

# Is different better?

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*A critical analysis of normative perceptions of the EU as international actor*



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This acknowledgement is the final touch to this thesis. My deadline approaching quickly, the strict time line under which I am writing this last page is telling for the time pressure under which I have written the rest. Yet, how could I possibly finish without giving thanks to those without whom this work would not have been created.

From the day I started my study in Utrecht I was right where I wanted to be. The reading; the writing; the thinking – I could not have felt more at home. Worlds filled with historical moments, political anecdotes and intricacies opened up for me, and my bookshelves have since grumbled under the ever increasing piles of books inhabiting them. My ambition and dedication increasing every week, coming to the second year of my study Juliette was born. Although undoubtedly a demanding combination, being a studying (and for the most part working) mom was also very rewarding. Not only did being a student give me the opportunity to spend more time with my daughter (what else do you do with evening hours anyway?), her existence lifted my ambition and drive into a completely different dimension.

Having said this, even spending every free minute studying, did not buy me enough time to get everything done. For each exam and each deadline I have been helped out by willing baby-sitters taking Juliette off of my hands, and by my husband, continuously rearranging his own schedule to support mine. This thesis is thus not only a piece of work created in the past few months; it is the result of years of hard work, of spending the evenings behind my desk night in and night out. It is also not just the product of my own toil, but rather a culmination of my efforts and perseverance and that of my friends and family. And beyond practical support, everyone else's confidence and faith in me has pulled me through many instances where I simply thought I would not manage in time.

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As far as this thesis is concerned, I can only hope that I have been able to express any of the inspiration I have received from all these wonderful people; if so, it is sure to be inspiring to others.

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## Introduction

The European Union (erstwhile Community)<sup>1</sup> was from its onset a peculiar international actor. At first, merely a sector-based cooperation project in war-ravaged Western Europe, its economic growth and strategic setting soon precipitated an international presence of some sort. As the European Community gradually increased in membership and scope, its ambition to present itself as an able international actor grew accordingly. Still an unidentified foreign policy actor, depictions of the European Community in its pre- Union days were various and ranged from 'Civilian Power Europe' (Duchêne 1973), 'a superpower in the making' (Galtung 1973) to being disqualified as player on the world stage (Krauthammer 1990).

Now, although its economic weight was already significant, truth be told, the Community could indeed be dubbed a non-actor. In spite of its size, it was still an organization based on the integration of one policy area (albeit a crucial one). Political cooperation, coordination, not to mention *integration*, were still very much absent. Hence, it was easily discarded as a mere instrument of its members' preferences. The Europeans' growing ambitions combined with the radical post-Cold War changes in the international system and the Community's immediate surroundings, pushed the member states towards embarking on an ambitious expansion of the Community's scope. Aside from the most obvious and immediate step forward, establishing the Economic and Monetary Union (EMU), the Maastricht Treaty on European Union (TEU) in 1993 ushered in a new era for the EU as an international actor.

The Union then still being a new player in global politics, and one having to develop and define its international identity in not the most tranquil of circumstances, meant that analyses of the EU as an international actor were plentiful from its inception. In analyzing the EU's global role, scholars have taken several approaches, ranging from conducting traditional foreign policy analysis (Hill 1994; Hyde-Price 2006; Youngs 2004) to constructing new conceptions of the EU (Duchêne 1973; Manners 2002; Leonard 2005). The unusual and ever developing political character of the EU has resulted in a general uneasiness within conventional foreign policy analysis. Traditional IR theory is based on standard types of actors (states, international organizations) which the EU is not. The failure of conventional IR, in particular realism, to look beyond actor-requirements has triggered the development of specialized EU studies.

The EU as an academic subject is unique in two respects. Firstly, the EU is questioned on a matter which most international actors are not, that of 'actorness'. The EU's economic weight and overall increasing global presence have not detracted from its peculiarities as an international actor, e.g. its highly complex decision-making process and different understanding of sovereignty, and scholars have kept occupied debating both the viability and the character of the EU as global participant. Secondly, the particular backdrop against which the EU has developed and the symbolical significance of the European integration project, have attached a certain ideological connotation to the EU which has, up until today, been maintained (not least by itself). The

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<sup>1</sup> Throughout this thesis I will use 'European Community' (or EC) for specific events or developments of the time before the TEU was ratified in 1993. For general depictions about the European Union, which may include the Community days, I will refer to the European Union or EU. Also, occasionally I will use the 'Europe' or 'the Europeans' when referring to the EU.

combination of the EU's unique actorhood and its ideological foundation has resulted in extensive debate and research into the Union's role perception and identity.

First attempts to define the EU as an international actor breathed new life into the 'civilian power' concept. First coined by Francois Duchêne in the 1970s, the idea of Civilian Power Europe has remained the most influential concept of the EU to date, in spite of (or perhaps owing to) it being a highly abstract notion. Although interpretations differ, the 'civilian power' concept broadly entails two main elements: the absence of military means, an aspect which has been under fierce debate since the development of the European Defence and Security Policy, and the diffusion of civilian standards (Stavridis 2001). Later descriptions of the EU's international identity have focused on the latter part, regarding the EU a normative actor furthering its own norms and values by means which are rather more benign, or 'civilian', than those deployed by other actors – effectively 'civilizing' international relations. This general view has crystallized through conceptions of the EU as 'normative' and 'transformative' power (Manners 2002; Leonard 2005), and the overall assumption that, 'in a very general sense, the Union's identity as a value-based community provides a framework for external action' (Bretherton and Vogler 2006: 218).

Perceptions of the EU as a normative force are thus dominant within the field of EU-studies and its normative qualities are generally considered a by-product of it being a distinctive, hybrid polity. It is a civilian power in that it is not a military power; a normative power in that it is not led by power political thinking but by ideals: in essence, the EU is most commonly depicted as being unlike a traditional state. Its non-stateness cannot be refuted and as a result, the EU *is* in many respects 'different'. An important thing to note however, is that this otherwise neutral observation in practice often turns out a very much normative one, in that the EU being 'different' is commonly equated with the EU being 'better'. This association can also be witnessed in the self-perception of the EU, taking particular pride in presenting itself as a polity which 'relates to the world in a *qualitatively* different way' (Lucarelli 2006, emphasis mine). Depictions of the Union as a civilian, normative power then as a rule present a rather sympathetic account of the EU's international presence,<sup>2</sup> and it is observed that they in fact closely resemble the EU's self-image (Sjursen 2006b: 235).

