dividing lines in Europe and to promote stability and prosperity within and beyond the new borders of the EU.¹⁶⁰

Subsequently, the Copenhagen Summit in December 2002 not only finalized the 'Big Bang' enlargement but also approved the necessity of a common initiative aimed at the EU's new Eastern periphery. In this meeting, the southern member states insisted on the inclusion of Mediterranean countries into this new approach and their claim would result in the preparation of 'Wider Europe' initiative.

As can be easily observed, the top European leaders were aware of the new dynamics and they wanted to turn these dynamics to the EU's interests by deepening the cooperative relations with prospective neighbours on the basis of shared values. In addition, the EU realized the possible risk of the emergence of new dividing lines between new insiders and outsiders. In order to prevent emergence of new tensions, the Council expressed the EU's support for additional advance of cross-border and regional inter alia through enhancing transport infrastructure, including appropriate instruments, with and among neighbouring countries.¹⁶¹ Nevertheless, it is very important to note that the EU does not promise a full cooperation without any conditions meaning that from the very beginning of the ENP, the *conditionality* was on the scene. The Conclusion expressly acknowledged that these cooperative

¹⁶⁰ The December 2002 Copenhagen European Council Presidency Conclusions, SN 15917/02, p.6, http://www.consilium.europa.eu/ueDocs/cms_Data/docs/pressData/en/ec/73842.pdf (accessed on 15 January 2009)

¹⁶¹ European Council Presidency Conclusions, note 160, p.7.

relations with neighbouring countries would be based on a long term approach promoting democratic and economic reforms. Therefore, from the beginning, there was an ongoing incentive on the European side that the EU did not only want a ‘ring of friends’ but also a ‘ring of shared values and norms’. As a response to these challenges and opportunities, finally, the Commission and the Secretary-General/High Representative Javier Solana were assigned to prepare proposals for establishing cooperative relations to that end.¹⁶²

The year 2003 was an important turning point in the history of the ENP as that was when certain important official documents were framed: ‘Wider Europe – Neighbourhood: A New Framework for Relations with our Eastern and Southern Neighbours’, General Affairs and External Relations Council Conclusions, ‘Paving the Way for a New Neighbourhood Instrument’ and ‘A Secure Europe in a Better World’.

Before going into the details of the official documents and policy efforts related to the subject, it is again important that in 2003 there is a bureaucratic strengthening of the EU on the subject of neighbourhood. In order to make the new policy works intensely and successfully, the experienced bureaucrats from the Directorate-General (DG) for Enlargement were gradually transferred to the DG External Relations (Relax). In addition, in April 2004, when the new Commission under the presidency of José Manuel Durão Barroso, Benita Ferrero-Waldner was appointed as the European Commissioner for ‘External Relations and European Neighbourhood Policy’ – thus giving the ENP a special slot in the overall spectrum of EU actions and the Commissioner a new mandate.¹⁶³ Apart from bureaucratic revision, so many steps, which will be analyzed above, were taken in 2003.

¹⁶² *Ibid.*

¹⁶³ Antonio Missiroli, “The ENP three years on – where from, where next?”, *Idées Pour le Débat*, Institut du Développement Durable et des Relations Internationales, No.03/2007, 2007, p.3 http://www.iddri.org/Publications/Collections/Idees-pour-le-ebad/id_0703_missiroli_bei_ec_enp1.pdf (accessed on 18 January 2009)

The Wider Europe – Neighbourhood policy, whose official name is ‘Wider Europe – Neighbourhood: A New Framework for Relations with our Eastern and Southern Neighbours’,¹⁶⁴ is the name of an ambitious project officially launched in March 2003 by the President of the Commission Romano Prodi.¹⁶⁵ In the Communication, named as ‘Wider Europe – Neighbourhood: A New Framework for Relations with our Eastern and Southern Neighbours’ (hereinafter ‘Wider Europe Communication’), the Commission draws attention to the May 2004 enlargement and its potential to shape the EU’s political and economic relations with other parts of the world. In addition, the will and the need of the EU to establish close relations with its neighbours are also emphasized. In the words of the Wider Europe Communication, “over the coming decade and beyond, the EU’s capacity to provide security, stability and sustainable development to its citizens will no longer be distinguishable from its interest in close cooperation with the neighbours.”¹⁶⁶ Therefore, one of the fundamental ideas of the EU is also an essential component of its relations with neighbours. The founding idea of the EU after the end of the World War II was to create a secure environment where the conflicts and wars are not only undesirable but also impossible. From the beginning, the EU had always been peace-seeking towards its neighbours also. Secondly, political and economic interdependence forced the EU bureaucrats and politicians to promote cooperative relations. Having considered these facts, the Commission stated that “Russia, the countries of the Western NIS and the Southern Mediterranean should be offered the prospect of a stake in the EU’s Internal Market and further integration and liberalization to promote the free movement of – persons, goods, services and capital (four freedoms).”¹⁶⁷

¹⁶⁴ European Commission, Communication From the Commission to the Council and the European Parliament, “*Wider Europe – Neighbourhood: A New Framework for Relations with our Eastern and Southern Neighbours*”, COM (2003) 104 final, Brussels, 11.03.2003, (hereinafter referred as “Wider Europe Communication”) http://ec.europa.eu/world/enp/pdf/com03_104_en.pdf (accessed on 18 January 2009)

¹⁶⁵ Kahraman, note 146, p.3.

¹⁶⁶ *Wider Europe Communication*, note 164, p.3.

¹⁶⁷ *Wider Europe Communication*, note 164, p.4.

The Wider Europe Initiative was very ambitious project not only for its scope but also for the geography that was planned to be applied. Although the policy focused originally on Ukraine, Moldova and Belarus, the geographical scope was broadened due to the concerns of the southern member states.¹⁶⁸ The remarkable distinction of the ENP from previous efforts related to neighbouring relations is its combination of three different regions with wide diversity of countries under a single policy. These regions are the Eastern Europe, the eastern Mediterranean and the southern Mediterranean. More specifically, the neighbouring countries subject of the Wider Europe Initiative were, namely, Russian Federation, Ukraine, Moldova, Belarus, Israel, Occ. Palestinian Territory, Algeria, Egypt, Libya, Morocco, Tunisia, Jordan, Lebanon, Syria. The most remarkable point among these countries is that they almost had no commonalities except being a neighbour of the European Union. Therefore, although they were included under one umbrella of the Wider Europe – Neighbourhood Policy, the EU is very well aware of the fact that one-size-fits-all policy would not be fruitful. In the words of Wider Europe Communication, “given these different starting points and objectives it is clear that a new EU approach cannot be a one-size-fits-all policy. Different stages of reform and economic development also mean that different rates of progress can be expected from the neighbouring countries over the coming decade.”¹⁶⁹ As indicated very openly, although these countries are listed as neighbours under one policy framework, the EU acknowledges its will to establish relation with each and every neighbouring country individually to address common challenges.

In the Wider Europe Communication, the EU had a clear vision about its aims. The EU officials were well aware of the fact that the 2004 enlargement would be successful only if the existing political and economic stability could be spread not only to new members but also to new neighbouring countries. Only with this way the enlarging borders can be secured. The Commission sets forth two overarching

¹⁶⁸ Kahraman, note 146, p.13.

¹⁶⁹ Kahraman, note 146, p.6.

objectives for the development of closer and more coherent relations with the EU's neighbours over the medium and long term:

- To work with the partners to reduce poverty and create an area of shared prosperity and values based on deeper economic integration, intensified political and cultural relations, enhanced cross-border cooperation and shared responsibility for conflict prevention between the EU and its neighbours.

- To anchor the EU's offer of concrete benefits and preferential relations within a differentiated framework which responds to progress made by the partner countries in political and economic reform.¹⁷⁰

Firstly, it is clearly stated that what is referred as 'relation' includes economic, political, cultural dimensions. In addition, it would be not only deeper but also preferential. Therefore, the countries that are willing to be included in the neighbourhood policy would be treated by the EU differently than the other countries of the world and neighbours. However, as clearly seen, the Commission, also, burdens certain responsibilities to both sides in order to establish a fruitful neighbourhood relation. The EU expressly affirms that the political and economic reform progress made by the partner country would be essential for the advancement of the relations, which constitutes the essential principal of the policy called *conditionality*. Indeed, the framework of the neighbourhood policy is very well summarized by the Commission as follows:

In return for concrete progress demonstrating shared values and effective implementation of political, economic and institutional reforms, including aligning legislation with the *acquis*, the EU's neighbourhood should benefit from the prospect of closer economic integration with the EU. Specifically, all the neighbouring countries should be offered the prospect of a stake in the EU's Internal Market and further integration and liberalisation to promote the free movement of –persons, goods, services and capital (four freedoms). If a country has reached this level, it has come as close to the EU as it can be without being a member.¹⁷¹

¹⁷⁰ *Wider Europe Communication*, note 164, p.9.

¹⁷¹ *Wider Europe Communication*, note 164, p.10.

The new offer to neighbours is very clear and the EU proposes the benefits of closer economic integration and deepened political cooperation in return of the partner country's performance of concrete progress demonstrating shared values and effective implementation of political and institutional reforms and even aligning legislation with the *acquis*. It can be noted that the EU offers all but institutions, which makes the policy different than enlargement, because even the free movement of persons, goods, services and capital is included in the offer. Consequently, it is still apparent that probability of membership is not a prospect for these countries.

In the following parts of the Wider Europe Communication, the Commission explains the incentives that the EU's new approach is based on:

- *Extension of the Internal Market and Regulatory Structures:*

One of the main advantages of being member of the EU is to have access to European internal market because it is not only the biggest market but also very well regulated and functioning all over the world. Surely, its success depends on the rules and regulations that were developed since the beginning. Therefore, the EU is very careful in extending its geographic sphere. Even member states can only access to the common market on the condition that they meet the common rules, standards and regulations. Therefore, the EU offers the extension of the internal market to neighbouring countries on the condition that those partners also make necessary institutional and legal arrangements. In the words of the Commission, "common rules and standards are vital to ensure that our neighbours can access and reap the benefits of the enlarged EU internal market as well as to create a more stable environment for economic activity."¹⁷² For the countries launching institutional and economic reform process, the EU *acquis* would be a model due to its established common market based on the free movement of goods, persons, services and capital, ensuring competition and a level playing field based on shared norms and integrating health, consumer and environmental protection.

- *Preferential Trading Relations and Market Opening:*

¹⁷² *Ibid.*

According to the EU, a complete economic integration cannot be fully sustained without liberal trade. Therefore, trade liberalization and opening of markets towards the member countries should accompany approximation of regulatory structures. Correspondingly, the EU is also determined to implement necessary regulations to liberalize its rules for more preferential trading relations with its partners. To be more precise, the Commission states that it is ready to consider initiating new projects to grant better market access in line with World Trade Organization (WTO) obligations with neighbouring countries.¹⁷³

- *Perspectives for Lawful Migration and Movement of Persons:*

Free movement of persons is reasonably set as a long term objective but the EU also acknowledges both its will and need to allow workers to move because of ageing, demographic decline, globalization and specialization. Therefore, the concept of 'long-stay visa policy' is mentioned as an alternative to free movement until it can be realized.

- *Intensified Cooperation to Prevent and Combat Common Security Threats:*

Globalization does not only bring new global opportunities to the actors of the world politics but it also makes the threats global, which means that one state - whatever its economic, political, and military powers is- cannot cope with. Therefore; cooperation, joint work, and assistance among states become essential. The EU defines common security threats that necessitate prioritization of common combat as "terrorism and trans-national terrorism organized crime, customs and taxation fraud, nuclear and environmental hazards and communicable diseases."¹⁷⁴

- *Greater EU Political Involvement in Conflict Prevention and Crisis Management:*

¹⁷³ *Wider Europe Communication*, note 164, p.11.

¹⁷⁴ *Ibid.*

Especially after the end of the Cold War, a crisis in distant parts of the world can be considered as a threat to Europe as a whole in a world of globalization and increased interdependence. To effectively meet the crisis management challenges within the context of the European Security Defence Policy (ESDP), the European Union started a process in 1999 seeking to create the resources and capacities needed to be able to deploy an entire range of crisis management and prevention missions. Following the guidelines set out by the Cologne European Council (June 1999), the Helsinki European Council (December 1999), the European Union specifically decided to create a non-military management mechanism to coordinate and put to more effective use the various civilian means and resources in parallel with military resources - available to the EU and Member States. In line with this, the Wider Europe Communication states that “[a] shared neighbourhood implies burden-sharing and joint responsibility for addressing the threats to stability created by conflict and insecurity. The EU should take a more active role to facilitate settlement of the disputes and additional sources of funding for post-conflict reconstruction and development would be required.”¹⁷⁵ In other words, the EU acknowledges its will to have more active role in near abroad as a normative power to bring peace and stability to problematic regions namely the Palestine, the Western Sahara and Transdniestria.

- *Greater Efforts to Promote Human Rights, Further Cultural Cooperation and Enhance Mutual Understanding:*

The EU insists on the development of a flourishing civil society to promote basic liberties such as freedom of expression and association.

- *Integration into Transport, Energy and Telecommunications Networks and the European Research Area:*

The importance of the fully established compatible and interconnected infrastructure for the full integration in economic, political and cultural spheres cannot be neglected. Therefore, the new neighbourhood policy, as stated in the

¹⁷⁵ *Wider Europe Communication*, note 164, p.12.

document, should include harmonization in transport, energy, telecommunication for the Trans-Euro-Mediterranean Networks.

- *New Instruments for Investment Promotion and Protection:*

A key element of an integrated market is the volume of foreign investment. According to the Commission, “A stronger and more stable climate for domestic and foreign investment is critical to reducing the wealth gap that exists between the EU and its neighbours. Foreign investment can encourage reform and improved governance at the same time as contributing to the transfer of know-how and management techniques and the training of local personnel.”¹⁷⁶ In other words, for the EU, freedom of foreign investment is not only a necessity for the economic integration but also a kind of stimulator of reform process, stability and peace in the near abroad.

- *Support for Integration into the Global Trading System:*

In line with previous incentives, the EU not only encourages but also insists for WTO Membership of the partner countries.

- *Enhanced Assistance, Better Tailored to Needs:*

For the near abroad, it is beyond doubt that further efforts are needed to sustain cooperation. In the words of the Commission, “Proximity calls for further efforts to encourage cross-border and trans-national cooperation and development, both locally and regionally.”¹⁷⁷

- *New Sources of Finance:*

The EU commits itself to facilitate international finance instruments in addition to technical assistance to support the efforts to develop education, health and social safety in neighbouring countries.

¹⁷⁶ *Wider Europe Communication*, note 164, p.13.

¹⁷⁷ *Wider Europe Communication*, note 164, p.14.

Having introduced the initiatives and incentives, the Commission presents three important principles of the Wider Europe-Neighbourhood Policy: The new offer should be a ‘*differentiated*’, ‘*progressive*’, and ‘*benchmarked*’ approach.

To start with, although the new neighbours are all treated under the Wider Europe Initiative as a single umbrella, the EU officials are very well aware of the fact that they are all at different level in the process of approximation. To put it in other way, “[t]he neighbouring countries do not start from the same point in their relations with the EU. Some partners already have Free Trade Agreements (FTAs) with differing degrees of scope and depth; others have begun the process of developing a strategic partnership with the EU.”¹⁷⁸ Therefore, although the aim is to offer same opportunities towards all neighbouring countries in return of the same standards applied by them, differentiation still matters, meaning that each and every country would be treated separately and individually under the same policy.

Secondly, as noted many times, the reason behind this policy is to create a near abroad which is stable and peaceful in all aspects. This requires a series of economic, political and cultural reforms in partner countries and surely these reforms cannot be realized or implemented in a short period of time. Therefore, the EU acknowledges that the approach would be step-by-step and progressive. Only if the partner can make certain progress, is it offered with certain benefits. This process for each country would be planned by Action Plans.. In the Wider Europe Communication, the Action Plans are defined as “political documents – drawing together existing and future work in the full range of the EU’s relations with its neighbours, in order to set out clearly the overarching strategic policy targets and benchmarks by which progress can be judged over several years. They should be concise and complemented where necessary by more detailed plans for sector-specific cooperation.”¹⁷⁹

¹⁷⁸ *Wider Europe Communication*, note 164, p.15.

¹⁷⁹ *Wider Europe Communication*, note 164, p.16.

Finally, the approach is also benchmarked which allows the EU to expect from its partners a degree of consistent and credible approach. According to the Wider Europe Communication, “[b]eyond the regulatory and administrative aspects directly linked to market integration, 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.”¹⁸⁰ In addition, it would be suitable to note here that both conditions and benchmarks are going to be determined by the Council, based on proposals from the Commission, which makes the relations one-sided from the EU towards the partner countries.

Consequently, the Wider Europe Communication, *Wider Europe-Neighbourhood: A New Framework for Relations with or Eastern and Southern Neighbours*, was a very important document since it was the first official and written attempt to draw the framework of the Neighbourhood Policy. As mentioned above, it firstly draws a general conjuncture of the world politics especially after the Enlargement 2004. The Commission expresses that it understands the new environment with its new challenges and opportunities. In the following parts, the Commission’s opinion to cope with the problems of near abroad is explained. The Commission is determined to open the gates of cooperation to the new neighbours in a general outlook and defines the methods and incentives of the cooperation for avoiding drawing new dividing lines in Europe and to promote stability and prosperity within and beyond the new borders of the EU. After this Communication was presented, the General Affairs and External Relations Council in March 2003 welcomed the Wider Europe – Neighbourhood Policy and invited the Commission to present a Communication on the concept of a new neighbourhood instrument.¹⁸¹

¹⁸⁰ *Ibid.*

¹⁸¹ General Affairs and External Relations Council Conclusions, “*External Relations*”, 2495th Council Meeting, Brussels, 18.03.2003, Doc. 6941/03 Presse 63, Brussels, doc.6942/03, p.6, http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/gena/75004.pdf (accessed on 25 January 2009)

The Thessalonica European Council in June 2003 regarded the Wider Europe Communication as a good starting point for developing a new range of policies towards neighbourhood countries. When both the Presidency Conclusions and the Conclusion of the General Affairs and External Relations Council are evaluated together, one could say that the EU again notes the historic characteristic of the upcoming 2004 enlargement and considers it as a unique opportunity to strengthen co-operation with its neighbours to the East and to the South.¹⁸² In addition, the document also clearly states that the relations within the context of neighbourhood should be seen as separate from the question of possible EU accession. According to the document;

The overall goal of the new policies will be:

a. To work with the partners to reduce poverty and create an area of shared prosperity and values based on free trade, deeper economic integration, intensified political and cultural relations, enhanced cross-border co-operation and shared responsibility for conflict prevention and conflict resolution.

b. To anchor the EU's offer of concrete benefits and preferential relations within a differentiated framework which responds to progress made by the partner countries in defined areas, in particular political and economic reform as well as in the field of JHA.

The EU's approach could therefore be based on the following incentives:

a. More effective political dialogue and co-operation.

b. Intensified co-operation to prevent and combat common security threats.

c. Greater co-operation in conflict prevention and crisis management.

d. Perspectives for participating progressively in the EU's Internal Market and its regulatory structures, including those

¹⁸² General Affairs and External Relations Council Conclusions, "*External Relations*", 2518th Council Meeting, Luxembourg, 16.06.2003, Doc. 10370/03 Presse 167, p.32, http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/gena/76201.pdf (accessed on 25 January 2009)

pertaining to sustainable development (health, consumer and environmental protection), based on legislative approximation.

e. Preferential trading relations and further market opening in accordance with WTO principles.

f. Enhanced co-operation on matters related to legal migration.

g. Enhanced co-operation to tackle drugs trafficking, trafficking in human beings and organized crime, through, inter alia, support for border management and cross-border co-operation.

h. Enhanced cultural co-operation, mutual understanding and people-to-people contact.

i. Perspectives of integration into transport, energy and telecommunications networks and the European Research Area.

j. New instruments for investment promotion and protection while preserving the respective competences of the Community and the Member States.

k. Support for WTO accessions and integration into the global trading system.

l. Enhanced and improved assistance, better tailored to needs, including improved interaction of all relevant sources of finance, including IFIs’.

m. Promotion of intra-regional, sub-regional and cross-border co-operation.

n. Enhanced co-operation in the field of education, training, and science.

o. Enhanced co-operation in environmental protection.¹⁸³

Moreover, according to the same document, Action Plans will be the key political documents in the context of EU’s relations with neighbouring countries. It is also emphasized that these Actions Plans must be prepared on the basis of differentiation. Although the new policy covers a range of countries under the same umbrella, the policy recognizes the differences between countries.

¹⁸³ General Affairs and External Relations Council Conclusions, note 182, pp.33-34.

The next official document in 2003 is another Communication from the Commission, named as ‘Paving the Way for a New Neighbourhood Instrument’¹⁸⁴ (hereinafter referred as Neighbourhood Instrument Communication). In summary, this communication firstly sets out the convenient steps to implement instantaneously for the period up to 2006. This will result in strengthening co-operation activities along the external border within the current legal framework, and then provides an initial analysis of further options for the period post-2006 by identifying key issues to be examined in relation to the creation of a future new Neighbourhood Instrument.¹⁸⁵ In addition, the document also presents certain possible actions for the success of the policy.

According to the Commission, there were several instruments in order to facilitate cooperative relations between the EU and neighbouring countries. Yet, the difficulty emerges from diversity of these instruments because they are governed by different regulations, institutions in different environments. In Neighbourhood Instrument Communication, some of those initiatives and financial instruments are listed:¹⁸⁶

- The *INTERREG Community Initiative*, a financial instrument within the framework of the EU’s Structural Funds, supports transnational cooperation among Member States and neighbouring countries.
- In the framework of the pre-accession driven PHARE instrument in the candidate countries, supporting cross-border co-operation with Member States and between the candidate countries.
- In the NIS countries the *Tacis CBC programme* supports cross-border co-operation in the western border regions of Russia, Belarus, Ukraine and Moldova.

¹⁸⁴ European Commission, Communication From the Commission to the Council and the European Parliament, “*Paving the way for a New Neighbourhood Instrument*”, COM (2003) 393final, Brussels, 1.07.2003 (hereinafter referred as “*Neighbourhood Instrument Communication*”) http://ec.europa.eu/world/enp/pdf/com03_393_en.pdf (accessed on 25 January 2009)

¹⁸⁵ *Neighbourhood Instrument Communication*, note 184, p.4.

¹⁸⁶ *Neighbourhood Instrument Communication*, note 184, pp.6-7.

- In the Western Balkans, *CARDS* is a key instrument of the Stabilisation and Association process and supports a range of activities in this regard. They identify the goal of fostering regional, transnational, cross-border and interregional co-operation among the recipient countries and regional countries as well as with the EU.
- In the Mediterranean, the *MEDA programme* provides support for regional co-operation in the broader sense between countries on the southern and eastern shore of the Mediterranean but has not as yet funded direct co-operation activities with Member States.

Despite the fact that there are considerable instruments and also attempts to establish a coordination mechanism among these instruments, the New Neighbourhood Policy is considered to bring a new impetus for these efforts. However, the Commission also warns the EU that the new Neighbourhood Instruments may raise a number of significant legal and budgetary questions since the EU budget is determined until 2006. Therefore, the Commission offers, in the Neighbourhood Instrument Communication, two phases of solution. The first phase is for the years between 2004 and 2006 and it would concentrate on the introduction of the Neighbourhood Programs. The second phase, or post-2006, instruments are planned to provide a more comprehensive approach that allows for a mix of cross-border and regional cooperation activity to develop in near abroad of the EU.¹⁸⁷ To conclude, this Communication in 2003 presents the existing instruments and proposals in order to develop cooperative relations with neighbours of the EU and also describes the actions to be taken in order to implement the proposals.

Another essential step in 2003 was the adoption of the “Solana document”, officially named as ‘A Secure Europe in a Better World – European Security Strategy’ on December 12, 2003.¹⁸⁸ In European Security Strategy Paper, the mainstream of security was not dismissed and indeed ‘building security in neighbourhood’ is

¹⁸⁷ *Neighbourhood Instrument Communication*, note 184, p.11.

¹⁸⁸ *European Security Strategy Paper*, note 80.

reported as one of the main aims proposed. According to the Javier Solana, even in the era of globalization, geography is still important. Within this mind, conflict resolution, the rise of prosperity and establishment of democratic governments in near abroad are seen in the EU's interest. Thus, the strategy affirms that "our task is to promote a ring of well governed countries to the East of the European Union and on the borders of the Mediterranean with whom we can enjoy close and cooperative relations."¹⁸⁹

To conclude, the EU had launched a new form of policy in order to meet the opportunities and challenges of the new enlargement of 2004. As seen, the EU has always been interested into its near abroad however after the end of the Cold War and the end of the bi-polar world system, the EU had found a suitable environment where it can deal with its neighbours in its terms. The Wider – Europe Policy was formulated in order to respond the shortcomings of the Barcelona Declaration. Indeed, the Wider – Europe Initiative has great commonalities with the European Neighbourhood Policy, which was named and systematized with the Commission Communication, named as 'European Neighbourhood Policy Strategy Paper' launched in 12 May 2004. In the next part of this chapter, there will be an analysis of the European Neighbourhood Policy. However, since the European Neighbourhood Policy is originated from the Wider Europe Initiative, the analysis of the Strategy Paper in next part will be a complimentary and comparative analysis of the previous part.

3.4 THE EUROPEAN NEIGHBOURHOOD POLICY

On 1 May 2004, Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Slovakia, and Slovenia and two Mediterranean islands of Malta and Greek Cyprus state, joined to the EU. This 2004 enlargement of the European Union, which was the largest single expansion of the European Union (EU), both in terms of territory and population, however the smallest in terms of gross domestic product (wealth), has

¹⁸⁹ *European Security Strategy Paper*, note 80, p.8.

not only changed the external borders of the EU but also created new opportunities and challenges.

The new neighbourhood of the EU after May 2004, also, created new opportunities and challenges of which the EU was well aware. Even before the enlargement, it formulated a new framework to deal with its enlarged neighbourhood in a different manner. This new framework and efforts evaluated and finally transformed itself into the European Neighbourhood Policy that was officially presented with the Communication, named European Neighbourhood Policy Strategy Paper issued on 12 May 2004.¹⁹⁰ Since this document sets out in concrete terms how the EU proposes to work more closely with these countries compare to other previous documents, it will be analyzed separately in order to understand the ENP fully and to catch the changing of the nature of the policy.

To start with, the geographic coverage of the finalized version of Neighbourhood Policy in the European Neighbourhood Strategy Paper is broadened to include the South Caucasus. Indeed, as mentioned in previous part, the neighbourhood policy originally designed to include Russia, Ukraine, Belarus and Moldova; and, in the Mediterranean, for Algeria, Egypt, Israel, Jordan, Lebanon, Libya, Morocco, Syria, Tunisia and the Palestinian Authority. In 2004, it was extended to include the countries of Georgia, Armenia and Azerbaijan. Russia rejected to participate in the ENP and it preferred to develop its relations with the EU on bilateral framework. The other existing neighbours of the EU were not included into the ENP since they have either accession perspective (Croatia and Turkey) or potential accession perspective (Western Balkans).

The European Neighbourhood Strategy Paper is a turning point in the evolution of the neighbourhood policy not only because it broadened the near abroad but it also

¹⁹⁰ European Commission, Communication From the Commission to the Council and the European Parliament, “*European Neighbourhood Policy Strategy Paper*”, COM (2004) 373final, Brussels, 12.11.2004 (hereinafter referred as “*European Neighbourhood Strategy Paper*”) http://ec.europa.eu/world/enp/pdf/strategy/strategy_paper_en.pdf (accessed on 27 January 2009)

introduced new concepts to the policy. These are ‘joint ownership’, ‘added value’, ‘monitoring’, and ‘European Neighbourhood Agreements, which will be analyzed in the following part.

The first concept is ‘Joint Ownership’ on which there is a specific subtitle in the Strategy Paper. The concept underlines the importance of the awareness of common interests and shared values. Otherwise, the Action Plans cannot be successful since the EU cannot impose priorities or conditions on its partners. Thus, the success of the Action Plans depends on the clear recognition of mutual interests, will and capacity of the both parties.¹⁹¹

The second concept, added value, refers to the nature of the policy. The ENP will enhance the scope of cooperation with partner countries since these countries have an opportunity to take a stake in the EU’s Internal Market. Apart from bringing benefits in economic and social development, the ENP will also help both parties to resolve problems arising from bilateral relations. It will also support partners in order to meet the EU norms and standards. This support will be provided both through the Action Plans which define priorities and provide impetus for the implementation of agreements, and through the European Neighbourhood Instrument which is here announced in the Strategy Paper as a new financial instrument that all partners in the ENP will be eligible for support particularly in terms of cross-border cooperation. So, it is alleged that these incentives provide an important degree of added value to participating countries. Thus, one can say that the results of the ENP have a “win-win” approach for everyone.¹⁹²

The third concept, namely ‘monitoring’, is related with the implementation of the Action Plans. The Strategy Paper brought monitoring mechanisms carried out by the bodies set up under the Partnership and Cooperation Agreements or Association Agreements. Furthermore, the sub-committees and the economic dialogues are also indicated as means of monitoring which has to depend on joint ownership. In

¹⁹¹ *European Neighbourhood Strategy Paper*, note 190, p.8.

¹⁹² *European Neighbourhood Strategy Paper*, note 190, pp.8-9.

addition to these, the *periodic reports* on progress of the Commission will serve as a monitoring instrument according to which the Action Plans will be reviewed. Also, it is suggested that a mid-term report of the Commission with the contribution of High Representative on issues related to political cooperation and the CFSP can serve as a basis for the Council to decide the further steps of contractual relationship with the partner countries.¹⁹³

Last but not least, the European Neighbourhood Strategy Paper introduced a new concept that is European Neighbourhood Agreements¹⁹⁴ which will replace existing agreements when Action Plan priorities are met by the partner countries. Therefore, a scope of deeper contractual relationship than Partnership and Cooperation Agreements or Association Agreements in force will bring a new endeavor for the neighbouring countries.

In general, the European Neighbourhood Strategy Paper was a crucial document because it both adjusted the Wider Europe Policy according to the new conditions and defined the fundamental objectives, principals, geographical scope, and methods of the European Neighbourhood Policy.

After the Strategy Paper, the ENP was launched in 2004. In order to realize the vision of building an increasingly closer relationship with neighbours, and a zone of stability, security and prosperity for all, the EU and each ENP partner reach agreement on reform objectives across a wide range of fields within certain common areas such as cooperation on political and security issues, to economic and trade matters, mobility, environment, integration of transport and energy networks or scientific and cultural cooperation. In order to reach an agreement on reform objectives, the ENP process for a country starts with the preparation of a 'Country Report', assessing the political and economic situation as well as institutional and sectoral aspects of a country. Country Reports were published in May 2004 for the

¹⁹³ *European Neighbourhood Strategy Paper*, note 190, p.10.

¹⁹⁴ *European Neighbourhood Strategy Paper*, note 190, p.3.

first seven of the ENP countries. Another five Country Reports were published in March 2005.¹⁹⁵

After the Country Reports, the next stage was the development of ENP Action Plans with each country. These documents are negotiated with and tailor-made for each country, based on the country's needs and capacities. Action Plans define 3-5 years periods, as short and medium term, for the realization of priorities. They cover political dialogue and reform, economic and social cooperation and development, trade-related issues and market and regulatory reform, cooperation in justice and home affairs, sectors (such as transport, energy, information society, environment, research and development) and a human dimension (people-to-people contacts, civil society, education, public health). 12 such ENP Action Plans are being implemented – with Israel, Jordan, Moldova, Morocco, Occupied Palestinian Territory, Tunisia and Ukraine since 2005 and with Armenia, Azerbaijan, Georgia, Lebanon and Egypt since end 2006 to the beginning 2007.¹⁹⁶

As mentioned above, the European Neighbourhood Policy also includes regularly monitoring mechanisms in order to achieve an efficient implementation of the mutual commitments and objectives contained in the Action Plans. Therefore, the Commission has regularly issued reports on progress for both countries and sectors since the end of 2006.¹⁹⁷

Conceived in 2003 as Wider Europe Policy and in 2004 as the European Neighbourhood Policy, there occurred certain problems in operational experience after the policy has been launched. Therefore, the Commission and the Council agree

¹⁹⁵ The progress has been made, so far, in implementing the ENP is accessible at: http://ec.europa.eu/world/enp/faq_en.htm#3.1 (accessed on 25 February 2009)

The Countries of which Country Reports were published in May 2004: Israel, Jordan, Moldova, Morocco, Occupied Palestinian Territory, Tunisia, and Ukraine.

The Countries of which Country Reports were published in March 2005: Armenia, Azerbaijan, Egypt, Georgia, and Lebanon.

Algeria, Belarus, Libya and Syria stayed out of the process although they were included in the ENP.

¹⁹⁶ For detailed information about Action Plans, please see: http://ec.europa.eu/world/enp/faq_en.htm#3.4 (accessed on 25 February 2009)

¹⁹⁷ The Progress Reports and also other European Neighbourhood Policy Reference Documents are accessible at http://ec.europa.eu/world/enp/documents_en.htm (accessed on 25 February 2009)

that the ENP needs to be strengthened. In this regard, the discussion shifted to the question of how the ENP could be upgraded, namely ‘Strengthening the ENP’ or ‘ENP Plus.’ A Strong European Neighbourhood Policy Communication,¹⁹⁸ issued in December 2007, was based on the idea that the more willing partner would be offered more in order to both encourage willing partners’ endeavors and attract the other partners’ interests. It states that the ENP is a partnership for reform that offers ‘more for more’ which means that the more deeply engaged partner will be responded with more fully cooperation in every term.¹⁹⁹ Consequently, due to the principal of differentiation, the willing partner for more engagement with the EU will be offered: Deep Free Trade Agreements (DFTAs), visa facilitation for the improved mobility of people, active involvement of the EU in regional conflict resolutions, and strengthened financial instruments.²⁰⁰

To conclude, after analyzing the issue of normative power in previous chapter, this chapter seeks to answer how one of so-called instrument of normative power of the EU has evolved as a new policy instrument to promote European values in near abroad. In the first section, the previous policies of the EU with its neighbours were examined where there is a specific emphasis on the southern neighbours. In the second part of this chapter, it is underlined that the 2004 enlargement created a new conjuncture for the EU, where the policies of old times, namely exclusions or inclusions, would not be applicable. Therefore, in the second part, the necessity of a

¹⁹⁸ The official documents that are reference to the “*Strengthening the European Neighbourhood Policy*”:

- General Affairs and External Relations Council Conclusions, “*Strengthening the European Neighbourhood Policy*”, Brussels, Doc. 11016/07, 18.06.2003.
<http://register.consilium.europa.eu/pdf/en/07/st11/st11016.en07.pdf> (accessed on 07 February 2009)
- German Presidency Report, “*Strengthening the European Neighbourhood Policy Presidency Progress Report*”, Presented to the European Council, 18-19 June 2007.
http://ec.europa.eu/world/enp/pdf/enp_progress-report_presidency-june2007_en.pdf (accessed on 07 February 2009)
- European Commission, Communication From the Commission to the Council and the European Parliament, “*A Strong European Neighbourhood Policy*”, COM (2007) 774 final, Brussels, 05.12.2007, (hereinafter refereed as “*Strong European Neighbourhood Policy Communication*”)
http://ec.europa.eu/world/enp/pdf/com07_774_en.pdf (accessed on 07 February 2009)

¹⁹⁹ *Strong European Neighbourhood Policy Communication*, note 198, p.2.