The apparent subjectivity of these perceptions has instigated several critical questions. Could a normative label possibly act as a cloak for the EU's inability to become a traditional actor? Does the concept imply its foreign policy is value-driven as opposed to interest-driven? If so, how does this correspond with the EU's ambition to be a competent international actor; and if not, then how is it different from other actors in attempting to spread its own norms and values when its interests allow it? In addition, even if the EU put more rhetorical emphasis on values and norms than do other actors, does this translate into action? And are perceptions of a normative EU not merely reflections of the favorable disposition that these scholars have towards the EU? **This thesis will investigate these questions by exploring and critically assessing the perception of the EU as a normative actor, highlighting several practical and conceptual issues with this notion.** In the concluding

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<sup>2</sup> This may seem as stating the obvious, but actually it is not. Presenting the EU as 'normative power' can also have a neutral meaning, namely that of an actor aiming to spread its own values. It is only when a normative actor in this sense is equated with being a 'force of good', as the EU commonly is, that the concept of 'normative power' becomes normative in itself.

section I will assess whether the EU can and should be regarded as a more benign, normatively driven player, or whether its new constitution has long outgrown its ideological image.<sup>3</sup>

Before reaching the point where such conclusions can be taken, this thesis will discuss three elements crucial to answering the question I intend to investigate: historical and theoretical background; the scholarly debate; and two case-studies. The first chapter of this thesis will look into the original notion of the EU as a different and more value-based player, and outline the background against which the EU, as an international relations actor and as an International Relations subject, came into being. The first overview will be that of the international system, with a particular emphasis on the rise of the state as central polity, and of the establishment and development of the European Community within the state-centric system. The remainder of the first chapter will discuss International Relations theory, with an emphasis on realism as the dominant school of thought throughout most of IR's life span and as the one most conflicting with the EU as an international actor in terms of actor requirements. The hiatus' and merits of traditional IR-theories with regard to accounting for and accepting the European Union as a foreign policy actor are then discussed, followed by a section outlining the two main concepts of the EU – 'civilian power' and 'normative power' Europe – and a short overview of the EU's own perception of its international character.

The second chapter will deal with the scholarly debate about the international role of the EU which has taken place since the nineties. The first section will explore in more detail the different aspects of the EU normative actor, and will briefly explore the different takes on the rationale behind the EU's distinguishing global stance. The following paragraph is a crucial section for this thesis: the scholarly debate. I have for this purpose, divided the debate into two sections: means and ends. The first treats the development of the EU's military capabilities that have set off a major debate about the EU's civilian status in the past years, which is subsequently linked to a general discussion about the ambiguity with the classification of foreign policy instruments as 'civilian' or 'non-civilian'. With regards to the second element – 'ends' – several conceptual issues with normative notions of the EU are highlighted, such as the often blurred distinction between interests and values (when is which pursued); the questionable assumption that an international actor would suppress interests in favour of values; as well the principle of universal values, which lies at the core of the view of the EU as 'force of good'.

After this rather insular debate the final section of this chapter will discuss external dynamics. The discussion on the EU as normative power is overtly linked to observations by some that the international system is moving in a direction more receptive for a civilian power, 'post-modern' so to speak, and by others the observation of a rapidly securitizing and fragmenting international order, screaming out for some good old traditional power. A

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<sup>3</sup> My aim is not to focus or draw conclusions on any of the specific concepts of the EU as international actor. With 'normative perceptions' of the EU I do not refer to Manners' 'normative power' concept, but to normative perceptions as such, i.e. those regarding the EU as a more benign, normatively driven international actor. Throughout my thesis the use of 'civilian power' and 'normative power' does generally not refer to these concepts, but rather to their implication and their function of pointing out different aspects of the EU as normative actor. For instance, civilian power is usually used when referring to the non-military element of the EU as normative actor; normative power is used when referring to the EU as an actor diffusing its own norms and values and when referring to the general concept of the EU as normative actor (thus including all the normative elements described in this footnote); when referring to the EU as transforming (the character of) the international system I tend to use the terms 'civilizing' or 'transforming' power. When referring specifically to the concepts themselves the terms are put between quotation marks.

second aspect of the relationship between the EU and the international system is that of capabilities: for the EU to be a 'normative' global power, it must be considered one by others and its performance must therefore support this role perception.

The insights concerning the development of and the debate about the EU as a normative international actor, are applied in the final chapter to actual EU policy and practice. Two case studies will be discussed in detail, presenting the two extremes with regard to their normative association. On one hand the EU's external human rights policy will be discussed, which lies at the core of views of the EU as a normative power. On the other hand I will explore the EU's recent security and defence policy, which is prime example of the EU's developing hard power. At the end of this section I will evaluate how EU external policy and practice supports its normative image.

## **I. An ‘unidentified international object’<sup>4</sup> – The EU as an international actor**

The EU is one of the newer participants in world politics and a rather different type of actor. International politics is traditionally conducted between states or further back in time, between empires or city-states. Their relations are based on power, with war (or the threat of it) as the main currency and with the ultimate aim to maximize power. Realism, the dominant school of International Relations more or less throughout IR history, developed in the grimy aftermath of the First World War and built on these traditional characteristics of the international system. Although conventional realist theory has ‘modernized’ slightly, its thinking still lies in the realms of power politics; a sphere in which, according to most commentators, the European Union is rarely found. As a result, realist IR theory has traditionally had fairly limited impact on studies attempting to explain European integration or the European Union’s global standing (Hyde-Price 2006). Bypassing this gap in IR theory, a second group of scholars has taken a different approach to analysing the EU’s international role. They argue the EU is an actor so original and unlike any other, it cannot possibly be explained by using traditional theory. To account for the Europeans’ international presence they have constructed several new ‘conceptual categorizations’ (Whitman 1998: 5).<sup>5</sup> The following paragraph will first outline the emergence of the international system as we know it today, followed by a short history of the emergence of the European Community. The second section will focus on the main schools of International Relations theory and how the EU fits into these existing models. The third paragraph will briefly introduce the new concepts that have been developed to explain the international role of the European Union and summarize the EU’s self- perception of its international role.

### **1.1. The international system and European integration**

The international role of the EU and the way it is perceived by other actors has everything to do with the character of the world in which the EU resides. The system in which the European Community was established; the movement of the international system during the decades that the Community’s international identity was slowly taking shape; and the dramatic changes of the international system at the end of the eighties which catapulted the process of European integration to the next gear, have all contributed to the international identity of the European Union today. To understand the EU’s current international position more clearly, we first need to outline the international system and the development of the European Union.

#### ***From a developing state system to a globalized world*<sup>6</sup>**

Whilst discussing international relations, one easily takes for granted the main actors conducting international relations: ‘states’. Nowadays, everyone agrees that the arena of global politics comprises mainly of states, however, this was not always so. As written in Jackson and Sørensen’s *Introduction to International Relations*,

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<sup>4</sup> A term coined by Jacques Delors, as cited in Elgström and Smith (2006).

<sup>5</sup> I owe the distinction between the two theoretical approaches – regarding the EU within traditional IR theories, or placing it outside this framework and constructing new concepts – to Richard Whitman (2002).

<sup>6</sup> A significant part of this and the following paragraph comes from an earlier paper I wrote on ‘The European Union as global actor’, January 2009.