²⁰⁰ *Strong European Neighbourhood Policy Communication*, note 198, pp. 4-10.

new policy, neither inclusion nor exclusion, was underlined. In the next two sections, the launch of the policy of Wider Europe and the ENP, were analyzed respectively according to legal documents of the EU. Therefore this part continues with the examination of neighbourhood policy in details. While according to official documents and chronological analysis the ENP is officially launched as a response to the challenges mentioned in the second part, the reality cannot be lightened only by looking into this chapter since it is strictly bounded by the official documents in order to understand the EU's perspective. Therefore, this chapter will be followed by case studies of Morocco and Egypt from the Mediterranean region where the EU has long history of efforts of cooperation. The analysis of the European Neighbourhood Policy on the basis of the normative power of the EU with respect to democracy and human rights promotion in two cases will present us both practical findings for each country and a comparative data.

CHAPTER 4

THE EUROPEAN NEIGHBOURHOOD POLICY

AND

DEMOCRATIZATION IN MOROCCO AND EGYPT

The aim of this chapter is to analyze more clearly the conception of the EU as a normative power through a close scrutiny of two case studies, namely, Morocco and Egypt. Therefore, this chapter will focus on whether and how the ENP has affected the democratization in these two countries.

The southern Mediterranean region has been a very important region for the European Union. Thus, the EU has always tried to establish deep political, economic and social relations with countries from the region. Within this line, the European Neighbourhood Policy (ENP) aims to be a new and more comprehensive approach by the EU towards the Mediterranean region after the experiences of the Euro-Mediterranean Partnership, as it was mentioned in chapter three. The core of this new approach is to offer a kind of premium partnership, on the condition that the partner country realizes a certain package of economic and political reforms. In other words, this time, the EU increases the intensity of the incentives and also raises the expectations from the southern Mediterranean neighbours. As Michael Emerson stated, the EU offers the blurring of the frontiers between ‘in’ and ‘out’ without further accession negotiations.²⁰¹

²⁰¹ Emerson, note 89, p.1.

This chapter starts with the analysis of reasons behind the logic of choosing Morocco and Egypt as case studies. Then, case studies will be the main focus in order to understand the reform process in these countries and see the impact of the ENP from different perspectives. In order to understand the impact of the ENP on the democratization of Morocco and Egypt, case studies deals, firstly, political liberalization of these countries from a historical perspective. Then, there will be a short presentation of current political system and the relations between the EU and the country. Lastly, the focus will be on the democratization process in the context of the ENP respectively.

4.1 CASE STUDIES: WHY MOROCCO AND EGYPT?

As stated above, this chapter assesses the reform processes, which are directed by the Action Plans under the ENP, in terms of democracy, rule of law, respect for human rights and fundamental freedoms in two countries from Maghreb and Mashreq regions.²⁰² By focusing on specifically Morocco and Egypt, this chapter builds a comparative case study in terms of the prospects for democratic change of a kind that Europe would like to promote. Therefore, the purpose of these case studies has been to examine the issues relating to the potential role of the EU's normative power in the context of the ENP.

The selection of Morocco and Egypt as case studies originates from the existence of some important similarities between these countries although they have significant differences as well. First, both are located in North Africa. In other words, by the virtue of their location in the Southern Mediterranean, they both share similar opportunities and suffer from the similar challenges of the region. Secondly, both have a colonial history, which created somehow a common background. Thirdly, the majority in both countries belongs to Islam, which also created a similarity in the perspective of society on different issues. Fourthly, they have had long and

²⁰² Maghreb refers to a region in the western North Africa including territories of Morocco, Algeria and Tunisia. Mashreq refers to a large area in the North Africa and the Middle East, including Egypt, Jordan, Lebanon, Syria, and the Palestinian territories.

comprehensive relations with the EU especially after 1995. In other words, partnership with the EU as well as their respective democratization experience had been on the agenda long before the ENP. This long period provides for at least a tentative assessment of progression and regression and thus, renders greater opportunity for determining realities, trends, and substantial change. Another reason is that, unlike eastern European countries included in the neighbourhood process²⁰³, due to their geographical location, both countries have no membership perspective to the EU, which actually fits to the principle of the ENP. Another key feature of the region, and specifically of Morocco and Egypt, is that the political regimes have appeared to be mostly resistant to pressures for political change from below. With some exceptions, regimes in these countries can be considered relatively successful for remaining in power and preventing the opposition from becoming a serious challenge to their positions. Therefore, it can be argued that democratization in such regimes is heavily dependent upon external factors, which is mostly the European Union in these case studies. Finally, the selection of Morocco and Egypt demonstrates different reform processes in such similar cases, meaning that although there are certain similarities between these two countries, the experience of the ENP process since 2004 shows that the ENP generates different results due to specific differences and particularities in different cases. Therefore, the study of these two cases separately will present the opportunity to compare two experiences.

4.2 DEMOCRATIZATION IN MOROCCO

In this case study of Morocco, the first part will start with a brief summary of political liberalization history of Morocco since its independence in 1956. The part, then, focuses on the existing political structure and administration mechanism in order to understand the basic characteristic of Moroccan politics. Finally, the analysis

²⁰³ Although the EU continuously acknowledges that the policies of neighbourhood and enlargement are different issues and the former does not necessitate the latter in the long run, there is a considerably important literature on the argument that the ENP is a first step to the enlargement. It is mostly argued that especially for the eastern European countries included in the ENP, specifically for Moldova and Ukraine, the prospect of membership, in the long run, is indispensable.

will shift to the issue of Morocco-EU relations from a historical perspective and the democratization process in Morocco within the framework of the ENP.

4.2.1 Moroccan Political Liberalization: A Historical Outlook

Moroccan political liberalization surely did not start with the ENP or the previous framework, namely the Barcelona Process. Notwithstanding certain shortcomings and failures, there is a history of liberalization of Moroccan political life since its independence.²⁰⁴ According to Elena Baracani and Shana Cohen and Larabi Jaidi in their different studies, the democratization in Morocco can be analyzed in four phases after its independence in 1956 from France.²⁰⁵

The first period refers to the establishment of the state and the adoption of Morocco's first constitution between 1956 and 1975. In order to eliminate all opposition, entire areas that had joined in the struggle for independence were subsequently subjected to severe crackdowns under Morocco's first post independence ruler, King Mohammed V.²⁰⁶ Cohen and Jaidi, similarly, named this period as 'Post-independence' and characterized with the political competition between the palace and nationalist political movements.²⁰⁷ In other words, this period was characterized by the struggle between the monarch and two political parties, which has emerged from the independence movements, namely the conservative-nationalist Istiqlal (Parti d'Independence) and the left-leaning National Union of Popular Force (Union

²⁰⁴ For a detailed analysis of the history of democratization in Morocco please see: Lise Storm, *Democratization in Morocco*, (London: Routledge, 2007). This book has analysed the Moroccan democratization process from 1956 to 2006, as well as the level of democracy present in the country at various stages in this period.

²⁰⁵ Elena Baracani, "From the EMP to the ENP: A new European pressure for democratization? The case of Morocco", The Centre for the Study of European Politics and Society, 2005, p. 8; and Shana Cohen and Larabi Jaidi, *Morocco Globalization and Its Consequences*, (London: Routledge, 2006), pp.55-62.

²⁰⁶ Veerle Opgenhaffen and Mark Freeman, "Transitional Justice in Morocco: A Progress Report", November 2005, International Center for Transitional Justice, p.4.

²⁰⁷ Cohen and Jaidi, note 205, p. 55; and Storm, note 204, p.13.

Nationale des Forces Populaires, UNFP). After the first legislative elections of 1963, some legislators from Istiqlal and UNFP began to challenge the king's position in administration, however, in the end, the new king, Hassan II inherited the throne from his father in 1961, had managed to consolidate his control over the country especially with 1970 constitution, which formalized the weakness of legislature.²⁰⁸ In this period, "the Moroccan political scene has been marred by a state of emergency (1965-71), two failed military coups (1971 and 1972), corrupt elections, including vote-buying, rigid patron-client relationships, and administrative interference, media censorship, and the use of deadly force to crush true opposition."²⁰⁹

In the second period, from 1975 to 1992, King Hassan II benefited from a regional conflict in the Western Sahara²¹⁰ to form a national consensus around him, as the defender of the country's territorial integrity.²¹¹ The Saharan war is, even, called as 'a royal project of national unification by Lise Storm.'²¹² Additionally, Hassan II's accomplishments can, in large part, be attributed to his position as "amir al-mu'minin" (commander of the faithful). The legitimacy of the Moroccan regime is predicated on the Sharifian principle which suggests Moroccan rulers be direct

²⁰⁸ Baracani, note 205, p.8.

²⁰⁹ George Joffe, "The Moroccan Political System after the Elections", *Mediterranean Politics* 3 (3), 1998, pp. 106-125; in Patricia J. Campbell, "Morocco in Transition: Overcoming the Democratic and Human Rights Legacy of King Hassan II," *African Studies Quarterly*, Vol. 7, No 1, March 2003, p. 39, accessible at <http://www.africa.ufl.edu/U7/v7ila3.htm> (accessed on 12 July 2009)

²¹⁰ The Western Sahara Conflict is one of the longest regional conflicts. It started through the end of the Spanish rule. On November 1975 Morocco launched the 'Green March' into Western Sahara. About 350,000 unarmed Moroccans converged on the city of Tarfaya in southern Morocco and waited for a signal from King Hassan II of Morocco to cross into Western Sahara. As a result, Spain acceded to Moroccan demands, and entered bilateral negotiations. This led to the Madrid Agreement, a treaty that divided the territory between Morocco and Mauritania, in return for phosphate and fishing concessions to Spain. Spain and Morocco did not consult the Sahrawi population, and the Polisario violently opposed the treaty. As The Western Sahara Case is full of human rights abuses which were also admitted by the King Hassan II: "I have always said that the rights of man stopped at the question of the Sahara. Anyone who said that the Sahara was not Moroccan could not benefit from the rights of man." Please see C. Richard Pennell, *Morocco since 1830 a history*, (Hurst & Company: London, 2000), pp. 340-347 and 356-380.

²¹¹ Baracani, note 205, pp. 8-9; and Campbell, note 209, p.40.

²¹² Storm, note 204, pp.38-40.

descendants of the Prophet Mohammed.²¹³ Apart from the internal legitimacy and the power of the king in domestic politics, Hassan II had a wide reputation in international community as a moderate 'bridge' able to link disparate regions and balance international political tensions. The Cold War context of the international politics made him free to rule his country on his own way. Therefore, "behind his positive image as an international ambassador lay a brutal reality."²¹⁴ However, there were also certain positive developments but they were not effective. For instance, relying on his power, The Royal Consultative Council on Human Rights (Concile Consultative des Droits l'Homme, CCDH) was established to resolve the cases especially about the human rights violations in the Western Sahara.²¹⁵

The third phase (1992-1999) starts with the constitutional revision of 1992, which expanded the powers of two-chamber parliament and made Moroccan law conform to international human rights conventions as potential for substantial change.²¹⁶ However, it should be noted that King Hassan II was resistant to any real improvement in terms of democracy and human rights in the country with a fear of loss of his power. The limited progress toward institutional democratization is explained by Cohen and Jaidi as a necessity to participate in free trade agreements with Europe in order to head off unavoidable discontent in the society due to economic failures.²¹⁷ The period ends with the succeeding of Mohammed VI on 23 July 1999 following his father's death.

The fourth phase, according to Baracani, is the period which still continues under the reign of Mohammed VI.²¹⁸ From the beginning, he showed comparatively positive

²¹³Raffaella A. Del. Sarto, *Contested State Identities and Regional Security in the Euro-Mediterranean Area*, (New York: Palgrave MacMillan, 2006), p. 178; and Campbell, note 209, p.39.

²¹⁴ Opgenhaffen and Freeman, note 206, p.2; and Cohen and Jaidi, note 205, pp.56-57.

²¹⁵ Baracani, note 205, pp.8-9.

²¹⁶ Storm, note 204, pp. 54-76 and Baracani, note 205, p.9.

²¹⁷ Cohen and Jaidi, note 205, pp.58-59.

²¹⁸ Baracani, note 205, p.8.

approach to democratization. Under his reign, certain developments concerning human rights, rule of law and democracy has been launched which will be analyzed below. For instance, the work of Moroccan Equity and Reconciliation Commission (Instance Équité et Réconciliation, IER), established by Mohammed VI, demonstrates a gradual process of dealing with the past. Nevertheless, it should be noted that while the country's human rights record has improved in the years preceding Hassan's death, there are still many areas of concern.²¹⁹

4.2.2 Moroccan Political System

The 1996 Constitution defines Morocco as a 'democratic, social and constitutional monarchy'.²²⁰ Formally, the separation of power is granted by the Constitution.

On top of the administration, there is a king, which, by order of the constitution, has a religious and politically supreme authority which provides his extensive executive powers with a religious, and thus untouchable, justification. Between the articles numbered 19 and 35, the authority and power of the king is described in details.²²¹ In summary, democratic structures and institutions veil an informal shadow governance structure, commonly called the Makhzen, a network of the palace and its clients that dictate the main lines of policy. The powers are distinguished in law and discourse, but in practice there is neither separation nor balance of powers, with the palace-led executive exerting leading influence over the legislature and judiciary. Government and parliament execute the will of the Makhzen rather than the will of the electorate. The King presides over the Council of Ministers and appoints the government as well as high officials in strategically important ministries. The King also approves and adopts legislation, can rule by decree and can veto any parliamentary or

²¹⁹ Haizam Fernández Amirah, "Morocco is Failing to Take Off", ARI document, Real Instituto Elcano, Madrid, 27 September 2004, accessible at: <http://www.realinstitutoelcano.org/analisis/imprimir/609imp.asp> (accessed on 12 July 2009)

²²⁰ Article 1: Morocco shall have a democratic, social and constitutional Monarchy. For the full text of the Constitution in English please see: <http://www.al-bab.com/maroc/gov/con96.htm> (accessed on 12 July 2009)

²²¹ Please see: <http://www.al-bab.com/maroc/gov/con96.htm> (accessed on 12 July 2009)

governmental decision. In general, concerning the role of the King in political structure of Morocco, King, who is not only the highest political authority but also the ‘commander of the faithful’, has a convenient political impunity justified by religion that forms the base of his untouchable power. “Behind the largely formally democratic governance structures, the Makhzen²²² constitutes a network of palace loyalists, a shadow power structure whose tentacles lead from the highest government positions over media and business down to the Walis (regional governors) and local councils.”²²³

There is a bicameral legislature in Morocco since 1997, namely the House of Representatives and the House of Councillors. The House of Councillors, 270 members, is elected every nine years by indirect universal suffrage. The House of Representatives, the 325 members counting lower house, is elected every five years by direct universal suffrage. Of the 325 seats, 295 members are chosen from multi-seat constituencies and 30 from national lists of women.²²⁴ Parliamentary elections were held for the second time in September 2002. The last parliamentary elections were held in September 2007. The biggest party in parliament, now, is the Istiqlal-party, led by Abbas El Fassi. In the local elections of 2009, on the other hand, the Authenticity and Modernity Party (PAM) won the elections, leaving the governing Istiqlal-party and Islamic PJD party behind.²²⁵ In practice, political parties have so far been too weak to provide meaningful political alternatives. Decision-making

²²² The royal palace’s power apparatus is commonly called ‘Makhzen’ (deriving from the Arabic word for storehouse) in Morocco. Makhzen is a Moroccan Arabic term for the governing elite in Morocco, centered around the king and consisting of royal notables, businessmen, wealthy landowners, tribal leaders, top-ranking military personnel, security service bosses, and other well-connected members of the establishment. Today, this term carries a heavy negative charge which means the absence of democracy and freedom and the absolute rule of dictatorship, the state or even corruption. The term is used in Moroccan independent newspapers to describe or condemn the lack of democracy and the human rights abuses committed by state police or officials.

²²³ Kristine Kausch, “An Islamist Government in Morocco?”, FRIDE Democracy Backgrounder 11, July 2007, p.3.

²²⁴ Article 36 – 58. For the full text of the Constitution in English please see: <http://www.al-bab.com/maroc/gov/con96.htm> (accessed on 12 July 2009); and Maxim Moussa, “Morocco”, European Forum for Democracy and Solidarity, 15 July 2009, p. 2, accessible at: <http://www.europeanforum.net/uploads/countries/pdf/morocco.pdf> (accessed on 12 July 2009).

²²⁵ Moussa, note 224, p.1.

power on significant political change does not lie in the hands of elected individuals and institutions.

Another body in the administration is the government in Morocco. The prime minister is appointed by the King, independent from the election results and the government is answerable to the King, and secondarily, to the Parliament.²²⁶ Abbas el Fassi is the Prime Minister, appointed by the King Mohamed VI after the September 2007 elections. He is leading a coalition government with four parties: Istiqlal-party, Socialist Union of People's Forces (USFP), National Rally of Independents and the Party of Progress and Socialism. The number of ministers is 34, of which seven are women.²²⁷

To conclude, although it is defined as constitutional monarch, and certain powers are granted to the different institutions, in practice, Moroccan political system is still a strongly centralised monarchy.

4.2.3 Relations between the European Union and Morocco

Morocco, which gained its independence from France in 1956, is a very privileged partner of the European Union due to the volume of economic relations²²⁸ and its very strategic location for the transit of energy from North Africa to Europe. The relations between Morocco and the European Community go back to 1969 when a bilateral association agreement was signed. In addition to that, Morocco was

²²⁶ Article 59 – 66. For the full text of the Constitution in English please see: <http://www.al-bab.com/maroc/gov/con96.htm> (accessed on 12 July 2009)

²²⁷ Moussa, note 224, p.5.

²²⁸ “EU member states receive 75 per cent of Morocco’s export volume, and provide 59 per cent of its imports.” Please see: Moroccan Ministry of Foreign Affairs and Cooperation, accessible at <http://www.maec.gov.ma> (accessed 12 June 2009); in Kristina Kausch, “The European Union and Political Reform in Morocco”, *Mediterranean Politics*, Vol. 14, No.2, July 2009, p.167.

included into the framework of EEC Global Mediterranean Policy (GMP) which was launched in 1972.²²⁹

King Hassan II submitted a formal application to join the European Communities in 1987 after the inclusion of Greece, Spain and Portugal into the EU.²³⁰ According to Said Haddadi, the King of Morocco highlighted three reasons for their application for membership: Morocco's devotion to develop a liberal economy, Morocco's close economic relations with Europe, and the democratization of political life, which refers only the consolidation of a multi party system and the circulation of a local and international press, not referring to issues of human rights.²³¹ However, the application was rejected since Morocco was not seen as a European country on the basis of Article 237 of the Treaty of Rome.²³²

In 1990, the GMP was replaced by the Renovated Mediterranean Policy²³³ which "enabled the European Parliament to freeze the budget of a financial protocol when

²²⁹ Within the Global Mediterranean Policy, the European Community negotiated a series of bilateral trade and co-operation agreements with third Mediterranean countries with the exception of Libya and Albania. These agreements contained three main chapters: 1. Commercial Co-operation. 2. Financial and economic cooperation. 3. Social Co-operation. (For a summary of the policy please see: <http://www.medea.be/index.html?page=2&lang=en&doc=767> (accessed on 17 July 2009)

There is also detailed analysis of the policy and theoretical discussion on GMP in: Federica Bicchi, "The European Origins of Euro-Mediterranean Practices", Institute of European Studies, University of California, Paper 040612, 2004, pp. 1-27; Federica Bicchi, "Defining European Interests in Foreign Policy: Insights from the Mediterranean Case", Centre for the Analysis of Political Change, University of Siena, Arena Working Papers, 13.03. 2003, pp.1-28.

²³⁰ Punnaporn Archawaranon, "The Enlargement of the European Union: Turkey and Morocco Difference or Discrimination?", *Euroculture*, IP Paper 2007, p.6.

²³¹ Said Haddadi, "Two Cheers for Whom? The European Union and Democratization in Morocco", *Democratization*, Number 1, Spring 2002, Routledge, p.151.

²³² Elena Baracani, "The European Neighbourhood Policy: A new Anchor for Conflict Settlement?" University of Bath, Conflict and Security Studies, Global Europe Papers 2008/2, p.9; and Elena Baracani, "Pre-accession and Neighbourhood: European Union democratic conditionality", Working Paper presented at the third ECPR Conference, Budapest, September 2005, p.12.

Article 237 of the Treaty of Rome reads "Any European State may apply to become a member of the Community. It shall address its application to the Council which, after obtaining the opinion of the Commission, shall act by means of a unanimous vote."

²³³ In 1990, the Renovated Mediterranean Policy heralded by the European Commission had a greater budget at its disposal for the financial protocols with narrower objectives and strategies: 1. Support the Structural Adjustment Programmes elaborated by the IMF and the World Bank, with the particular aim of softening their social counter-effects, 2. Promote the creation and development of small and medium enterprises, 3. Encourage the protection of the environment, 4. Finance actions of regional

faced with serious human rights violations.”²³⁴ Between 1992 and 1996, the fourth generation of financial protocols was negotiated, but the European Parliament rejected to approve Morocco's protocol until October 1992, in protest of Morocco's bad human rights record.²³⁵ The decision of the European Parliament was received quite negatively from both Moroccan and EU governments. Therefore, as Haddadi notes, “Morocco was one of the first southern Mediterranean countries to be affected by the new dimension of the EU co-operation strategy and its emphasis on democracy and human rights.”²³⁶ The strong reaction of both Moroccan and some EU governments to the European Parliament’s rejection of giving assent to the fourth financial protocol showed the adverse effect that strictly applying ‘*negative conditionality*’ could have on relations with third partners as well as on EU governments that have special ties with them. These reactions informed the tuning down of the tone in which human rights and democracy objectives were to be formulated subsequently.²³⁷ In fact, this experience led the EU to formulate a different type of conditionality in forthcoming policies including the ENP, since the negative conditionality did not work effectively.

Since 1995, the Moroccan-EU relations have been developed within the framework of the Barcelona Process. The Euro Mediterranean Association Agreement (EMAA) between Morocco and the EU was signed in 1996 and entered into force on 1 March 2000. The Agreement “constitutes the legal framework for relations between the EU and Morocco.”²³⁸ It provides many area of cooperation in terms of political,

scope and thereby reinforce horizontal co-operation, 5. **Emphasize the importance of human rights with a new clause enabling the European Parliament to freeze the budget of a financial protocol if serious human rights violations justify it**, 6. Help societal actors such as universities, the media and municipalities contribute efficiently to the development and modernisation of SMEs by setting up "Med" programmes of decentralised co-operation. Retrieved from: <http://www.medea.be/index.html?page=2&lang=en&doc=767> (accessed on 17 July 2009)

²³⁴ Baracani, note 205, p.13.

²³⁵ <http://www.medea.be/index.html?page=2&lang=en&doc=369> (accessed on 17 July 2009)

²³⁶ Haddadi, note 231, p.161.

²³⁷ *Ibid.*

²³⁸ European Commission, *European Neighbourhood and Partnership Instrument. Morocco Country Strategy Paper 2007-2013*, 7 March 2007, p.3.

economic, social, scientific and cultural matters in addition to the gradual creation of a free trade area between partners.²³⁹ According to Raffaella A. Del. Sarto, given that Morocco sought closer political and economic ties with the EU, it used the Euro-Mediterranean Partnership for launching Morocco's development strategy, which was formulated well before the EMP was launched. However, Moroccan commitment to the EMP is limited to the area where king's traditional control over all aspects of the country's political life has not been challenged.²⁴⁰

4.2.4 Morocco in the Context of the European Neighbourhood Policy

Since 2004, the EU has been implementing the ENP, which brings a new structure to the relations between the EU and its neighbours. Accordingly, relations are structured within the framework of Country Reports and Action Plans. The Commission presented the European Neighbourhood Policy Country Report Morocco [COM(2004)373 final] in May 2004. Additionally, the EU-Morocco Action Plan was agreed in December 2004 and entered into force in July 2005 for a period of five years. Indeed, Morocco was among the first countries in the Mediterranean to sign the Neighbourhood Action Plan. The endower of Morocco was also welcomed in the Country Report that "the country has given the new European Neighbourhood Policy a very warm reception and has been very cooperative regarding its implementation. Morocco particularly welcomes the prospect of a bilateral, differentiated approach that takes account of the degree of political will and actual capacity exhibited by each partner, with a view to developing relations in a way which accurately reflects each country's specific situation."²⁴¹ Similarly, the political liberalization that has taken place in Morocco since the early 1990s has been

http://ec.europa.eu/world/enp/pdf/country/enpi_csp_morocco_en.pdf (accessed on 18 July 2009)

²³⁹ *Ibid.*

²⁴⁰ Del. Sarto, note 213, pp.218-219.

²⁴¹ European Commission, Commission Staff Working Paper, *Country Report on Morocco*, (SEC(2004)569), Brussels, 12.05.2004, p.5.

considered by some as a significant step and ‘*declared will*’ of the North African country to democratize.²⁴² In the following part, this process and related issues to the ENP within the context of Morocco will be analyzed.

In fact, not surprisingly, from the beginning values such as democracy, rule of law and respect for human rights and fundamental freedoms are essential for the EU’s relations with Morocco, like any third country. This principle was reflected even in the Euro Mediterranean Association Agreement between the EU and Morocco. Article 2 states that:

Respect for the democratic principles and fundamental human rights established by the Universal Declaration of Human Rights shall inspire the domestic and external policies of the Community and of Morocco and shall constitute an essential element of this Agreement.²⁴³

Similarly, the Country Report on Morocco, as any country report of the ENP, on 12 May 2004, describes and assesses the situation under two headings, namely ‘Political Issues’ and ‘Economic and Social Situation.’ Democracy and the rule of law, human rights and fundamental freedoms, regional and global stability, and justice and home affairs are the subtitles of political issues; whereas, ‘Economic and Social Situation’ covers mainly macroeconomic and social outlook, structural reforms and progress towards a functioning and competitive market economy, trade, market and regulatory reform, and transport, energy, information society, environment and research and innovation. Although the report is very comprehensive about the political and economic structure of the Morocco, the case study, as stated before, will be focused on the issue of ‘democracy and rule law’ and ‘human rights and fundamental freedoms’ respectively.

²⁴² Said Haddadi, “The EMP and Morocco: Diverging Political Agendas?”, in Annette Jünemann (ed.), *Euro-Mediterranean relations after September: International, Regional and Domestic Dynamics*, (London: Routledge, 2003), p.73.

²⁴³ European Commission, *Euro-Mediterranean Agreement establishing an association between the European Communities and their Member States, of the one part, and the Kingdom of Morocco, of the other part*, Article 2 (Official Journal: L 70/2 , 18.03.2000). Accessible at: http://www.grain.org/brl_files/morocco-eu-med-trips-plus.pdf (accessed on 17 July 2009) This Agreement signed on 26.02.1996, and came into force since 01.03.2000.

In the part on “democracy and the rule of law” of the Country Report, the Commission reports six shortcomings: Firstly, the principle of separation of power of a modern state is not respected in practice since “the King presides over cabinet meetings, promulgates laws, and signs and ratifies international treaties.”²⁴⁴ In other words, the King has great amount of power in the functioning of legislative, executive and judiciary powers. Secondly, it is observed that the power of parliament, which is made up of the House of Representatives and the House of Counsellors, is limited. Thirdly, although Morocco’s constitution guarantees a multi-party system with reference to the Article 4, political parties are too centralized and institutionally weak. Fourthly, the Commission staff reports shortcomings of the judiciary system. Fifthly, the administrative capacity is also subject to criticism by the EU. In the report, it is stated that “[t]he Moroccan civil service exhibits the typical features of a centralised hierarchical bureaucracy: a system of pay based on seniority with no relation to skills or performance and passive management.”²⁴⁵ Finally, it is noted that corruption is a very structural problem in the Moroccan system and it is seen as one of the main reason of the country’s economic backwardness.

Although the Commission states six shortcomings in the Country Report under the heading of ‘democracy and the rule of law’, the EU-Morocco Action Plan does not elaborate on priorities clearly for all shortcomings. For instance, there is no any priority referring to the absence of real guarantee for the principle of separation of powers and the limited parliament powers. What is surprising also is that as regards the weakness of political parties, there is only one priority that the EU asks Moroccan government to take action. It is the exchange of experiences and expertise in the framework of the evolution of regulation on the political parties.²⁴⁶ The Action Plan touches only the problem of impartiality of judges and weak access to justice, poor administrative capacity, and corruption.

²⁴⁴ *Country Report on Morocco*, note 241, pp.5-6.

²⁴⁵ *Country Report on Morocco*, note 241, p.7.

²⁴⁶ Baracani, note 205, p.15.

For the same topic, the Commission reports the Progress Report on 4 December 2006, two years after the Country Report where these problems were firstly mentioned, that:

A new legislative framework on political parties was adopted in 2005, which has led to improvements, in particular the rules on the creation of political parties and the system of public funding. The draft electoral code which will govern the elections of 2007 is in the process of being adopted; it maintains the system of proportional representation and the system of the national list for women, which guarantees that a number of women are elected to Parliament (30 in the 2002 elections). Decentralisation efforts continue with the new National Planning Charter of 2005. The anti-corruption law was adopted but Morocco has not yet ratified the United Nations Convention against Corruption.²⁴⁷

In other words, the developments in the issue of democracy and rule of law the progress made by Morocco is welcomed by the EU despite the fact that there are still some problematic issues.

Based on the country report of the EU as well as the scholarly literature, it is possible to say that there is generally a consensus on the fact that there is a real progress made in terms of democratization and the establishment of the rule of law in Morocco. In fact, there are two main interpretation of Moroccan democratization depending on the case under examination. For instance, as Kristina Kausch, rightly states, the September 2007 legislative elections were welcomed by international observers and political leaders as the most transparent in Moroccan history although there are some deficiencies.²⁴⁸ She also added that “the admittance of the first ever international electoral observer mission to Morocco, and the involvement of a domestic electoral observer committee composed of NGOs, were positive developments, and as such

²⁴⁷ European Commission, Commission Staff Working Paper accompanying the: *Communication from the Commission to the Council and the European Parliament on Strengthening the European Neighbourhood Policy ENP Progress Report on Morocco*, (SEC(2006)1511/2), Brussels, 04.12.2008, p.3. Accessible at: http://ec.europa.eu/world/enp/pdf/sec06_1511-2_en.pdf (accessed on 26 July 2009)

²⁴⁸ Kristina Kausch, “Elections 2007: The Most Transparent Status Quo in Moroccan History”, *Mediterranean Politics*, Vol.13, No.1, March 2008, p.83.

echoed by international reactions.”²⁴⁹ In addition to transparency, the system of proportional representation and the system of the national list for women, a quota for women in the parliament, are also positive developments which are highlighted. What is also important here is that the Moroccan society is still conservative on the issue of women’s participation in politics. According to a survey among university students in 2007²⁵⁰, as pointed out by Laurel Rapp, 19.1% of women and 31.6% of men, which is considerably high majority among university students, claim that they would not vote for female candidate.²⁵¹ Therefore, the necessity of quotas for women is necessary to engage women in Moroccan political life when one analyze the Moroccan political and social structure.²⁵² However, whatever the transparency of elections, the electoral turnout and the representation of women in the parliament; there are still significant problems in the political party system of Morocco. Additionally, it should be noted that only getting women to the electoral lists will not necessarily means greater representation for women in politics. Baracani states that the Commission staff, contrary to international monitors’ reports, does not report the fact that elections are a mechanism to co-opt the elite, rather than a sincere means of political representation. Furthermore, the Commission staff reports the weakness of political parties, but it does not mention that patronage politics prevail over political representation.²⁵³ In addition to the issues concerning political representation, there is also a fact that for the first time an Islamist party, the Justice and Development Party (Parti de la Justice et du Développement), emerged from the September 2007 elections as the main opposition force in Morocco. Although this development was not welcomed by the Monarch, pro-democratic observers argue that the integration of Islamist into legal political mechanism may have positive impact on Moroccan democracy. Therefore, it can be implied that the democratization of electoral process

²⁴⁹ *Ibid.*

²⁵⁰ Spring 2007 Survey of Rabat-area University students conducted by Laurel Rapp.

²⁵¹ Laurel Rapp, “The Challenges and Opportunities Moroccan Islamist Movements Pose to Women’s Political Participation”, *Political Islam and Democracy*, 14 May 2008, p.2.

²⁵² Rapp, note 251, p.10.

²⁵³ Baracani, note 205, p.15.

will democratize the system by preventing Islamists from becoming more marginalized.²⁵⁴ At this point, the EU had to recognize the popular support of the PJD and other Islamist groups because the integration of Islamists who represent a non-negotiable part of public opinion and enjoy popular support would allow the ENP to have a better impact on the ground by reducing anti-European sentiment. Only through this way, Islamist parties, which have popular support unlike other parties, in Morocco can experience an ideological transformation from a radical political doctrine to more pragmatic and progressive strategy to engage with the EU.²⁵⁵

Apart from the electoral and political party systems, it is also commonly stated that the Commission staff working papers on the issue of justice, in that the Commission does not speak about the necessity of judiciary independence and legal accountability but it prefers to write about the necessity to ensure impartiality and to improve access to justice.²⁵⁶ However, the lack of independence of the judiciary as a guarantor and safeguard of all codified fundamental liberties was a priority compare to any other legal amendments because only through this way specific laws reforming the Morocco can take meaningful effect. This fact is underlined also by Kristine Kausch that of all reforms, the establishment of a strong and independent judiciary must be at the forefront.²⁵⁷

In addition, in the political system of Morocco, respect for the principle of the separation of powers is still absent, which constitutes the main problem according to many writers. According to the Constitution, the king appoints and can dismiss the prime minister and other members of the government, making cabinet members responsible to him first and only secondarily to the parliament, which is weak and

²⁵⁴ Kausch, note 223, p.2.

²⁵⁵ Samir Amghar, "Political Islam in Morocco", CEPS Working Document No. 269, June 2007, p.1.

²⁵⁶ Baracani, note 205, p.15.