'states and the state system are such basic features of modern political life that it is easy to assume that they are permanent features: that they have always been and will always be present. That assumption is false' (2007: 7). Up until the seventeenth century international relations were conducted between a variety of actors, and unitary, sovereign states which are dominant today, did not then exist.

According to many scholars, the Peace of Westphalia in 1648 proved to be a turning point in the history of the international system, when the concept of the sovereign state was introduced to European politics. Cardinal Richelieu of France had sought to win the Thirty Years' War (1618-1648) by gaining absolute rule over his subjects in order to control their loyalty and impose financial contributions to the war. Richelieu himself did not live to see the Peace in 1648, but his state-centered thinking was carried to the negotiating table by his successor Mazarin. The great historical significance of the Peace of Westphalia lies in the fact that the treaties were signed only by independent territorial and political entities, and not, as was custom, by representatives from royal families without ruling power. Although the degree to which the sovereign state concept replaced the old ways of conducting external relations immediately after the Peace is under debate,<sup>7</sup> most scholars advocate that the Treaties of Westphalia introduced the still-reigning concept of state sovereignty. In the course of the seventeenth and eighteenth century rulers tightened their grip on their subjects, and non state actors, i.e. Kings, Dukes, Bishops and also the Pope, who were plentiful in those times, were gradually put on the sideline as the hegemony of states and their leaders was consolidated. A global state system was born (Philpott 2001: 82-83, 85-89; Duindam 2004).<sup>8</sup>

To establish order in the developing state system and guard the generally short-lived periods of peace, another concept rose in the seventeenth century and has embedded itself in world politics since; the 'balance of power'. The balance of power concept requires that states align against a stronger power in order to, as the phrase already implies, balance power and hereby preserve peace (Jackson and Sørensen 2007: 7-26). Balance of power thinking prevailed into the twentieth century, right up to the obvious failure of the strategy in the First World War. The Great War led the then American president Woodrow Wilson to conclude that the balance of power system was 'fatally flawed', and the construction of a new world order was needed. He took the initiative to establish the League of Nations, in order to facilitate and promote international cooperation, with the ultimate aim of ensuring global peace. The initiative seemed doomed from the start, with Wilson failing to rally up domestic support for the U.S. to join the organization, and with the largest members, France and Great Britain, refusing to give one inch towards the organization's request.<sup>9</sup> Although it set a precedent for

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<sup>7</sup> See for instance Stephen D. Krasner (1999) *Sovereignty. Organized hypocrisy* (Princeton en New Jersey: Princeton University Press); and Jeroen Duindam (2004) 'Soevereiniteit. Het geleidelijk verharden van een kneedbaar principe, 1450-1815', in: Duco Hellema en Hilde Reiding (eds.) *Humanitaire interventie en soevereiniteit. De geschiedenis van een tegenstelling* (Amsterdam: Boom) p.23-36.

<sup>8</sup> Important to note is that whereas the concept of sovereign states took hold of Europe, the Europeans colonized much of the non-European world to establish a colonial system in stark contrast with the political system developing in Europe. The state system then only recently really became global when the colonies were finally granted independence halfway the twentieth century.

<sup>9</sup> The difficulty regarding France and Great Britain mainly concerned their lack of cooperation regarding the role of League in overseeing their roles as Mandatory Powers in governing their Mandate territories; and the League's aim of general disarmament. See for instance Anique van Ginneken (2004) 'Staatsraison en Volkenbond. Het Interbellum', in: Duco

later multilateral cooperation and therefore deserves some merit, the League soon withered away into mere existence. The failure of the organization was made more than obvious by the outbreak of the Second World War in 1939, leading to the League being abolished shortly after (although only officially liquidized at the end of the war).

The world that arose after of the Second World War was almost instantaneously divided into two separate camps, led by the United States and the Soviet Union respectively. The two superpowers of the day were to remain ideological and military opponents until the Soviet Union dissolved in 1991 – the world being more or less split in half for over forty-five years. After the Cold War ended the obvious absence of the second pole required for a *bipolar* order, in addition to the display of America's might and other countries' weakness during the 1990 Gulf War, made apparent the actuality of a unipolar world (Krauthammer 1990; 1991). Although theories of American hegemony remain plentiful up to today – with a noticeable increase after the attacks on the World Trade Centers in 2001 and the subsequent U.S.' operation in Afghanistan (Wallace 2002; Krauthammer 2002; Kagan 2004) – according to many analysts the 'unipolar moment' soon developed into a more heterogeneous international order. Although militarily the U.S. has further widened the (already immense) gap between its capabilities and the collective capabilities of its allies, allegedly accounting for nearly half the global defence budget (National Intelligence Council 2008: 29), as I will elaborate on below, military power is not the only game in town. In today's international system soft power is also authoritative, and the United States is increasingly lacking the legitimacy that is needed to exercise this type of power.

The relative decline of the U.S. is part of the relative demise of the West in general, including the EU, brought about mainly by the rise of new economic powerhouses. The economic growth of several sizeable countries, most notably the BRIC-countries, has resulted in a redistribution of power, moving away from the hegemonic order in the nineties towards an increasingly multipolar world. The emerging international order is a more complicated international system in which several poles – including Brazil, China, the EU, India, Japan, and Russia – have weight (or the potential to develop it) (Grant and Barysch 2007: 1-2). The American National Intelligence Council in 2008 forecasted that 'the international system (...) will be almost unrecognizable by 2025 owing to the rise of emerging powers, a globalizing economy, a historic transfer of relative wealth and economic power from West to East, and the growing influence of non state actors. By 2025, the international system will be a **global multipolar one** with gaps in national power continuing to narrow between developed and developing countries' (2008: vi, original emphasis).

The increasing interdependence which characterizes today's societies, economics and politics, has made international cooperation ever more important and in fact essential. The United Nations (UN) were set up after the Second World War, as were institutions such as the World Bank (WB) and the International Monetary Fund (IMF). During the Cold War, international cooperation was hampered as global politics more or less consisted of three choices: you were either allied with the U.S., allied with the Soviet Union, or neutral. When the Cold War had ended, multilateral cooperation was thus expected to boom, and the United Nations in particular was to

finally become a viable organization of collective security. According to Carol Glen (2006), the end of the Cold War did indeed not only create a unipolar, but also a 'multilateral moment' (a conclusion drawn after the efforts of American president Bush (Sr.) to get Security Council approval for the Gulf War). American support for multilateralism gradually decreased however, reaching its absolute lowpoint during the Bush (Jr.) presidency and the (in effect) unilateral war in Iraq (Glen 2006). In the WTO and the UN General Assembly, and in multilateral conferences on, for instance, climate change and the treaty banning antipersonnel landmines, other countries, like Brazil, Mexico and South Africa, are exerting more and more diplomatic pressure, increasingly choosing not to follow Western lead and taking initiatives themselves (Grant and Barysch 2007: 4; Karns 2008: 3-4; *Economist* 2000).

Unfortunately, despite the increasing assertiveness, and thus influence, of emerging powers, up until now voting power and even membership in the multilateral institutions is still allocated as if time in the past decades has stood still. The UN Security Council has five permanent members, of which the U.S., France and Germany; and the Group of Seven (G7) consists of four European countries (France, Germany, Italy and the United Kingdom), two North American (Canada and the U.S.), and Japan. As a result, 'the main institutions of global governance (...) are steadily losing legitimacy and authority because of the under-representation of new powers and the developing world within them' (Mahbuhani, quoted in Grant and Barysch 2007: 4). Slowly but surely, this message is getting through to leaders of the (over-represented) western countries. Since 1998 the G7 was joined by Russia, making a G8, and in 1999 the G20 was introduced to facilitate dialogue with emerging countries<sup>10</sup>. The recent G20, which took place in the midst of the economic turmoil characterizing the spring and summer of 2009, showed that for perhaps the first time, this forum was considered of crucial, and perhaps most, importance towards tackling the global economic recession.<sup>11</sup> Continuing on this line of thinking in the future will prove critical in increasing the legitimacy of the multilateral organizations, and thus improving (effective) international cooperation.

### ***From European integration to European Union***

In the midst of all these global developments characterizing the post-war world, the European Community arose. The Second World War had left the liberated European continent in ruins: the continent's economies were shattered and the need for cooperation to coordinate economic (and social) reconstruction was obvious. With moral and financial backing from the U.S., the Europeans embarked on a journey of economic cooperation, reconstruction and, gradually, integration. The aspiration was that the knife of European integration would cut on two sides: facilitating economic restoration, while at the same time ensuring peace on the continent (which in turn would secure the reconstruction process). The first European cooperation project was the European Coal and Steel Community (ECSC), established in 1952. The ECSC turned European

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<sup>10</sup> The G20 includes: Argentina, Australia, Brazil, Canada, China, France, Germany, India, Indonesia, Italy, Japan, Mexico, Russia, Saudi Arabia, South Africa, South Korea, Turkey, the United Kingdom and the United States. The EU is also member, and G20 -meetings are attended by representatives from the Worldbank and IMF. Together the members represent around ninety per cent of global income; eighty per cent of world trade; and two-third of the world's population. See the official G-20 website, <http://www.g20.org>, accessed 9 September 2009.

<sup>11</sup> This G20 summit took place on 2 April 2009, in London.

Community (EC, 1958) and subsequently European Union (EU, 1993). From the original Six - France, West-Germany, Italy, Belgium, Luxembourg and the Netherlands -, all very much West European countries, the EU has expanded further and further East, in effect 'swallowing the continent' (*Economist* quoted in M. Smith 2007: 447). Besides physical expansion, over the years the Community's competences and global presence increased gradually, and at times in great leaps.

Economic cooperation then started through the ECSC, which aimed to foster economic integration sector by sector, starting with coal and steel. The security objective of European integration was taken care of on different levels. External security was guaranteed through the creation of the North Atlantic Treaty Organization (NATO) in 1950, which effectively linked the U.S.' military capabilities to European defence. The Europeans also made some half-hearted attempts towards European security initiatives. Alongside setting up the European Coal and Steel Community, the first endeavor towards political and security cooperation was the European Defence Community (EDC), which intended to create a supranational European army. The project lacked support from France, and foreign and security policy, and notably defence, were kept off the EC's agenda for the following decades (Bretherton and Vogler 2006: 3; Dinan 2004).<sup>12</sup>

This is not to say, however, that the European Community in the years following did not develop an external presence. The Community was responsible for external economic relations – an area of great significance. It had the authority to negotiate international trade matters on behalf of the Community, such as the GATT; negotiate and establish agreements with other countries regarding fields of EC-competence (for instance fisheries); and create association agreements with third parties (Laursen 1991; Bretherton and Vogler 2006: 3-4). The Community's fast growing economy ensured that economic external relations were a vast and important job indeed, and the opportunity to use economics as external policy instrument was significantly enhanced in both scope and importance, starting with the completion of the single market, and later the introduction of the Euro. In fact, up until today 'the ability to grant, deny or withdraw [privileged market] access remains among the most important policy instruments available to the Union' (Bretherton and Vogler 2006: 4). The Single European Act (1987) added external competences regarding international environmental representation, and institutionalized the European Political Cooperation (EPC), which had since its establishment in 1970 consisted of fairly loose intergovernmental meetings outside the EC framework (Bretherton and Vogler 2006: 4; Laursen 1991).

External relations then slowly but surely became more embedded in the Community's hands, but the radical changes in the Community's international environment at the end of the eighties necessitated much more vigorous efforts. The threat posed by the Soviet Union after the Second World War had induced a tight partnership between the U.S. and Europe, and actually brought about the (self-) appointment of America as prime defender of war-ravaged Europe (which materialized in economic aid through the Marshall Plan and guaranteeing European security through the NATO). As is commonly stated, the security that American

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<sup>12</sup> After the failure of the EDC the Western European Union (WEU) was set up outside the EC framework as military organization in Europe. Chapter three will treat the case study of the ESDP, and will also elaborate on the WEU and NATO in their function of guaranteeing security in Europe.

protection provided during the Cold War enabled Europe to focus on internal issues as economic integration and building a social infrastructure, as opposed to developing military capacities (Kagan 2004; Hyde-Price 2006: 225). The end of the Cold War brought an end to the external threat justifying the lopsided post-war transatlantic relationship (i.e. American support for and presence in Europe) and it was time for the adolescent international actor of Europe to rise to the challenge of becoming an independent global player.

Now, the challenges that the Community faced in 1991 were indeed immense. The Community had developed a great imbalance during the Cold War between its 'massive international importance as a global economic and trade actor on the one hand, and its relatively minor political role on the other' (Telò 2006: 203). As Krauthammer concluded after the Gulf War: 'while a united Europe may sometime in the next century act as a single power, its initial disarray and disjointed national responses to the crisis in the Gulf again illustrate that Europe does not yet qualify even as a player on the world stage' (1990: 24). The same event also led to one of the most cited statements about the European Union, namely that of then Belgium foreign minister Mark Eyskens, depicting the Community 'an economic giant, a political dwarf and a military worm'<sup>13</sup>. This being the state of its international presence, the Community was presented with some very real and pressing developments, not least of which, eight Eastern European countries, fresh from behind the Iron Curtain, looking towards the Community for economic recovery and political stabilization (Dinan 2005: 143).