²⁵⁷ Kristina Kausch, "Morocco: Negotiating Change with the Makhzen", Project on Freedom of Association in the Middle East and North Africa, FRIDE, Working Paper 54, February 2008, p.7.

has no legislative power without the King's approval.²⁵⁸ Furthermore, the king can dissolve the parliament and use legislative power before the new parliament is constituted after a new election, declare a state of emergency without explanation, and revise the constitution by directly submitting proposed amendments to national referendum. The role of the government which is appointed by the King following legislative elections, as Kristine Kausch underlines, degenerates into little more than the state's operation manager, with independent decision-making power only in politically harmless areas because of the King's excessive power on executive.²⁵⁹ The king appoints all high-level officials such as governors, judges, directors of public enterprises, and half of the members of the High Constitutional Council. Apart from its rights, it is also a crime to criticize the king's policies and decision, and members of parliament can lose their immunity for expressing opinions that may be considered disrespectful to the king.²⁶⁰ Therefore, in spite of certain political liberalization and democratization, the authority rests with the king, who is the head of state, head of the military and as well as religious leader.²⁶¹ In other words, Morocco's monarchy continues to be untackled under the ENP since it is considered as a hard issue in the political structure.²⁶² In other words, the ENP continues to remain silent on the type of the political regime in Morocco, which is in fact the real problem that lies at the heart of the problem of democratization. To summarize, as ironically stated by Kausch, "While in a constitutional monarchy the constitution is meant to control and limit the powers of the King, Morocco's is a 'monarchical constitution' –a constitution serving the King's purposes and backing his overarching executive power."²⁶³

²⁵⁸ Kausch, note 223, p.3.

²⁵⁹ Kausch, note 223, p.3; and Fernández Amirah, note 219, p.2.

²⁶⁰ Baracani, note 205, p.15.

²⁶¹ For the full English text of Constitution of Morocco:
http://www.servat.unibe.ch/icl/mo00000_.html (accessed on 17 July 2009)

²⁶² Kausch, note 257, p.7.

²⁶³ Kausch, note 223, p.3.

Finally, in the section of ‘democracy and rule of law’, concerning corruption, the Commission staff does not report that corruption involves powerful entrenched interests such as the armed forces, big business, and the monarchy. Instead, she argues, it prefers to talk about the government initiatives to fight corruption, which themselves are still waiting to be implemented.²⁶⁴

As a concluding remark for the part of Country Report, named as ‘democracy and rule of law’ in the issue of democracy promotion, the EU is the most powerful and active actor in international politics. The ENP relies on the promotion of democracy and rule of law to the neighbouring countries as a normative power instrument. In this respect, when the progress in Morocco is analyzed, the democratization and political liberalization can be observed in certain aspects although there are important shortcomings in the process. These failures to meet the expectations are mainly due to two reasons. The first one is the political structure of Morocco. Although the Morocco has declared its will to cooperate with the EU, the existing power structure of the King and elites around the palace become an obstacle for the acceleration of reform process. Secondly, the EU is also criticized for being too soft and slow. Haddadi affirms that the European Union’s approach to democracy promotion in Morocco is still too cautious, too worried about upsetting the Moroccan government and is marked by a persistent change within continuity.²⁶⁵ Indeed, the EU’s position and approach can be understood when one looks to the 1992 experience, as mentioned early in this chapter, where the ‘negative conditionality’ adverse the progress.

Secondly, the Country Report of 12 May 2004, touches upon “human rights and fundamental freedoms” as a second subtitle under the ‘Political Issues’ after the ‘democracy and rule of law section’. In this part, the Commission staff reports several shortcomings. The first problem, according to the EU, is the uneven and partial implementation of the human rights legislation in spite of the fact that Morocco has started to build up a body of human-rights law. Secondly, lack of

²⁶⁴ Baracani, note 205, p.11.

²⁶⁵ Haddadi, note 242, p.87.

ratification of certain international human rights protection instruments, namely two Optional Protocols to the International Covenant on Civil and Political Rights and the Optional Protocol to the Convention against Torture, is another problem. Thirdly, although the freedom of press has been developing in the last decade, the current legislation system possesses major restrictions on press freedom. Then, the report continues with the problem that Moroccan criminal law still does not contain a definition of torture in conformity with that required by the UN Convention to which Morocco is party. Fifthly, the status of women and children has been noted by the Commission staff as another shortcoming under the title of human rights and fundamental freedoms. Women rights are very limited especially in practice and also non-compliance with child labor laws is also reported to be common. Another shortcoming is described as limitation to the rights of association²⁶⁶ and labor rights. Finally, the EU officials report the status and rights of the Berber speaking population (Amazigh)²⁶⁷ as a problem.²⁶⁸

Concerning the shortcomings about human rights and fundamental freedoms, the Action Plan sets certain priorities in order to overcome these problems in the short term. The Action Plan touches upon all the shortcomings and binds Morocco to fulfil certain actions in order to comply with the international standards and conventions. Since they are very clearly stated in the EU-Morocco Action Plan, it would be more suitable to look at the official text:

***Ensure the protection of human rights and fundamental freedoms according to international standards**

– Start discussions within the sub-committee on human rights, democratization and governance.

²⁶⁶ For a detailed analysis of the freedom of association in Morocco in terms of its historical evolution and current situation, please see: Kausch, note 257, pp.1-40.

²⁶⁷ For more details about the Berber Identity and the issue of the politics of Berber people see: Michael J. Willis, "The Politics of Berber (Amazigh) Identity Algeria and Morocco Compared"; in Yahia H.Zoubir and Haizam Amirah-Fernandez, *North Africa Politics, Region, and the Limits of Transformation*, (London:Routledge, 2007), pp.227-242.

²⁶⁸ *Country Report on Morocco*, note 241, pp.7-10.

– Examine the possibility of reviewing the opt-outs with regard to international human rights conventions.

– Pursue legislative reforms with a view to implementation of international human rights legislation, including the basic UN conventions and their optional protocols.

– Examine the possibility of accession to the optional protocols to the international human rights conventions to which Morocco is party.

– Finalize the national human rights action plan and support its implementation.

– Strengthen dialogue on human rights at all levels, including in the Fairness and Reconciliation Commission.

– Promote cultural and linguistic rights of all peoples of the Moroccan nation.

– Continue the reform of criminal law with a view to introduction of a definition of torture in line with that of the UN Convention against Torture.

***Freedoms of association and expression**

– Ensure implementation of the law on freedom of association and of assembly in accordance with the relevant clauses of the UN International Covenant on Civil and Political Rights.

– Exchange experience and know-how in relation to development of the Press Code.

– Support the new law liberalizing the audiovisual sector and cooperation in the sector.

***Further promote and protect the rights of women and children**

– Apply the recent reforms of the Family Code.

– Combat discrimination and violence against women pursuant to the United Nations Convention on the Elimination of All Forms of Discrimination against Women.

– Consolidate children's rights pursuant to the Convention on the rights of the child.

– Promote the role of women in social and economic progress.

– Protection of pregnant women in the workplace.

***Implement fundamental social rights and core labour standards**

– Initiate dialogue on fundamental social rights and core labor standards so as to provide a situation analysis and identify potential challenges and measures, in particular in the light of the 1998 ILO Declaration.²⁶⁹

In the Commission Staff Working Paper ENP Progress Report Morocco [SEC(2006)1511/2] in 2006, the Commission evaluated the reform process between 2004-2006 on the ‘human rights and fundamental freedoms.’ It is very important to analyze this document in order to see the two years progress on the issue of human rights and fundamental freedoms. In the staff working paper, it is stated that as a response to criticism in country report, Morocco announced its determination to become a party to the first optional protocol of the International Pact on Civil and Political Rights.²⁷⁰ In addition to that, it is positively marked that a new law about torture was adopted in this process. The new law defines torture in line with international standards and brings heavier penalties for torture. Notwithstanding this positive development, Baracani argues, it is not possible to assess whether or not it

²⁶⁹ European Commission, Proposal for a Council Decision on the position to be adopted by the European Community and its Member States within the Association Council established by the Euro-Mediterranean Agreement establishing an association between the European Communities and their Member States, of the one part, and the Kingdom of Morocco, of the other part, with regard to the adoption of a Recommendation on the implementation of the EU-Morocco Action Plan, *Annex: EU/Morocco Action Plan*, (COM(2004)788) Brussels, 09.12.2004, pp.11-12. http://ec.europa.eu/world/enp/pdf/action_plans/morocco_enp_ap_final_en.pdf (accessed on 20 July 2009)

²⁷⁰ ENP Progress Report on Morocco, note 247, p.3.

was influenced by the European Union pressure.²⁷¹ As far as minorities are concerned, a Royal Institute for the Amazigh Culture (Institut Royal de la Culture Amazigh, IRCAM) was set up in 2001 to promote the Berber language and culture in all areas of political, social and cultural life in Morocco.²⁷² Mohammed VI nominated the leading intellectual of the Amazigh movement, Mohamed Chafik, as director of the Institute.²⁷³ In addition to that, the establishment of Moroccan Equity and Reconciliation Commission (IER) in January 2004 was another positive development. Although it has come under attack from some human rights organizations for its ineffectiveness and malfunctions, for some, on the other hand, the Commission represents a groundbreaking approach for the entire region by investigating some of the worst human rights abuses in Morocco.²⁷⁴ On the other hand, in the progress report, lack of progress in the issue of both freedom of press and fundamental rights and core labor standards was negatively noted.

In general, the endeavor of Morocco, to harmonize its domestic legislation and practice of the human rights and fundamental freedoms with international agreements, is welcomed by the European Commission. Thanks to the ENP process and Morocco's particular progress and ambition, a new period in EU-Morocco relations has begun since 2004. As a result, Morocco received a 'status avancé' (advanced status) by the adaptation of a 'Joint Document on the Strengthening of Bilateral Relations/Advanced Status'.²⁷⁵ However, different international monitors and also EU still stress certain problems dealing with the protection of human rights and fundamental freedoms. For instance, Baracani points out that even though the Moroccan constitution asserts acceptance of international principles regarding human

²⁷¹ Baracani, note 232, p.14.

²⁷² *ENP Progress Report on Morocco*, note 247, p.3.

²⁷³ James N. Sater, *Civil Society and Political Change in Morocco*, (London:Routledge, 2007), pp.144-146.

²⁷⁴ Oopenhaffen and Freeman, note 206, pp.2 and 13-24.

²⁷⁵ Ivan Martin, "EU – Morocco Relations: How Advanced is the 'Advanced Status'?", *Mediterranean Politics*, Vol. 14, No. 2, July 2009, p.239. See also the following website: http://www.magharebia.com/cocoon/awi/xhtml1/en_GB/features/awi/features/2008/10/19/feature-01 (accessed on 19 July 2009)

rights protection, it does not stipulate that Moroccan citizens are entitled to inalienable human rights.²⁷⁶ The human rights issue is still problematic in the country and there are no established institutions that guarantee their protection. To illustrate, in the constitution it is stated that “The King is the protector of the rights and liberties of the citizen, social groups, and collectivities.”²⁷⁷ This means that the implementation, enforcement of legislation heavily depends on the King’s will. Concerning the problem of discrimination against women, although Article 8 of the Constitution asserts that men and women enjoy equal political rights, Baracani indicate that according to the personal status code (Moudawana) – as of September 2003 – women were legal minors, they were denied sovereignty to settle a marriage contract, and their right to divorce was restricted.²⁷⁸ In 2003, Moroccan king Mohammed VI announced the social reform with the revision of the family code (moudawana) which clearly improved women’s legal position in social life. However, reform efforts were hindered by the discontent of the society, which in the end caused the Parliament reject the new code.²⁷⁹ Only after the king’s direct involvement, the new code could be ratified in February 2004.²⁸⁰ Until now, there has not been any strong attempt on the part of the EU to tackle the issue of women. Therefore, as far as women’s rights are concerned, the EU did not prove to be an agent of change. The freedom of press and expression is another point of criticism. With the accession of the new Moroccan monarch, it is hoped that the democratic reforms about freedom of expression might develop more expeditiously. However, experiences in 2003 and 2004 and even in 2005 showed that series of interdictions could be applied. The last few years have seen some of the most far-reaching and widely criticized sentences imposed on the independent journalists for critical

²⁷⁶ Baracani, note 205, p.12.

²⁷⁷ *Constitution of Morocco*, note 261, Article 19.

²⁷⁸ Pennell, note 210, pp. 348-351; and Baracani, note 205, p.12.

²⁷⁹ Martina Warning, “Neighborhood and Enlargement Policy: Comparing the Democratization Impact of the European Union in Morocco and Turkey”, CIREs-Italian Research Centre for European Studies, Working Paper Series, WP4/2006, p.15.

²⁸⁰ Josep Lluís Mateo Dieste, “Demonstrating Islam: the Conflict of Text and the Mudawwana Reform in Morocco”, *The Muslim World*, January 2009, Vol.99, p.134.

reporting.²⁸¹ Last but not the least; another criticism is also raised concerning the discrimination against the Berbers. The Arabization policies after the independence in 1956, the Berber community is under serious pressure and their social and cultural rights are not recognized. This situation also somehow continues even in the process of the ENP.

To conclude, although democratization process cannot be explained with a single factor since it is an all encompassing process influenced by both domestic and international actors, it can be argued that the ENP process has contributed to changes concerning human rights and fundamental freedoms. According to Kausch's recent article published in July 2009, Morocco is a shining example of reform among Arab countries and the EU is the key actor for Morocco on its way towards economic, social and political reform through substantial financial²⁸² and political support.²⁸³ Yet, there is still a long road to go. The process is evolving slowly and the EU is very careful when they are contacting with Moroccan officials in order not to be seen as interfering with the domestic affairs of the country. The Commission aims to make Moroccans realize that any improvement in these issues is eventually for their own good. Also, the EU believes that democratic change and economic modernization must be driven into because they cannot be imposed upon without any acceptable base in the home countries.²⁸⁴ Therefore, the EU is using mainly positive conditionality instead of negative conditionality as observed from Moroccan case study. As Richard Gillespie states, the full emphasis in the ENP is placed on 'positive' forms of conditionality, rewarding achievements rather than punishing

²⁸¹ For more detailed discussion on the liberalization of expression in Morocco, please see: Andrew R. Smith and Fadoua Loudiy, "Testing the Red Lines: On the Liberalization of Speech in Morocco", *Human Rights Quarterly*, Vol. 27, 2005, pp.1069-1119. It is detailly analysed how the terrorist bombings of May 2003 in Casablanca became a moment for beginning of suppression on press. Casablanca bombings is important turning point in reform process because it is used to legitimize special dispositions restricting civil and political liberties.

²⁸² Morocco is the country which receives the largest amount of the EU aid in the European Neighbourhood with a total volume of €654 million for the period of 2007-10.

²⁸³ Kausch, note 228, p.165.

²⁸⁴ İdris Bal, "Greater Middle East and North Africa Project and EU Policy"; in Bezen Balamir-Çoşkun and Birgül Demirtaş-Coşkun (eds.), *Neighborhood Challenge The European Union and Its Neighbors*, (Universal Publishers: Boca Raton, Florida, 2009), pp.95-117.

infractions or shortcomings.²⁸⁵ However, this position of the EU, which could encourage reform willing states to further pursue their political reform agenda by their own determination but leave reluctant states as they are, is criticized for making the development process slower. Again, Baracani states, the Commission report has been much more moderate and soft in comparison with the international monitors by using soft wordings such as ‘*examine the possibility*’ or ‘*take into consideration the possibility*’.²⁸⁶ Therefore, it can be argued that such a policy is finally limited to achieving a partial political reform, rather than a complete transition to an established democracy. Especially, the role of the King in democratization becomes a real obstacle since the only way the process of democratic reform can be brought forward is with and by the King²⁸⁷, not against him.²⁸⁸ As a final point, the political reform in Morocco seems to be moving at different speeds, at relatively high pace for political liberalization and a lower one with regard to democratization as Baracani concluded that the EU approach is very cautious and it is not possible to assess whether it will be credible.²⁸⁹ Therefore, it can be argued that although there is a reform process, much-praised Moroccan reform process and the perception of Moroccan model for democratization to the Arab world are in many ways superficial. At present, there is little evidence to suggest that Muhammad VI will govern much differently than his father, but certainly the challenges, both from domestic and abroad including the European Union, he faces may force a rethinking of the palace’s traditional approach to ruling.²⁹⁰

²⁸⁵ Richard Gillespie, “Spain and Morocco: Towards a Reform Agenda?”, FRIDE, Working Paper 6, April 2005, p.6.

²⁸⁶ Baracani, note 205, p.15.

²⁸⁷ The ‘king’, in fact, refers not only the king himself but also the whole Makhzen, a skilled and well-established power apparatus whose outreach covers the whole societal spectrum.

²⁸⁸ Kausch, note 223, p.9.

²⁸⁹ Baracani, note 205, p.17.

²⁹⁰ Campbell, note 209, p.39.

4.3 DEMOCRATIZATION IN EGYPT

The next section follows the same structure as the Morocco case. The first part will start with a brief summary of history of political liberalization in Egypt. The part, then, focuses on the existing political structure and administration mechanism in order to understand the basic characteristic of Egyptian political system. Finally, the analysis will shift to the issue of Egypt-EU relations from a historical perspective and the democratization process in Egypt within the framework of the ENP.

4.3.1 Egyptian Political Liberalization: An Historical Outlook

The history of independent Egypt started in February 1922, when the Great Britain issued a unilateral declaration of Egypt's independence after constant nationalist movements. The Kingdom of Egypt lasted from 1922 to its dissolution in 1953. The Egyptian political thought during the first half of the twentieth century can be summarized as the debate between two basic groups: the western-educated intellectuals who advocated Egypt's Mediterranean (European) character, and the traditional elite which defended Egypt's Arab and Islamic identity.²⁹¹ Therefore, it is quite possible to argue that the pro-Europeanization group and their critical group have always been existed in Egyptian politics.

Following the 1952 revolution that ended King Farouk's reign and the era of British domination, the Free Officers came to power, of which Gamal Abdel Nasser took the leadership soon. When Nasser took the power finally in 1954, he put an end to the European-eastern debate and opted for the eastern orientation. He introduced a domestic policy value system based on the notions of socialism, nationalism and one-party rule, which was not consistent with the liberal European value system.²⁹²

²⁹¹ Mohammad El-Sayed Selim, "Egypt and the Euro-Mediterranean partnership: Strategic choice or adoptive mechanism?", *Mediterranean Politics*, 2:1, 1 June 1997, pp.65-67.

²⁹² Del. Sarto, note 213, p.133; and El-Sayed Selim, note 291, pp. 67-68; and Afaf Lutfi Al-Sayyid Marsot, "Chapter 6: The Nasser years 1952-70" in *A History of Egypt From the Arab Conquest to the Present*, 2nd ed., (Cambridge University Press, Cambridge UK, 2007), pp.127-155.

In 1970, Nasser died and was succeeded by Anwar Sadat, who switched Egypt's Cold War allegiance from the Soviet Union to the United States, from Nasser's socialism and single party dominance to privatization and a limited multi-party system. The new approach characterized by pro-westernism created an environment conducive to Euro-Egyptian rapprochement. However, as Mohammad El-Sayed Selim states, the pro-western orientation did not produce an immediate Mediterranean policy since Europe was perceived as secondary option compared to the USA.²⁹³ Sadat period has experienced certain developments in political system. In May 1971, Sadat propagated his concept of 'corrective revolution', which means to redefine Nasserist Egypt, announced the sovereignty of law, and promised political liberalization. A major change was the reintroduction of the multi-party system, which led to the 1978 parliamentary elections.²⁹⁴ In 1976, Sadat called for the Arab Socialist Union to be split in three parts. The left wing was to be called the National Progressive Unionist Organisation, the central wing would be the Egypt Arab Socialist Organisation (now the National Democratic Party, NDP), and the right wing would be known as the Liberal Socialist Organisation. However, although the system was seen as a multi-party system at first glance, as Pieter Koekenbier states, it is far from a democratic system and allowed presidents, even in the period of Hosni Mubarak, to claim that Egypt enjoys political pluralism while ensuring continued supremacy of the NDP.²⁹⁵

Following his assassination in 1981, as vice president of Sadat, Mubarak ascended to the presidency without any particular power struggle.²⁹⁶ Under Hosni Mubarak regime, Egypt's identity once more witnessed a reassessment however this time it was gradual due to Mubarak's political style. He released political prisoners and co-opted both Nasserists and supporters of Sadat. However, he repressed radical

²⁹³ El-Sayed Selim, note 291, p. 68; and Al-Sayyid Marsot, "Chapter 7: From Sadat to Mubarak 1970 to the present day", note 290, p.156.

²⁹⁴ Del. Sarto, note 213, pp.134-135.

²⁹⁵ Pieter Koekenbier, "Egypt", European Forum for Democracy and Solidarity, 3 July 2007, p.7.

²⁹⁶ Maye Kassem, *Egyptian Politics The Dynamics of Authoritarian Rule*, (Lynne Rienner Publishers: London, 2004), p.26.

Islamists without mercy while passing over human rights and fundamental freedoms. Similarly Denis J. Sullivan and Sana Abed-Kotob argues that the government of Mubarak has maintained a campaign of repression against its own subjects and has justified as necessary in the fight against so-called 'Islamic terrorism'.²⁹⁷ In short, Mubarak's Egypt would be described as 'controlled pluralism'.²⁹⁸

To conclude, political struggle, social upheaval and national uncertainty characterize the history of Egypt in the twentieth century. In less than 50 years, Egypt moved from a monarchical system to an independent republic ruled by military. Similarly, this political transition was followed by major economic, social, and cultural changes with exception of democratic transition.

4.3.2 Egyptian Political System

Egypt is a presidential republic and the executive power lies with the president, who is also head of the state.²⁹⁹ The president is elected by direct, public and secret ballot for a six-year term since 2005. In 2005, with a constitutional amendment Mubarak theoretically paved the way for increased participation by allowing the first multi-party presidential elections.³⁰⁰ The president, then, appoints the prime minister, council of ministers and the governors. Since 1981, Hosni Mubarak, leader of the National Democratic Party, has been the President.

As for the legislative branch, there is a bicameral system which is in turn composed of the People's Assembly and the Advisory Council. The People's Assembly is made up of 454 members, 444 are elected and 10 are appointed by the president. The

²⁹⁷ Denis Joseph Sullivan and Sana Abed-Kotob, *Islam in Contemporary Egypt: Civil Society vs. The State*, (Lynne Rienne Publishers, 1999, Colorado USA), p.11.

²⁹⁸ Del. Sarto, note 213, pp.136-142.

²⁹⁹ Articles 73-85 and 137-152 of the Egypt Constitution, For the full text of the Egypt's Constitution in English please see: http://www.shoura.gov.eg/shoura_en/const_pdf/eng_const.pdf (accessed on 24 July 2009)

³⁰⁰ Deenis Joseph Sullivan and Kimberly Jones, *Egypt, Global Security Watch A Reference Handbook*, (Prager Security International: London, 2008), p.11.

advisory council, functioning only in a consultative role, is made up of 264 seats; 176 of which are elected by popular vote for six-year terms and 88 are appointed by the president, and 88 who are appointed by the president.³⁰¹ Legislative power has a limited power with compare to that of president in practice. The president has right to assembly or dissolves the Parliament in any time and has right to veto the parliamentary decisions.

In conclusion, the legislative power has always been depended on the executive in the administration of Egypt. In other words, the balance of power between executive and legislative branches, which has always favored the former, tilted further in that direction in recent two decades.³⁰²

4.3.3 Relations between the European Union and Egypt

Although political, economic and social relations between the EU and Egypt could not be developed as ought to be, the EU and Egypt first established diplomatic relations in 1966. After the diplomatic relations were established the first Cooperation Agreement was came into being in 1976 since it had been also included into the framework of EEC Global Mediterranean Policy (GMP) which was launched in 1972.³⁰³

In 1991, the GMP was replaced by the Renovated Mediterranean Policy and, Egypt, again, was under the scope of this policy. However, only after 1995, the EU developed ambitious and long-term policy objectives concerning the southern Mediterranean countries, when the Euro-Mediterranean Partnership took start at the Barcelona Conference. The Association Agreement which was signed in 2001 with Egypt sets out in more details the specific areas related with the three main fields of

³⁰¹ Articles from 86 to 136 of the Egypt's Constitution. See also Sullivan and Jones, *Egypt*, note 300, pp.12-13.

³⁰² Kassem, note 296, p.11.

³⁰³ Christopher Piening, *Global Europe The European Union in World Affairs*, (Boulder Lynne Rienner, London, 1997), p.72.

activity, namely political, economic and social partnership. In fact, one has to consider the fact that the negotiations of the EU-Egyptian Association Agreement was completed only after five years of intensive and coercive dealings between the partners, in order to understand the nature of the relations. In addition to this, the Association Agreement, which is the legal basis for Egypt's relations with the EU, could enter into force in June 2004, three years after signing. To sum up, Egypt's attitude toward the EMP did not full correspond to the image of an active participant.³⁰⁴

The Association Agreement provides a framework for political dialogue, liberalization of trade in goods, services and capital including the completion of a Free Trade Area, and close economic, social and cultural relations between the parties.³⁰⁵ Until 2004, the EU-Egypt bilateral relations were carried according to the Barcelona process and through the implementation of the MEDA (Europe and Mediterranean Countries Co-operation) programme. With the launch of the ENP, Egypt has engaged with the EU in negotiating an Action Plan and declared that it regards the ENP as an ambitious initiative which would benefit all Southern Mediterranean countries.³⁰⁶

4.3.4 Egypt in the Context of the European Neighbourhood Policy

As stated, since 2004, the EU has been implementing the ENP, which brings a new structure for relations between the EU and its neighbours. Thus, the relations operate, like in the case of Morocco, within the framework of Country Reports and Action Plan. The Commission presented the European Neighbourhood Policy Country Report Egypt [COM(2005) 72 final] in March 2005, relatively late compared to other

³⁰⁴ Del. Sarto, note 213, p.160.

³⁰⁵ European Commission, Commission Staff Working Paper Annex to: "European Neighbourhood Policy", *Country Report on Egypt*, (SEC(2005)287/3), Brussels, 02.03.2005, pp.3-4. http://ec.europa.eu/world/enp/pdf/country/egypt_country_report_2005_en.pdf (accessed on 26 July 2009)

³⁰⁶ *Country Report on Egypt*, note 305, p.4.

southern neighbours. Additionally, the EU-Egypt Action Plan entered into force in March 2007. Indeed the finalization of Action Plan was also problematic. As Thomas Demmelhuber claims, the finalization turned out to be tricky and overloaded with diplomatic maneuvers, particularly on the Egyptian side.³⁰⁷ After the joint adaption of the Action Plan, the speed and intensity of the reform process shall depend on the will and capability of Egypt in order to qualify more EU support, mutual cooperation and integration. In the following part, the focus turns to this process in order to analyze the impact of the ENP on the democratization in Egypt.

The Country Report, on 2 March 2005, assesses precisely the political and economic situation as well as institutional aspects in order to benchmark a prospective deepening of EU-Egyptian relations. Related to the subject of this case study, two subtitles, namely ‘democracy and the rule of law’ and ‘human rights and fundamental freedoms’ under the heading of ‘Political Issues’, describes the Egyptian political and legislative structure in details.

In the part on “democracy and the rule of law”, the Commission reports six shortcomings in the Country Report. First, the excessive power of the president on the executive and legislative branches is noted. Secondly, the fact that Islam is the state religion and its status for being the main source of law is reported as a deficiency in terms of the modern state structure. Thirdly, despite the existence of a multi-party system, the weakness of opposition parties, both politically and financially, compared to the ruling National Democratic Party (NDP) is also subject of criticisms by the EU. The Commission states the problems of judicial system and especially the issue of a state of emergency since 1981 as another shortcoming on the way of democratization. Another criticism is directed to the inefficient and

³⁰⁷ Thomas Demmelhuber, “The European Neighbourhood Policy (ENP) and its Implementation in the Southern Mediterranean The Case of Egypt”, Discussion Paper C170, 2007, Center for European Integration Studies, p. 12; and Sarah Wolf, “Constraints on the promotion of the rule of law in Egypt: insight from the 2005 judges’ revolt”, *Democratization*, Volume:16, Issue:1, 01 February 2009, pp.107-108.

unsatisfactory public administration. Finally, it is noted that corruption is a very structural problem of the Egyptian system.³⁰⁸

Under the heading of “democracy and the rule of law” of the EU-Egypt Action Plan, although the Commission states six shortcomings in the Country Report, it does not develop concrete priorities to be dealt with by the Egyptian government. Certainly, the Commission mentions certain priorities like ‘strengthening participation in political life’, fostering the role of civil society’, ‘enhancing the ongoing political dialog’, and ‘strengthening the independence of judiciary.’³⁰⁹ However, the wording of the Action Plan is ambivalent about the reform process.

Just recently on 23 April 2009, the Commission presented Progress Report of Egypt on the implementation of the European Neighbourhood Policy for the year 2008. It starts with the following statement that:

Overall progress on the implementation of the Action Plan in 2008 can be summarised as limited but encouraging, with a stronger commitment to social, economic and sector reforms, though with a lesser commitment to political reform.³¹⁰

Although again the statement is quite diplomatic in assessing the EU’s discontent, one can easily observe the critical position of the EU about the political reform process in Egypt. However, it is also implied that the EU is quite satisfied the Egyptian commitment for the reform process in general. The Commission continues the progress report by stating the ongoing problems related the issues of democracy

³⁰⁸ *Country Report on Egypt*, note 305, pp.5-7.

³⁰⁹ European Commission, Proposal for a Council Decision on the position to be adopted by the European Community and its Member States within the Association Council established by the Euro-Mediterranean Agreement establishing an association between the European Communities and their Member States, of the one part, and the Arab Republic of Egypt, of the other part, with regard to the adoption of a Recommendation on the implementation of the EU-Egypt Action Plan, *Annex: EU/Egypt Action Plan*, (COM(2006)282) Brussels, 07.06.2006, p.11.
http://ec.europa.eu/world/enp/pdf/action_plans/egypt_enp_ap_final_en.pdf (accessed on 26 July 2009)

³¹⁰ European Commission, Commission Staff Working Paper accompanying the: *Communication from the Commission to the Council and the European Parliament on ‘Implementation of the European Neighbourhood Policy in 2008’ Progress Report on Egypt*, (SEC(2009)523/2), Brussels, 23.04.2009, p.2.

and the rule of law. Concerning the state of emergency and the independence of judiciary under this situation, there is no progress. On the contrary, it is stated that, in May 2008, the Egyptian Parliament extended the state of emergency until 2010. Therefore, the independence of the judiciary is still problematic since security courts and military courts continue to exercise jurisdiction on broad range of issues. Apart for the 'state of emergency', even in normal conditions, the executive in Egypt, the minister of justice in this context, has right to exercise considerable authority over the judiciary through the appointment of judges and control over judiciary budget.³¹¹ Additionally, the election system in general and the last election in April 2008 were criticized. In general, the part on 'democracy and rule of law' has a negative assessment of the progress in this country, different than the Moroccan case.

Secondly, the Country Report of 3 March 2005 assesses the situation in Egypt in terms of 'human rights and fundamental freedoms' as a second subtitle under the 'Political Issues', where several shortcomings are reported in order to comply with European standards. According to the report, a major obstacle to the fulfilment of human rights and fundamental freedoms is the implementation of the Emergency law since 1981. Although there are constitutional references for the protection of human rights, they cannot be implemented due to state of emergency. The second problem stated in the report is the lack of 'a specific comprehensive human rights strategy.' Thirdly, the freedom of opinion, expression and media is another area of criticism since there are restrictions especially under the state of emergency. Additionally, the ownership of all ground-broadcast television stations of the government and extensive governmental control over printing and distribution of newspapers are reported as another obstacle for the freedom of press. Another shortcoming is described as restrictions on the right of association to form and join trade unions for certain categories of workers. Then, the report cites torture as a widespread and the serious guest violation of human rights in Egypt. Fifthly, the status of women and

³¹¹ Stephan Jones and Michael Emerson, "European Neighbourhood Policy in the Mashreq Countries, Enhancing Prospects for Reform", CEPS Working Document, No.229, 01 September 2005, Centre for European Policy Studies, pp.14-15.

children has been remarked by the Commission staff as another shortcoming under the title of human rights and fundamental freedoms.³¹²

Concerning the shortcomings about human rights and fundamental freedoms, the Action Plan sets certain priorities in order to overcome these problems. However, unlike the EU-Morocco Action Plan, this Action Plan does not determine time periods for the achievement of priorities.³¹³ Despite the lack of time pressure, the Action Plan touches upon almost all the shortcomings and binds Egypt to fulfil certain actions in order to comply with the international standards and conventions.

The priorities are listed for the issues of:

- Supporting Egyptian government efforts to protect human rights and fundamental freedoms,
- Harmonization of domestic legislation to international conventions,
- Promoting the enhancement of women's participation in political, economic and social life,
- Promoting gender equality and reinforcing the fight against discrimination and gender-based violence,
- Consolidating the rights of the child,
- Establishing a well legislative structure for freedom of association and of expression and pluralism of the media,

³¹² *Country Report on Egypt*, note 305, pp.7-10.

³¹³ The ENP Action Plans have an overall lifespan of between 3 and 5 years, depending what was agreed with each individual partner country. Within the Action Plan, the reforms are prioritised as immediate or medium-term priorities. In some cases, more precise deadlines are also indicated. Implementation is promoted and monitored by various means, including the relevant sub-Committees of the existing Agreements according to these determined time periods. However, in the case of the EU-Egypt Action Plan, there is no time period for priorities, which in the end, implies that the effectiveness of the Action Plan is suspected from the beginning since parties could not agree on a time schedule for reforms.

- Developing fundamental social rights and core labor standards.³¹⁴

For the part on ‘human rights and fundamental freedoms’, the Commissions evaluated the situation described in April 2009 in the Commission Staff Working Paper ENP Progress Report Egypt [SEC(2009)523/2]. It is very important to analyze this document in order to see the nearly three years of progress on the on the issue of human rights and fundamental freedoms. In the staff working paper, it is stated that the fact that the reform process has begun itself is important although there is much that lies ahead.

In summary, on the issue of the status of women and children’s rights, a good progress is noted, particularly the introduction of measures against female genital mutilation, the adoption of a new Child Law and achievements in promoting the role of women in social and economic life stand out as encouraging developments. There is also a special development in recent year on the protection of human rights with the creation of the ‘National Council for Human Rights’ under the chairmanship of the former UN Secretary-General, Boutros Boutros Ghali, in January 2004.³¹⁵ This Council is established to receive reclamation about human rights abuses and monitor the implementation, which in the end raised expectations both internally and internationally. However, the members of the Council are not independent, and not chosen by freely will. Rather they are chosen by the government. Thus, there is a problem of accountability. Additionally, the effectiveness of the Council’s decisions is also dubious which is also accepted by the president of the Council in his statement that “the council's consultative mission does not mean that its decisions and recommendations obligate the government”.³¹⁶ Despite its shortcomings, the EU welcomes the establishment of this institution for improving the human rights situation in Egypt. On the other hand, limited progress was reported on implementing

³¹⁴ *EU-Egypt Action Plan*, note 309, pp.11-13.