The Europeans seemed up for the challenge and while the Soviet Union was still busy crumbling down, they assembled to draft the Treaty on European Union. The TEU took the Community (from then on 'Union') huge leaps forward. Aside from its new name, the Treaty announced the Economic and Monetary Union and a new institutional structure. Its novel three-pillar structure was constituted as following: the first pillar is supranational and houses EC competences which are in the hands of the community method, involving a decision-making process that includes the Commission, the Parliament and the Council. The second pillar, housing the Common Foreign and Security Policy (CFSP), and the third, Justice and Home Affairs, are both intergovernmental and thus involve mainly the Council and only provide for marginal roles of the Parliament and Commission (Dinan 2005).<sup>14</sup> Especially important for this paper, is the progress that the TEU signified for the EU as a foreign policy actor. The TEU expressed the explicit aim for Union 'to establish its identity on the international scene' (TEU, Article 2), introduced the CFSP, and even announced the 'eventual framing of a common defence policy'. Although the CFSP would face severe critique in the years to come due to its complex procedures, and common defence was still another decade away, the revamped Community-gone-Union, finally had an actual foreign policy.<sup>15</sup>

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<sup>13</sup> *New York Times*, 25 January 1991, online at: <http://www.nytimes.com/1991/01/25/world/war-in-the-gulf-europe-gulf-fighting-shatters-europeans-fragile-unity.html?scp=1&sq=25%20January%201991,%20political%20dwarf&st=cse>, accessed 28 July 2009.

<sup>14</sup> The Lisbon Treaty, as did the Constitutional Treaty, entails the abolition of the three-pillar structure, although it retains special provisions with regard to the CFSP (such as the requirement for unanimity in the Council of Ministers).

<sup>15</sup> The CFSP and the Union's Community external relations and external representation are treated in chapter 3.1.

## 1.2. International Relations theory and the European Union

The establishment of the European Community roughly overlapped the rise of International Relations as an academic subject. The Union being such an ambivalent and ever-evolving entity, its international presence has been subjected to much debate and speculation from the start. Those looking at the EU in terms of traditional relations theory have had much difficulty defining and explaining its global presence, although these theories also offer useful insights.

### *The emergence of International Relations theory*

The First World War spurred on the development of International Relations (IR) as separate academic subject, and due to the influence of American President Wilson, idealist liberalism was very influential in early IR thought. In its initial days, IR thoughts and ideas were developed mostly in liberal democracies, especially Great Britain and the United States, and concurrently assumed a direct relationship between liberal democracy and peace, often combined with a role for international institutions to promote and uphold peaceful cooperation between states (Jackson and Sørensen 2007: 30-36; Russett, Starr and Kinsella 2006: 27).

However, just as the First World War had brought an end to balance of power thinking, the Second World War dealt a major blow to idealist liberalism. Its decline had already set off in the Interbellum when, a mere decade after the war had ended, several large European states turned autocratic, and the League of Nations was obviously failing to become the viable institution of global cooperation that it was intended to. The 1929 Wall Street crash and subsequent economic depression fed the development of a second, much more skeptical strand of International Relations theory (Jackson and Sørensen 2007: 30-36). Political ideas in the thirties drew from earlier thinkers such as Machiavelli and Hobbes in putting power central. In his famous dictum *the Twenty Years' Crisis* (1939), E.H. Carr argues that the first steps towards a science of international politics had been 'markedly and frankly utopian', in which 'wishing prevailed over thinking, generalisation over observation, and (...) little attempt was made at critical analysis of existing facts or available means' (Carr 1964 [1939]: 8). According to Carr, the time had now come to let thinking have its impact on wishing – a process commonly known as 'realism' (paraphrased from Ibid.: 10).

According to realists the most crucial flaw of early liberalism was that it was based on an entirely false notion: it assumed that relations between states could be based on harmony of interests, whereas actually it should assume profound conflicts of interests (Jackson and Sørensen 2007: 36-37). Hans Morgenthau based this assumption on his belief that human behavior is at the core of international relations, and human beings are by nature self-interested and power-seeking, and hence easily resort to aggression. Transposing this argument to the international system, this implied that 'international politics, like all politics, is a struggle for power. Whatever the ultimate aims of international politics, power is always the immediate aim' (Morgenthau quoted in Jackson and Sørensen 2007: 37). Jackson and Sørensen summarize that 'classical realism combines a pessimistic view of human nature with a notion of power politics between states which exist in an international anarchy' (2007: 39).

Judging from the above definition of realism one could easily conclude the Second World War in effect proved the realists' skeptical views to be correct; however, the post-war period also breathed new life into liberalism. The aftermath of the war was awash with vows that such an atrocious war was to never occur again. Neo-liberalist thinkers renounced idealism but held on to their belief in a future 'society of states', in which institutions would promote and facilitate cooperation. The second devastating war within thirty years indeed proved enough to generate a general surge of commitment to international cooperation, as demonstrated by the birth of the United Nations, which is today still a symbolic beacon of international cooperation. Aside from the role of international cooperation and non state actors, neo-liberalism paid significant attention to the increasingly complex nature of the world and in particular the growing global interdependence. The development of mass-consumption welfare states in Europe and Japan leading up to the seventies, led academics such as Robert Keohane and Joseph Nye to conclude that there was a new 'absence of hierarchy among issues': military security no longer dominated the agenda and military force was no longer the main instrument of foreign policy (Russett, Starr and Kinsella 2006: 28; Jackson and Sørensen 2007: 42-45). Leaving minor differences between different versions and branches of liberalism aside, liberalism in general allows for a much more heterogeneous world, encapsulating different types of actors, pursuing different goals and values, which they can choose to achieve by working together with other actors/parties.

### ***International Relations theory and the European Union***

The broad dedication shown towards the United Nations in the post-war period posed a theoretical problem for the realists, since international cooperation juxtaposed the central role they ascribed to national sovereignty. This theoretical complication was at first relatively easily discarded, given that cooperation through the UN was generally regarded more symbolical than anything else. Yet European integration was a different story, and according to Grieco: 'the interest displayed by the European countries in the EU creates a problem for realist theory' (cited in Andreatta 2005). For realist theory the European 'experiment' challenged all of the assumptions on which it based its thinking: the state being the dominant actor; the international system being in a perpetual state of anarchy which impedes international cooperation; and the importance of military considerations leaving the option for war always open (Andreatta 2005). The journey that the Europeans embarked on in the late 1940s was the exact opposite of the realists' dictum and, not surprisingly, it took a while for the realists to come up with an answer.

After first spending two decades refusing to acknowledge the viability, let alone international relevance, of the ever growing European Community, at the end of the seventies Kenneth Waltz reformulated realist thought by readjusting the emphasis of its argument. The reason, argues Waltz, that cooperation between states could be possible, is that the balance of power in the international system at a particular moment in time may make it optimal to follow such an approach. States still seek to optimize their power and preserve their autonomy, but the structure of the international system may be such that countries cooperate to, for instance, balance a stronger country's relative power (Jackson and Sørensen 2007: 45-46; Andreatta 2005). The European objectives – reconstruction and peace – may at first glance be in accordance with realist theory, as both are for direct benefit of the individual states. One could even argue that, in following decades, further European

integration was necessitated by the centre of international politics shifting away from the European theatre which forced them to take a more global outlook. Having acquired this global outlook, they would have quickly recognized their relatively weak position compared to other (developing) powerhouses, and turned to further integration so as to maximize their global standing. Alternatively, European integration may have been spurred on by internal security considerations, i.e. the desire to constrain Germany, and especially post-reunification Germany, by way of integrating it into a larger system (Andreatta 2005). Despite giving these possible explanations for European cooperation and integration, cooperation in view of neo-realists was restricted by posing that people, and thus states, will only cooperate when it is for their own direct benefit and can thus not be relied upon for long-term commitment (Russett, Starr and Kinsella 2006: 28). Obviously, the European Community had a longer outlook than the realists' concession allowed for.

Another assumption of realist theory challenged by the European Union was that of the hegemony of states as actors in the international system. For realists, non-state actors do play a part, but are of secondary importance and can only play within the confines of the system, and not influence it (Hyde-Price 2006). The main requirement to meet, should an entity be called a state and thus considered an international actor, is to be a 'coherent, rational, unitary unit' (Andreatta 2005). The EU being made up of twenty-seven different voices, sharing decision-making power with the EU institutions in many crucial areas, dubbing the European Union a 'coherent, unitary unit' is a bit of a stretch, even for EU optimists. Thus failing to meet its actor-requirements, realism has traditionally provided little insight into the European Union's global presence.<sup>16</sup> This being said, one could also pose that realism explains, and in fact predicts, fairly accurately the difficulties the EU has encountered in the area of foreign and security policy, and defence (Hyde-Price 2006): national sovereignty and interests *do* constrain integration (in this sphere and others), which gives food for thought to those who regard the EU as having long risen above the ancient confines of power politics and state-centric thinking.

Later additions to International Relations theory also offer some new insights with regard to the European Union. Constructivism does not necessarily challenge any of the assumptions about the dynamics of the international system made by other IR thought, but questions the supposition of both realists and liberals that national interests, or 'objectives', are either innate or shaped by internal factors. Constructivism suggests that established practices in international politics, like international law, diplomatic practice and national interests, do not stand alone but have been socially constructed. This more pluralist way of thinking does not necessarily lead to different predictions on the outcome of global political processes, but has led to debates about how supposedly given practices in international politics are shaped (also known as the 'power of ideas') (Russett, Starr and Kinsella: 31-32; Andreatta 2005: 33-34).

Constructivism gained strength after the end of the Cold War, and is said to have many traits in common with the so-called English School or International Society. The English School came about in the late seventies and early eighties, then submerged into a somewhat dormant existence, but re-emerged after the end of the Cold War. English School thinkers recognize the importance of power in international relations and share the state-

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<sup>16</sup> Adrian Hyde-Price recognized the lack of realist contributions to EU-study, and has recently written several articles on the international role of the European Union from a structural realist perspective. See Hyde-Price 2006 and 2008.

centric approach of realist scholars, but argue that the system is not bereft of norms and values: power and law are both important features of international relations. The sharp lines between realism and liberalism are refuted, and added to this is a cosmopolitan element of universal human rights, or 'one world for all' (Jackson and Sørensen 2007: 46-50). The English School and constructivism are said to be similar in important respects – in fact some scholars deem the former to be forerunner of the latter – especially in their more interpretive approach, focusing on social constructivism and ideational structures. This approach offers interesting insights into the European Union's foreign policy, and especially the formulation of its foreign policy objectives. It offers more space for the complex decision-making process, taking into consideration the historical background of European integration, and the diversity in political, social and ideational attitudes in the member states, as all influencing the foreign policy process. Several concepts elaborated in these two schools occupy key positions within EU studies, most notably the assumption of universal rights and the importance of the 'power of ideas'.

In spite of the contributions of constructivism, the English School and even realism to the study of the EU, all in all liberalism has been the school of thought most often associated with EU-analysis. As mentioned earlier, liberalism offers a more complex model of international politics, which better explains the Europeans' position internationally. Particularly important, firstly, is their more flexible approach with regards to actorness, allowing for instance also a role for supranational organizations (where constructivism and the English School do not). In an era of globalization, liberalists argue, economic actors and policies are increasingly important which enhances scope for non state actors (Petiteville 2003). Secondly, liberalism takes on a much more optimistic view with regards to interstate cooperation (Andreatta 2005), thus, better explaining the European practice. This being said, also liberalism, as with constructivism and the English School, still thinks in terms of traditional forms of actors – states, international organizations, non-governmental organizations – none of which characterize the EU.

### ***A question of actorness and power***

The matter of actorness has been decisive for the position of the EU in International Relations theory. The EU has been subjected to a whole range of name-tags, among which that of a 'post-modern' state (Cooper 2003; M. Smith 2004); post-Westphalian actor (Lucarelli 2007); civilian (super)power (Duchêne 1973; Wallace 2002); normative power (Manners 2002); transformative power (Leonard 2005); a force of good (Bialaseiwicz 2008); weak (Kagan 2002); and an entity *sui generis* (Maull 2005; Bretherton and Vogler 2006). The only thing there seems to be consensus on, is that the EU does not fall into common-place categories of international actors. Scholars have tried to fit the EU into such molds in attempts to account for its international presence, but have largely failed. As we have previously established, the EU can hardly be dubbed a state, because states are much more centralized than the EU, even the more decentralized versions such as federations. International organizations on the other hand, are highly decentralized and rely exclusively on authority handed over by their members and hence lack autonomy. The supranational part of the Union is thus much more autonomous than the international organization approach allows for. The EU presents a hybrid type of actor, with member states retaining autonomy in external relations and dominating the EU decision-making process, yet at the same time

being constrained by the EU-institutions and its institutional framework (Princen and Knodt 2003; Manners 2002; Nugent 2003).

Although the question of conceptualizing may seem like a purely theoretical exercise, it is relevant because identity also determines which tools it has to influence others, i.e. which *kind of power* it has. Realists in particular interpret power largely in terms of struggle, coercion and military power – quite commonsensical considering their assumption of a world in chaos and anarchy, a sort of global Darwinian survival of the fittest. To survive in such a jungle-like world, an actor needs a very able, coherent and singular foreign policy. The U.S. is considered the embodiment of this view and is judged to have ‘an essentially Westphalian notion of sovereignty’ (M. Smith 2004: 103; Wallace 2002). This line of thinking, assumes that force is the currency of power, and thus ‘matters more than anything else’ (Cooper 2003: 162). Although soft power is useful, ‘foreign policy is about war and peace, and the countries that only do peace are missing half of the story – perhaps the most important half’ (Ibid.). The lack of military capabilities (and military thinking) which characterizes the EU means it is, in effect, weak (Kagan 2004).

Many scholars, however, do not adhere to this limited definition of power, and assert that power comes in many forms and from many sources, such as military, economic, political and cultural (Cameron 2004). In this age of interdependence and particularly in relation to those sharing a common view of the world, the most exercised and useful forms of power are non-violent or -coercive. Russett, Starr and Kinsella (2006: 120) actually consider diplomatic practices, like bargaining, negotiating and conflict resolution, the main instruments of international relations. An important, and by now a widely acknowledged form of power is ‘structural power’: an indirect power that influences not just the choices another actor makes, but the set of options the actor has to choose from. Structural power often takes the shape of agenda-setting, an oft-cited example being the inclusion of human rights, traditionally a topic regarded as an exclusively national matter, on the international agenda, signifying the structural power of the western democracies who attach much importance to this topic (Ibid.: 103-107).