³¹⁵ European Commission, *Egypt Country Strategy Paper 2007-2013 and National Indicative Programme for 2007-2010*, p.8.
http://ec.europa.eu/world/enp/pdf/country/enpi_csp_egypt_en.pdf (accessed on 26 July 2009)

³¹⁶ Statement by Boutros Boutros Ghali , President of the National Council for Human Rights, 2004, accessible at <http://www.anhri.net/en/discussion/2004/nchr.shtml> (accessed on 26 July 2009)

measures to promote the right of assembly and association, to assert freedom of expression and independence of press and guarantee for the independence of the judiciary.³¹⁷

After analysing the progress that has been made or could not be made so far, it will be suitable to investigate the impact of the ENP in the context of EU as a normative power from different perspectives, which will draw a broader picture to understand the issue more comprehensively. There are certain points on which there is a consensus regarding the obstacles and challenges on the way of Egypt towards democratization. These obstacles created a slow and selective reform process in the country. The first reason is the existing perception gap between two parties on the definitions of democracy, rule of law and human rights and also of the ideal reform process. Secondly, there is a caution and reluctance on the Egyptian side towards the ENP due to certain reasons described below. Thirdly, the existing political structure creates a system of 'party of power', ruling the nation for long years, which prevents the development of a multi party system that would lead to a democratic society. Fourthly, there is a critical debate on the EU stance and its incentives when it faces with the dilemma of 'stability' and 'change'. Lastly, according to some writers, Egypt had learned to live with EMP, benefiting from the funds without a real wind of change in the country. In other words, the shift, however, to the ENP has broken the old type of negotiation structure which is unusual to Egypt.

When one looks at the first reason, the act of promoting democracy is indeed an interactive process. During conversations between the EU and the partner country, it is quite apparent that the perception gap becomes a big obstacle for moving forward in the process. At least rhetorically, there is an agreement between the two parties on the significance of the rule of law, democracy and respect for human rights and fundamental freedoms. However, in the case of Egypt, both the EU and the Egyptian government seem to follow a different agenda of objectives, priorities and instruments for democratization. Therefore, the first point that is common in literature is that EU-Egyptian relations are deeply shaped by a differing

³¹⁷ For a detailed analysis of the progress so far see: *ENP Progress Report on Egypt*, note 310, pp.5-8.

understanding of democratic reform.³¹⁸ This perception gap was explicitly underlined by Ahmed Abul-Gheit, the Egyptian Minister of Foreign Affairs since 2004:

Arab states succeeded in convincing the European partner of the Arab vision regarding the issue of reform and the Arab states' rejection of any external attempts to interfere in their domestic affairs. The reform process will take place in Arab states in a way that suits each country's historical, cultural and social context.³¹⁹

This perception gap is more evident especially on the political issues. Therefore, the definition of political reform becomes a contentious subject between EU and Egyptian officials.

The second reason for a slow and selective reform process in Egypt is that, compared to some neighbours like Morocco, with regard to the official stance of the Egyptian government, there is an apparent reluctance to the process of the ENP especially concerning its political pillar. This stance is mainly due to three basic reasons. The first reason is the fear on the Egyptian side that the Barcelona Process might be diluted by the new initiative, which is not yet clear according to Egyptian government. In other words, they are skeptical about the new initiative. Secondly, the Egyptian government prefers the Barcelona process because it is specifically designed for the Mediterranean countries. Yet, in this new policy, eastern European countries are also included. Thus, the perception of being second-class partners on the Egyptian side caused also caution and reluctance during negotiations. To sum up, the Egyptians have a hard time to understand why the EU shifted to a new policy only two and a half years after the ratification of the Association Agreement under the EMP.³²⁰ Thirdly, it is noted that the Egyptian political elites tends to perceive the EU primarily as a trade and economic partner therefore strengthening the economic

³¹⁸ Demmelhuber, note 307, p.4.

³¹⁹ Statement by Ahmed Abul-Gheit in al-Ahram weekly, Issue No.745, 2-8 June 2005, accessible at: <http://weekly.ahram.org.eg/2005/745/in4.htm> (accessed on 28 July 2009)

³²⁰ Demmelhuber, note 307, pp.10-11.

and financial basket within the EU-Egypt relations is a priority while the intensification of political process is rather secondary issue for them.³²¹

The third and the most widespread point of criticism about the domestic political structure of the Egypt as a third obstacle in the reform process is the fact that Egyptian political life has for a long time been monopolized by an over-dominant party. Additionally, its strength does not come from its popular support from the public but it is based on its close relations with bureaucracy and patronage system in the country. In a democratic system, political parties are the backbone of any functioning representation and agents that compete in the political arena for public office by offering programmatic alternatives to voters.³²² However, according to many writers, this is not case in Egypt.³²³ The National Democratic Party (NDP), ruling the country since 1981, developed from a ruling elite's drive to maintain control over the state by means other than programmatic competition. It is used also as an instrument of co-option, sometimes even coercion and political hegemony.³²⁴ Therefore, this party system, which is called as 'a system of parties of power' by Resende and Kraetzschmar, is based on patronage networks, and becomes a real obstacle for the emergence of a democratic multi-party system. In this system, the NDP does have an autonomous force in its own right with a clear ideological orientation. It is heavily depended on the state administration both financially and politically. It is stated that to perpetuate the NDP's regime dependence, Muhammad Hosni Mubarak, president since 1981, makes sure that the party remained both underfinanced and understaffed and that the appointments of all senior party positions remain the prerogative of the president.³²⁵

³²¹ Soha Bayoumi, "The external image of the European Union: the case of Egypt", Presented at the Fourth ECPR General Conference, 6-8 September 2007, p.4.

³²² Madalena Resende and Hendrik Kraetzschmar, "Parties of Power as Roadblocks to Democracy: The Cases of Ukraine and Egypt", CEPS Policy Briefs No.81, 1 August 2005, p.1.

³²³ For a very detailed historical analysis of the evolution of the political parties in Egypt and the features of the party system please see: Kassem, "Chapter 3: Political Parties and Participation", note 294, pp.49-86.

³²⁴ Resende and Kraetzschmar, note 322, pp.155-156.

³²⁵ Resende and Kraetzschmar, note 322, p.161.

Another point of criticism is directed to the EU itself for the reasons of relatively slow democratic transition in Egypt. According to this perception, also mentioned in the first chapter, the real intention of the EU is not democratization of neighbouring countries but establishing a kind of control mechanisms towards near abroad. Therefore, it is argued that the possibility of being sidelined by an agreement between the regime and external actors, the European Union in this case, for the sake of stability and containing change is considered as another obstacle on the way to democratic political structure in Egypt.³²⁶ Indeed, the EU faced with a dilemma between ‘supporting gradual change within stability’ and ‘supporting change with, so-called, unreliable reformers.’ According to the critical perspective, the EU chose to continue with existing actors for a gradual change in return for maintaining stability. In other words, the fear of possible loss of control and deterioration of the situation into a state of chaos and violence with an uprising of Islamist movements in the country has forced the EU to pass over the deficiencies of the reform process in the interest of the existing regime. On this point, Demmelhuber notes that the 9/11 attack on the USA has created a new environment where the utmost loyalty to democratization has lost its credibility; instead, the western democracies has searching reliable partners as the ‘guardian of stability’. It is mostly believed that Europe does not require that its authoritarian allies practice democracy. As Emad El-Din Shahin argues, the EU continues to support authoritarian regimes in the region, and supports democracy in principle where it does not threaten to bring Islamists to power.³²⁷ Therefore, not only in Egypt but also in all Arab countries, authoritarian regimes feel more confident than ever in their approach of gradual and selective

³²⁶ Emad El-Din Shahin, “Egypt’s Moment of Reform A Reality or an Illusion?”, CEPS Policy Brief, No.78, July 2005, Centre for European Policy Studies, pp. 1-5.

³²⁷ Emad El-Din Shahin, “Political Islam in Egypt”, CEPS Working Document No. 266, May 2007, p. 10; and Joost Lagendijk & Jan Marinus Wiersma, “Stalemate in Egypt: In Search of the Real Brothers”, in *Travels Among Europe’s Muslim Neighbours The Quest for Democracy*, CEPS, Brussels, March 2008, p.95; and Kassem, note 294, pp.182-186.

Indeed, Political Islam is one of the realities of the region and will not dissipate in the near future. It might even play an increasingly influential role in future years. The Islamists are major political actors in the political process of their respective countries, as demonstrated by the performance of the Muslim Brothers in the 2005 parliamentary elections and by their strong social presence in Egypt. It is widely argued, especially among the Islamist Intellectuals, that the EU is not sincere about the democratization of these countries. For a detailed research on the perception of the EU and its policies in Egyptian Islamist groups please see the article of Emad El-Din Shahin, named “Political Islam in Egypt”.

reform and their reluctance to comply with external pressure.³²⁸ Indeed, in spite of an unsatisfactory reform process, this position of the EU can be also implied from the following statement since it quite satisfied with the reform process:

Overall progress on the implementation of the Action Plan in 2008 can be summarised as limited but encouraging, with a stronger commitment to social, economic and sector reforms.³²⁹

However, it is also argued that in order to combat against extremist in the country, the EU and other external actors should involve more intensively for further democratization in order to include oppositions into the system and leave the extremist without popular support. It is commonly argued, as noted by Saad Eddin Ibrahim, one of leading Egyptian human rights activist, extremism cannot be quelled by repression and security apparatus alone, on the other hand, the way forward lies in democratic opening, respect for individual rights and freedoms and the creation of a participatory public space for opposition in politics.³³⁰

The last reason for Egypt's cautious approach toward more commitment especially on political reforms is the anomaly of the Barcelona experience. To clarify, according to Demmelhuber, the experiences in the Barcelona process showed that Egypt can continue its partnership with the EU and benefit from the funds without creating a 'wind of change' in the country. During the Barcelona process where the conditionality was not as clear as the ENP, "the Egyptian regime developed its own way by selling the domestic reform agenda of gradualism as truly in the spirit as laid down in the Declaration but nonetheless coming from within, while viewing relationships with the EU primarily in donor-recipient terms."³³¹ According to Demmelhuber, the strategy of the last decade has been collapsed since the ENP has a

³²⁸ Demmelhuber, note 307, p.18.

³²⁹ *ENP Progress Report on Egypt*, note 310, p.2.

³³⁰ Saad Eddin Ibrahim, *Egypt Islam and Democracy Critical Essays*, (The American University in Cairo Press: Cairo, 2004), p.269.

³³¹ Demmelhuber, note 307, p.17.

more specific and concrete conditionality approach and this shift has decelerate the reform process since Egyptian officials have not caught the point yet.

To conclude, Egypt is a very good example of how the adoption of a formal multi-party system should not necessarily lead to political liberalization and democratic transition. The authoritarian rule has been so resilient and assessing the mechanisms that have allowed for its survival. The reasons listed above provide us a compelling and accessible explanation of why democracy is stillborn in Egypt today, and why one should not expect the situation to change in short term. As rightly stated by Eberhard Kienle in conclusion of his book, the contemporary Egypt should not be considered as a country in transition to democracy. Certainly a number of authoritarian and totalitarian regimes have collapsed in the inescapable transition of most countries in the Third World towards liberal and democratic regimes in the 'third wave'. However, not all of them reached the stage of consolidation, yet in Egypt authoritarian regime survived without even too many difficulties.³³²

4.4 CONCLUDING REMARKS

After having analyzed democratization process in Morocco and Egypt, it is possible to make certain concluding remarks: Firstly, at discursive level it may be assessed that the formulation of the ENP fits very well to the perception of the EU as a normative power. It is mostly argued that the EU is the leading power in global politics in terms of promoting values towards its near abroad. In this regard, the ENP seems to be a well organized and structured foreign policy instrument. Especially after the 2004 enlargement, the EU realized that the carrot of enlargement is no longer always applicable. Therefore, the EU realized very shortly that the new enlargement brought a new agenda not only about the accession of new members but also about the way of engagement with new neighbours. In this respect, the ENP, at theoretical level at least, seems to respond to major concerns of the EU, such as promoting stability and security in near abroad, promoting Europeanization, and

³³² Ebehard Kienle, *A Grand Delusion Democracy and Economic Reform in Egypt*, (I.B. Tauris Publishers: London, 2001), pp.199-200.

defining an alternative approach for new neighbours. Secondly, the ENP aims to create a ring of friends, which are well governed countries. It is formulated through the ENP by promoting European values to neighbouring countries. As stated before, the ENP is a very comprehensive and extensive project. However within the limits of this thesis, the focus is only democracy promotion dimension of the ENP. In this regard, in the case studies, the aim was to search for a link between the ENP process and the process of reform towards democracy in these two countries. As analyzed in the previous sections of this chapter, there is a limited and selective reform process in both cases in terms of democratization, establishment of rule of law, and respect for human rights and fundamental freedoms. Nevertheless, it would be difficult to find a concrete link between the ENP and the democratization in Morocco and Egypt. The link, in other words, is very ambivalent. Above all, the third conclusion of these case studies would be that the reform process indeed falls behind any fundamental change, even in Morocco which is demonstrated as an example case. It is obviously seen that the EU, most of the times, remains silent in challenging the fundamental obstacles in front of the democratization process, namely the power of monarch in Morocco and the role of NDP and the President in Egypt. Fourthly, it may be also argued overall, the ENP could not bring as much success as expected. This is because there is a gap between expectations/ambitions and the means that are applied. The fundamental deficiency of this policy instrument is the lack of a concrete incentive, namely membership as in enlargement policy.

To conclude, referring to the official motto of the ENP, although it may be stated that the ENP started with the aim of *creating ring of well governed friends*, it is mostly successful in protecting friendliness with its neighbours without having illusions about their well governance.

CHAPTER 5

CONCLUSION

This thesis raises a number of important questions that take the readers beyond the theoretical debate on the “normative power”, to study two cases on the idea of transformative power of the EU in the democratization of Morocco and Egypt. Thus, it is suitable to turn back to the question that is raised in the introduction in order to draw some concluding remarks: *Does this policy extension from the enlargement experiences, namely the European Neighbourhood Policy, have the potential to supply an effective instrument for the European Union to promote its political norms in its near abroad in the context of its alleged ‘normative power’?*

With the end of the Cold War, the concept of normative power has emerged as one of the most popular subjects in international politics. The issue of normative power has specifically emerged in the literature concerning the European Union. In the second chapter of this thesis, the theoretical debate on the notion of the EU’s normative power in global politics is discussed in order to understand the impact of the European Neighbourhood Policy due to the ENP’s strong rhetoric regarding the promotion of European values. As stated at the very beginning of the second chapter, the emergence of the EU is a unique experience in the history of international relations since it is a sui generis entity with a multi-level governance and a plurality of actors at different territorial levels. The EU has somehow affected the revitalization of the debate between (neo)realism and (neo)liberalism, which have different perceptions on the notion of power. In other words, the experiences of the EU in the European continent by bringing peace and stability after the Second World War among the member states have challenged the dominance of realist views in

international politics in a significant way. This was especially in the 1970s when a new generation of (neo)liberals, came up with the term ‘soft power’,³³³ which has been defined as the ability to obtain what you want through co-option and attraction rather than the hard power of coercion and payment.³³⁴ In other words, the ability of soft power rests on civilian instruments such as diplomacy, strategic communications, foreign assistance, civic action, economic reconstruction and development while the hard power employs traditional instruments based on coercion.

As it has been stated before, the EU has been conceptualized as a distinct type of actor. Besides the term “soft power”, the perception of the EU as a distinct and sui-generis entity in international relations has resulted in various variations along the same line such as ‘civilian’ power by Duchêne and ‘normative’ power by Ian Manners. It has been described as a ‘civilian’ power by Louis-François Duchêne, a ‘soft’ power by Christopher J. Hill, and most recently, a ‘normative’ power by Ian Manners. In fact, the particular role that is attributed to the EU is derived from its own model of ensuring stability and security through economic and political instruments rather than military instruments. The theoretical debate on the EU as a normative power is based on the work of Ian Manners, whose arguments have become a reference point in the literature. According to Manners, as explained previously in detail, the unique nature of the EU as a normative power relies on basic normative principles such as sustainable peace, liberty, democracy, human rights, and the rule of law.³³⁵ According to Manners, these principles are the core values of the EU which have been developed over the years through a series of declarations, treaties, policies, criteria and conditions.

³³³ Keohane and Nye, note 10.

³³⁴ As it is put forward on the note 20, the concept of *soft power* was first developed by the prominent (neo)liberal scholar Joseph Nye in his book *Bound to Lead: The Changing Nature of American Power* in 1990. He later developed this concept in his book *Soft Power: The Means to Success in World Politics* in 2004.

³³⁵ Manners, note 32, pp.20-22.

Nevertheless, for the concept of the EU as a normative power, what is as equally important as the founding values is the promotion of these aforementioned norms towards other countries. Therefore, it should be noted that acceptance of these norms as the basis of the EU is not enough to conceptualize it as a normative power in itself. However, the EU has proclaimed itself as the promoter of these values in many ways. As it is explained in detail throughout the thesis, the EU has been quite successful in terms of promoting its values towards its near abroad as it has been experienced very recently with the accession of Central and Eastern European Countries. Although the debate on the EU's final borders still continues, it is quite reasonable to argue that the enlargement cannot continue indefinitely. Therefore, in the new conjuncture after the 2004 enlargement, the EU brought another tool on its agenda, namely, the European Neighbourhood Policy. The European Neighbourhood Policy was developed in 2004 with the objective of avoiding the emergence of new dividing lines between the enlarged EU and its neighbours and of instead strengthening prosperity, stability and security in near abroad through diffusion of European values to neighbouring countries. Additionally, the changing international conjuncture after 9/11 attack, the security of Europe has perceived as closely linked to the security of abroad. The new policy was also become an answer for responding threats directed to the EU. Therefore, the ENP is formulated as a new instrument of foreign policy of the EU for its normative power. In principle being aware of the fact that accession has proven to be the most tangible success of European foreign policy and that the enlargement cannot continue indefinitely, the ENP offers an important response to the challenges stemming from the EU's troubled neighbourhood as an alternative to full membership.³³⁶ The policy seeks to induce progressive reform and deeper integration with neighbours without accession. In other words, with the ENP, the EU invites these neighbours with a mutual commitment to 'common values' and to move beyond existing cooperation to deeper economic and political, cultural, and security cooperation.