An even more subtle form of structural power is ‘soft power’, a concept introduced in the early nineties by Joseph Nye Jr. (Ibid.: 106-107). Nye considers the traditional view of power – where power is measured by one’s capabilities or resources – to be bleakly one-dimensional, whereas world politics can actually be regarded as a three-dimensional game of chess. In this game, the first board represents interstate military issues; the second, interstate economic matters; and the third, transnational issues such as climate change and terrorism. Whereas on the first board one can take the lead using ‘hard power’ tools, such as ‘carrots’ and ‘sticks’ of military and economic power; for the second board one needs both national resources and soft power; and for the third board ‘soft power’ is essential to reach a favorable outcome (Nye 2004).<sup>17</sup>

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<sup>17</sup> Other scholars have made similar distinctions between power stemming from either compulsion or attraction. Christopher Hill distinguishes four broad categories of ways to exercise power and influence. An actor can compel another actor to do something, using force (stick) or deterrence (the threat with force). Alternatively it can sway another actor’s decisions, using persuasion (carrot) and deference (latent influence). K.J. Holsti put forward six ways in which an international actor can influence other international actors: using persuasion (eliciting a favourable response without

Nye describes soft power as 'the ability to get what you want through attraction, rather than coercion or payments' (Nye 2004: x). A country's soft power stems from three resources: its culture, its political values, and its foreign policy. The argument, for all three sources, is that when a country adheres to values deemed universal, and its policies thus promote values and interests that others share, the probability of obtaining the country's desired outcomes increases because other actors adopt these goals as their own. In other words, you influence others by shaping their preferences, and you shape their preferences by appealing. Nye argues that soft power is especially and increasingly important in this age of global information, as 'information is power, and modern information technology is spreading information more widely than ever before in history' (Ibid.: 1). According to Nye the increased relevance of soft power went hand in hand with another development, namely the gradual degradation of the relevance of military power. Several factors, among which the introduction of nuclear power (which raised the stakes of warfare to such a degree that it essentially resulted in a military standoff) and the greater importance now attached to welfare in comparison to status, led Nye to the conclusion that 'all in all, the western countries are largely lacking the warrior ethic that was prevalent before' (Ibid.: 1-29, quote from p. 17).

The distinction Nye makes between hard and soft power is often used not only to classify an actor's actions, but also to categorize an actor's (international) identity. The European Union is commonly seen as a soft power, exercising mainly persuasion as opposed to coercion or imposition. Its preference for softer forms of power is considered to stem directly from it being a regional, rather than a national, actor, created by and based on 'voluntary processes and consensus-building rather than coercion' (Hettne and Söderbaum 2005: 536; Elgström and Smith 2006). The quintessential hard power would be the U.S. and for Nye and like-minded thinkers the case of the U.S., describes exactly the altered relevance of hard power: the war in Iraq, which showcased the U.S.' hard power capacities, has in the eyes of many dealt a major blow to its soft power resources, making it, overall, weaker (Wallace 2002; Leonard 2005). As said, power perceptions differ, and Robert Kagan, one of the best-known Euroskeptics, disputes the above conclusion and concludes that:

'On the all-important question of power (...) American and European perspectives are diverging. Europe is turning away from power, or to put it a little differently, it is moving beyond power into a self-contained world of laws and rules and transnational negotiation and cooperation. It is entering a post-historical paradise of peace and relative prosperity, the realization of Kant's 'Perpetual Peace'. The United States, meanwhile, remains mired in history, exercising power in the anarchic Hobbesian world where international laws and rules are unreliable and where true security and the defence and promotion of a liberal order still depend on the possession and the use of military might.' (Kagan 2002: 3)

Adhering to an entirely different view of power, Mark Leonard counters Kagan by putting that actually, 'the problem is not Europe: it is our outdated understanding of power' (cited in Bialasiewicz 2008: 73).

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explicitly holding out the possibility of punishments); offering rewards; granting rewards; threatening punishment; inflicting non-violent punishment; or using force (K. Smith 2007: 67)

### 1.3. The European Union: new concepts and self-perception

The inability of traditional international relations theory to account for the EU's global role is by-passed by simply accepting that the EU is indeed *not* a traditional international actor, and it can thus *not* be explained by traditional International Relations theory. This outlook has led to a specialized area of EU studies which can be said to consist of two groups. The first group of scholars designed new theories to explain the process of European integration. One of the main theories is neofunctionalism, which explains European integration by the spillover concept, referring to the spillover effect of sectoral economic integration, which leads to general economic integration that in turn creates political spillover. Another influential theory is intergovernmentalism, which, rooted in realism, explains integration in terms of progression spurred on and decisions taken by member states' governments. Institutionalism in turn explains progressive integration by simple cost-benefit motives, arguing that since negotiation leads to suboptimal outcomes, outcomes can be improved by increasing the commonality of interests by the creation of international institutions (Nugent 2003; Andreatta 2005). European integration studies have of course been much more complex than this short summary, but it is not this facet of EU studies that is most relevant for this thesis.

The second group of EU studies has shifted focus from explaining the existence of the European Union, to studies aiming to identify its (international) identity. Most of these scholars have surmised it more useful to accept its *sui generis* nature as starting point, rather than measuring the Union against pre-existing categories of international actors as was traditionally done (Whitman 1998: 233; Nugent 2003). This approach has led to the creation of new, tailor-made 'conceptual categorizations' to explain the EU's international role (Whitman 1998: 11). The first, and still foremost, of these concepts, is that of Francois Duchêne, who dubbed the European Community an emerging 'civilian power'. The concept in essence incorporates much of what Joseph Nye called 'soft power', although Duchêne's theory predates Nye's by some twenty plus years. The extensive scholarly debate regarding the EU's international identity will be dealt with in the next chapter, but the following section will introduce the 'civilian power' and the more recent 'normative power' concepts, as attempts to close the gap in IR theory with regard to the European Union and 'capture the essence of [its] distinctiveness' (Lucarelli 2007: 252).

#### ***'Civilian Power Europe'***

Francois Duchêne realized in the early seventies that the European Community did not have the super-power-position that the U.S. had. Although the Community was one of five major powers of that time, Europe's leverage could not be exerted along traditional lines. Duchêne attributed this largely to the Community's lack of nuclear power, rendering it unable to assume great power status, also in the foreseeable future. However, as opposed to what realist thinkers would reason, Duchêne regarded this restriction as nothing short of a great opportunity, both for Europe and for the world at large (Duchêne 1973).