³³⁶ Nathalie Tocci, "Does the ENP Respond to the EU's Post-Enlargement Challenges?", *The International Spectator*, Vol. 40, No.1, 01 January 2005, p.31.

In fact, the policy, at first glance, seems to be extensive, structured and comprehensive compared to previous attempts. Firstly, the ENP is a very extensive instrument in terms of its geographic scope. In terms of geography, the finalized version of the ENP covers all neighbouring countries from Morocco in the south-west to Belarus in the north-east. In other words, contrary to previous neighbourhood policy efforts which only dealt with a specific region, the ENP covers the EU's neighbours to the east and to the south along the southern and eastern shores of the Mediterranean, namely Morocco, Algeria, Tunisia, Libya, Egypt, Israel, Jordan, Lebanon, the occupied Palestinian territory, Syria, Armenia, Azerbaijan, Georgia, Moldova, Ukraine and Belarus.

Secondly, as elucidated in detail in the third chapter, the policy is very structured from the beginning in terms of its planning. It is carried out by negotiations and mutual agreements, namely Country Reports, Action Plans and Progress Reports. Country reports are agreements between two parties on the issues which necessitate reform process in the partner country for deeper cooperation. The Action Plans, on the other hand, are the key instruments for the implementation of the ENP. They are country-specific and tailor-made political documents which jointly define an agenda of political, economic and sectoral reforms with specific time schedules. In addition, the progress reports evaluate the reform process according to the standards that are set in Action Plans.

Thirdly, the ENP is an ambitious project not only for its geographical scope and structures procedure but also for its objectives, which makes it a comprehensive policy. While building on traditional cooperation, it also covers a wide range of issues from political to economic issues in every sector. The objectives of the ENP cover many areas such as promoting reform, the rule of law, stable democracies, economic development, market reforms, advancement of energy sector, and conflict resolutions in the neighbourhood. Accordingly, the ENP offers a good basis for strengthening relations with the neighbours. Within this content, it offers, at the first level, economic and political cooperation and assistance. Then, the Action Plans envisage that if the implementation is successful, the EU offers more intensive and deeper cooperation which, in the long run, leads to the "advanced status" which may

be called as a member-like status. Therefore, in conclusion, the ENP, at first glance, can be evaluated as *extensive* in its geographic scope, *structured* in its implementation and process, and *comprehensive* in terms of its aims and issues and ambitions foreign policy instrument to constitute a basis for the EU as normative power in its relations in global politics.

Nevertheless, despite its distinct features and extensive, structured, and comprehensive scope at planning, the ENP could not bring as much success as expected as the conceptualization of normative power seems to suggest. In order to examine the policy in practice, two case studies are elaborated in this thesis. The case studies of Morocco and Egypt and their democratization processes in the context of the ENP present a significant opportunity to assess the effectiveness of this policy. The theoretical debate in the second chapter and the historical analysis of the ENP in the third chapter provide the ground for the case studies in the fourth chapter, which presents a study of the impact of the EU on these countries in the context of the ENP. There are sixteen countries that are under the umbrella of the ENP. Indeed, there are some neighbours, which have performed better than the others, but there are some in which less or no progress have been made. It is not, therefore, possible to assess how the ENP has been 'successful' and 'effective'. As it can be seen from the case studies, while Morocco has at least seemed to appreciate to some extent the merits of the reform process, Egypt has proved to be harder to engage in it. In fact, the policy seems to have supported the pre-existing reform process but has struggled to have any impact on the new reforms or the stalled ones. However, it is still possible to come up with certain concluding remarks that can be derived from two case studies.

Until now, the EU's record in promoting human rights and democracy can be analyzed under two subjects. First, when there is a membership perspective, the EU is more coherent and insistent for reform process in the partner country. Secondly, when there is no membership perspective, the identity of the EU in global politics as a promoter of human rights and democracy has been mixed and marred by inconsistencies, contradictions, uncertainties, and speculations about its real

motives.³³⁷ The key question in this thesis is whether, in the content of the ENP, the EU can act as a transformative power in its neighbourhood without expanding its membership. As concluding remarks, certain dilemmas and problems in the ENP will be assessed, which are derived from the experiences of Morocco and Egypt and which can be generalized, indeed, for all other countries that are included in the policy, namely the dilemma between ‘stability’ and ‘change’; secondly the dilemma between positive and negative conditionality; the question of the universality of European values; deficiencies of the Action Plans; and, lastly, the debate on Europeanization without accession.

The first challenge facing the ENP is the dilemma of ‘stability’ and ‘change’, a point raised continuously by the case studies. It is argued that the European Union, for the sake of stability, seeks to contain change under its very strict control. Indeed, whenever the EU is faced with a dilemma between supporting a gradual change within stability and supporting change with unreliable reformers, it prefers to take a gradual approach rather than pursuing a rapid and radical process, which, in the long run, may cause the rise of unpredictable and unreliable domestic actors. Therefore, in the two case studies, it is possible to argue that one of the reasons behind a slow and selective reform process is that the EU cooperates with authoritarian regimes for a reform process in their own way. For instance, the EU does not challenge the role and power of the king in Morocco or the president in Egypt. Additionally, the EU has been extremely reluctant to offer financial support to opponents of authoritarian regimes, which reflects the fears regarding uncertain political change and its consequences.³³⁸ Therefore, authoritarian regimes can easily benefit from this fear to stabilize their hold on power by presenting themselves as the guardians of stability, fighting against extremism and radicalism (especially Islamic) in their own countries. Their argument for being guardian of stability became more acceptable after the 9/11 attack of religious fundamentalists. With a fear of rise of religious fundamentalism in

³³⁷ Rosa Balfour, “Promoting human rights and democracy in the EU’s neighbourhood: tools, strategies and dilemmas”; in Rosa Balfour and Antonio Missiroli, “Reassessing the European Neighbourhood Policy”, EPC Issue Paper No.54, June 2007, p.8.

³³⁸ Balfour, note 337, p.11.

these countries, the EU became tolerant to the deterioration of the political and human rights situation, particularly freedoms of association and expression.³³⁹ In conclusion, as many experts argued, Mediterranean governments succeeded in excluding the stakeholders of the civil society out of the process of policy-formation in the ENP and continued to assert their interest without compromising their hold on power.³⁴⁰ Therefore, the EU, intentionally or unintentionally, become a supporter of the status quo.

The second dilemma in the nature of the ENP is the fragile balance between use of negative conditionality and positive conditionality. In other words, it is the dilemma between engagement and the use of coercive measures to promote democracy, rule of law, respect for human rights and fundamental freedoms in neighbouring countries. Related to this a question that arises during the case studies is what kind of instruments can be utilized in order to achieve the desired ends. Indeed, in terms of coercive measures, the EU lacks a military instrument whose use is disputable in promoting human rights and democracy. Apart from military measures, the EU still has a variety of coercive diplomatic and economic tools at its disposal such as suspension of cooperation, suspension of funds, targeted economic sanctions, and trade embargoes. However, Moroccan and Egyptian experiences demonstrate that the EU has put a fairly consistent emphasis on positive encouragement.³⁴¹ Indeed, the underlying reason behind this EU preference is examined in the case study of Morocco, when, in 1992, the European Parliament rejected a financial protocol due to the bad human rights record in Morocco which is an example of negative conditionality, which is an example of negative conditionality. However, the decision of the European Parliament showed adverse effect of how strict sanctions could cause, in its turn, severe reactions by the partner country. In other words, coercive

³³⁹ Michele Comelli and Maria Cristina Paciello, "The ENP's potential for reform in the Southern Mediterranean: A Cost/Benefit Analysis", in Comelli, Eralp and Üstün, note 151, p.56.

³⁴⁰ Saleem Haddad and Sandra Pogodda, "The European Neighbourhood Policy: A View From the South", GO-EuroMed The Political Economy of Governance in the Euro-Mediterranean Partnership Working Paper, No. 0614, 31 December 2006, p.22.

³⁴¹ Balfour, note 337.

policies could become counter-productive in promoting political reform. Hence, the EU prefers positive conditionality which aims to create trust, in the partner countries, that the reform process is for their self-interest. However, as Richard Youngs rightly argues, positive conditionality also is not applied objectively. In his study, Youngs gives the example of Morocco and Egypt. Accordingly, while Morocco was extensively rewarded by the Commission for its reform efforts, Egypt, for some years, was the Commission's biggest aid recipient without having made any progress in democratization.³⁴² In addition to biased implementation, another problem with the positive conditionality is that it does not really force partner countries to make reforms. Without clear rules for how violations should be punished and progressive change rewarded, the EU's policy results, at best, in a tight circle of elites' diplomatic forum where two parties regularly meet, negotiate without a substantial result.³⁴³ In conclusion, it is relatively easy to appreciate the difficulty of imposing democracy from outside and therefore, why the EU is wary of using coercive instruments. However, there is a failure on the part of the EU to show that it is serious in terms of the necessity of democratization. In fact, what is at stake is the EU's credibility as a normative power in the region.

The third question is whether the values that EU upholds such as democracy and human rights could be applied in different countries. The EU underlines that the ENP is based on the idea of 'shared values'. This assumption relies on the perception that the EU and its neighbours share the same commitment to values of democracy, human rights, the rule of law and respect for fundamental freedoms. In other words, the relations between the EU and neighbouring countries are perceived as 'one way street' without considering the particular characteristics of southern and eastern shores of the EU. This unquestioned belief in 'sharing of common values' creates problems in implementation.³⁴⁴ In fact, concerning the shared values argument, there is another challenge which is much more substantial. This critique is directed to the

³⁴² *Ibid.*

³⁴³ Tocci, note 336, p.27.

³⁴⁴ Tocci, note 336, pp.26-32.

place of the EU in global politics. It is argued that, as stated throughout the second and fourth chapters, promotion of so-called ‘shared’ values transforms the EU into a ‘soft imperial’ through an asymmetric relationship that advocates a one-sided reading of norms and values without engaging in the receiving end in a genuine dialogue about the content and meaning of those terms.³⁴⁵

Another assessment may be derived from the case studies is certain deficiencies in promoting human rights and democratic priorities of the Action Plans which is the basic document of the EU-neighbour countries relations in the context of the ENP. First, the vague language of the Action Plans can be considered as a shortcoming. The priorities set out are articulated only vaguely during negotiations and therefore the implementation turns out to be a problem. Without clarifying the aims such as ‘development of civil society’, ‘ensuring freedom of the press’, or ‘strengthening the involvement of political parties in the democratic process’, the Action Plans provide the governments of the Mediterranean countries an area of maneuver when they are reluctant to pursue political liberalization. Secondly, in the Egyptian case for instance, there is not scheduled calendar for the actions to be implemented; therefore the priorities remain rather as goodwill wishes. Thirdly, and most importantly, as clearly seen in the case studies, the Action Plans avoid tackling any of the major impediments to political openness in neighbouring countries even when some of these shortcomings are listed in the Country Reports. In conclusion, the Action Plans are prepared as a long list of objectives without a clear notion of how and when to address them.

The fifth and the last problem with the ENP is related with the debate on “Europeanization without accession”, which has been discussed throughout the thesis and more specifically in the case studies. The structures, instruments, means of the ENP are, as stated before, mostly borrowed from the experiences of the policy of enlargement. However, the missing part concerns the end points, that is the absence of a prospect of membership, at least, in the short run. However, the logic of

³⁴⁵ Hiski Haukkala, “A normative power or a normative hegemon? The EU and its European Neighbourhood Policy”, Paper presented at EUSA 10th Biennial Conference in Montreal, Canada, 17-19 May 2007, Panel Session 91: Normative Power Europe II Global Perspectives, p.14.

enlargement is in place in the ENP as the EU demands a full range of reform process related to many areas of political and economic life. However, it does not offer something even near to membership in practice. Thus, the EU lacks one of its main tools as a normative power in its relations with regional countries. This is what Sevilay Kahraman named as a 'structural weakness' in the European Neighbourhood Policy.³⁴⁶ In order to avoid such a weakness, the EU policy makers must develop strategies with bigger incentives beyond reproducing the enlargement model.

Consequently, this thesis assesses the issue as to whether the ENP could contribute to the EU's efforts to promote human rights and democracy in near abroad within the perspective of normative power. It may be argued that the ENP is based on a metaphor in which the EU is the 'cosmos' and its neighbours, the 'chaos'.³⁴⁷ In the policy of enlargement, the EU has been able to transform the 'chaos' into a part of 'cosmos'. If the enlargement alternative is no more applicable for certain neighbours, the question of whether the ENP has the potential to supply an effective instrument for the European Union to promote its political norms in its near abroad as a normative power is the main underlying question of this study. As it has been argued before, the ENP is a very innovative project, aiming at avoiding the exclusion of neighbours and widens the zone of influence of the EU by bringing the idea of transition with integration without accession. However, this thesis, especially the case studies, demonstrates that the ENP is still far from meeting expectations. In a way, the ENP still suffers from promising neither enlargement nor usual partnership and most importantly, it lacks a clear finalité, with weak and insufficient incentives while demanding a reform process as in the case of enlargement.

As the last but not the least remark, one last point should also be noted: Significantly, an analysis of the secondary literature on democratization in Morocco and Egypt reveals that there is a lack of a detailed analysis or study of democratization within the context of the ENP, which is indeed quite thought provoking. For example, is it possible to study democratization in Turkey without any reference to the EU and the

³⁴⁶ Kahraman, note 146, p.23.

³⁴⁷ Sharon Pardo, "Europe of Many Circles: European Neighbourhood Policy", *Geopolitics*, Vol. 9, No.3, Autumn 2004, p.735.

prospect of membership? This in itself may have an important implication for the main question raised in this study: If the ENP or the EU as a normative power were really effective, why would there not be substantial studies on the relationship between the ENP and the democratization in Morocco and Egypt? The answer to this question, which may be considered as a further research agenda, is relevant to how far the EU's claim to be a normative power can actually hold.

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APPENDICES

Map 1. Geographic Coverage of the European Neighbourhood Policy



Source: <http://www.eupathway.com/images/ENP.jpg> (Accessed on 18 August 2009)

Table 1. The European Neighbourhood Policy

GEOGRAPHIC COVERAGE	Eastern Europe	Ukraine and Moldova
	Southern Mediterranean	Algeria, Egypt, Israel, Jordan, Lebanon, Morocco, Palestinian Authority, Syria, Tunisia
	Southern Caucasus	Armenia, Azerbaijan, Georgia
OBJECTIVES	1. Strengthening stability, security and well-being for EU member states and neighbouring countries,	
	2. Preventing the emergence of new dividing lines between the enlarged EU and its neighbours.	
WHAT IS OFFERED	Short Term: Reinforced political, security, economic and cultural cooperation	1. Extension of the internal market and regulatory structures,
		2. Preferential trading relations and market opening,
		3. Perspective for lawful migration and movement of persons,
		4. Intensified cooperation to prevent and combat common security threats,
		5. Greater EU political involvement in conflict prevention and crisis management,
		6. Greater efforts to promote human rights, further cultural cooperation and enhance mutual understanding,
		7. Integration into transport, energy and telecommunications networks and the European research area,
		8. New instruments for investment promotion and protection,
		9. Support for integration into the global trading system,
		10. Enhanced assistance, better tailored to needs,
		11. New sources of finance.
	Long Term:	Some economic and political integration
WHAT IS ASKED	Commitment to common values in the following fields:	Democracy
		Rule of law
		Good governance
		Respect for human rights (including minority rights)
		Promotion of good neighbourly relations
		Principles of market economy, free trade, sustainable development and poverty reduction
		Essential aspects of the EU's external action (the fight against terrorism and the proliferation of weapons of mass destruction, as well as abidance by international law and efforts to achieve conflict resolution)
INSTRUMENTS	Short term:	Action Plans
	Long term:	European Neighbourhood Agreements

Source: Elena Baracani, "From the EMP to the ENP: A new European pressure for democratization? The case of Morocco", 2005, p.18.

Table 2. The Action Plans

GUIDING PRINCIPLES	Joint ownership	
	Differentiation	
PRIORITY AREAS	Commitments to shared values and to certain objectives of foreign and security policy	strengthening democracy and the rule of law, the reform of the judiciary and the fight against corruption and organised crime,
		respect of human rights and fundamental freedoms (including freedom of media and expression), rights of minorities and children, gender equality, trade union rights and other core labour standards, and fight against the practice of torture and prevention of ill-treatment,
		support for the development of civil society,
		and cooperation with the International Criminal Court,
		the fight against terrorism and proliferation of weapons of mass destruction, as well as abidance by international law and efforts to achieve conflict resolution.
	Commitments which will bring partner countries closer to the EU	political dialogue and reform,
		trade and economic reform,
		equitable socio-economic development,
		justice and home affairs,
		connecting the neighbourhood (energy, transport, environment, information society, research and development),
		people-to people contacts.
	PROGRESS MONITORING	In the bodies established by the Partnership and Cooperation Agreements or Association Agreements. The Commission will report periodically on progress accomplished.

Source: Elena Baracani, "From the EMP to the ENP: A new European pressure for democratization? The case of Morocco", The Centre for the Study of European Politics and Society, 2005, p.18.