Duchêne concluded that 'the two great wars of the first half of the century have ruined Europe's traditional military and political power', and that '[e]xtravagant exposure to the horrors of war (...) produced one of the

most resolutely amilitary populations in the world' (1973: 19). In addition, not only did the Europeans swear off military power, Duchêne, as did Joseph Nye two decades later, predicted the prolonged nuclear stalemate would lead to an overall devaluation of military power and give scope to more civilian forms of influence and action (Whitman 1998: 11). With Europe being 'willingly powerless' at a time the virtues of (military) power were declining, it was now presented with a wonderful opportunity to become 'the exemplar of a new stage in political civilisation' (Duchêne 1973: 19):

'The European Community in particular would have a chance to demonstrate the influence which can be wielded by a large political co-operative formed to exert essentially civilian forms of power.' (Duchêne 1973: 19) 'Europe would be the first major area of the Old World where the age-old processes of war and indirect violence could be translated into something more in tune with the twentieth-century citizen's notion of civilized politics. In such a context, Western Europe could in a sense be one of the world's civilian centres of power.' (Duchêne 1972, cited in Whitman 1998: 11)

Duchêne's 'Civilian Power Europe' idea is still very much alive today, although he never offered any clear definition of the concept. His clearest view on the EU as a global civilian power is as follows:

'[T]he European Community's interest as a civilian group of countries long on economic power and relatively short on armed force is as far as possible to domesticate relations between states, including those of its own members and those with states outside its frontiers. This means trying to bring to international problems the sense of common responsibility and structures of contractual politics which have in the past been associated almost exclusively with 'home' and not foreign, that is *alien*, affairs.' (1973: 19-20, original emphasis) 'The European Community must be a force for the international diffusion of civilian and democratic standards or it will itself be more or less the victim of power politics run by powers stronger and more cohesive than itself.' (Ibid.: 20-21)

### **'Normative Power Europe'**

Generally regarded successor to Duchêne's concept, is Ian Manners' notion of 'normative power Europe' (2002: 235), which builds specifically on the last section of Duchêne's description of the international role of the (then) European Community ('a force for the international diffusion of civilian and democratic standards'). Manners' much cited article in 2002 was a direct response to Hedley Bull's rejection of the European Community as civilian power, and as actor in international affairs *an sich*, precisely two decades earlier.<sup>18</sup> Manners' starting point was that 'developments of the 1990s in international relations led us to rethink both notions of military power and civilian power in order to consider the EU's normative power in world politics' (Ibid.: 236). He argued that concepts of military and also of civilian power concerned a discussion of capabilities, and needed to be supplemented by 'a focus on normative power of an ideational nature characterized by common principles and a willingness to disregard Westphalian conventions. This is not to say that the EU's civilian power, or fledgling military power are unimportant, simply that its ability to shape conceptions of 'normal' in international relations needs to be given much greater attention.' (Ibid.) Treating the EU as normative power built on earlier notions of the 'power of opinion', one of three categories of power according to Carr (1964: 108), and Duchêne's *idée force* (1973: 2). With this approach Manners sought to 'move

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<sup>18</sup> See Bull (1982); Bull's article will be briefly discussed in Chapter 2.1.

beyond the debate over state-like features through an understanding of the EU's international identity' (2002: 239).

Manners identified five 'core' norms, all of which are enshrined in the 'vast body of Union laws and policies', namely peace, liberty, democracy, the rule of law and respect for human rights and fundamental freedoms, to which he later added equality, social solidarity, sustainable development and good governance (Manners 2002; 2008). A normative foundation being only half the job, the Union is a normative power because it is not only constructed on normative basis, but because 'this predisposes it to act in a normative way in world politics' (Manners 2002: 252). The basic idea of a normative power then, is the (intended) diffusion of an actor's own norms and values to those it deals with. Through this interaction with others, a normative actor shapes the other's preferences, in effect changing the 'norm'. The EU is not the only 'normative' global actor (in the sense that it seeks to spread its norms and values to others), but according to Manners its normative power qualities are set apart from those of other powers by the combination of its particular historical background, one of a kind polity, and its political-legal constitution. For Manners, these three factors have 'accelerated a commitment to placing universal norms and principles at the centre of its relations with its Member States and the world' (2002: 241).

Manners, drawing in part from research done by other scholars, distinguishes six factors which constitute the Union's soft power base: *contagion*: 'the unintentional diffusion of ideas from the EU to other political actors', such the 'leading by example'- phenomenon; *information diffusion*, which results from strategic communications such as presidency declarations; *procedural diffusion*, involving the institutionalization of a relationship, such as cooperation agreements or enlargement; *transference*, when exchanging goods, trade, aid to third parties, such as through the Cotonou Agreement; *overt diffusion*, through physical presence of the EU, such as embassies or state visits; and the *cultural filter*, which affects the impact that international norms have on norms in third states, examples of which are the diffusion of human rights in Turkey and democratic norms in China (2002: 244-245).

### ***The self-perception of the European Union***

Manners' argument is based for a great part on the track record and official policies and treaties of the European Union.<sup>19</sup> As Manners, and Duchêne before him, already hinted at, the historical backdrop against which European integration took place will have had great impact on the shaping of its external identity. With their recent history riddled with violence, the Western European countries considered it time to cooperate with, rather than fight each other, and focus on values they all share, as opposed to the ones that set them apart. In 1973 the nine member state leaders issued the Copenhagen Declaration on European Identity, in which they make the following statement:

'The time has come to draw up a document on the European Identity. This will enable [the Nine member countries] to achieve a better definition of their relations with other countries

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<sup>19</sup> In fact, it has been observed that the tailor-made depictions of the European Union seem to echo the EU's self-representation (Lucarelli 2007: 251), an issue which will be addressed in the concluding chapter.

and of their responsibilities and the place which they occupy in world affairs.' (*Declaration on European Identity 1973*)

The Declaration only mentions the *intention* of drawing up a common identity and not which values such an identity would include, apart from restating the member states' commitment to the United Nations Charter and the general objective to promote that 'international relations have a more just basis, that the independence and equality of states are better preserved, that prosperity is more equitably shared, and that the security of each country is more effectively guaranteed' (*Declaration on European Identity, Article 9*).

With the establishment of the European Union in 1993 the 'European identity' was specified in Article 6, which states that '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' (TEU, Article 6.1). After the TEU, several amendments (generally additions to) were made in subsequent years, and in 1999 the European Council concluded that 'the fundamental rights applicable at Union level should be consolidated in a Charter and thereby made more evident' (European Council 1999a, section 44). Such a charter would bundle all general principles and fundamental rights which were already applicable to the member states, but that were spread out over a variety of sources such as European Union charters, international conventions and national laws. The European Charter of Fundamental Rights was formally adopted in Nice in 2000, and in the Lisbon Treaty made binding by placing it on equal legal value with the Treaties (*Treaty of Lisbon, Article 6.1*<sup>20</sup>).<sup>21</sup> The Charter contains 54 articles describing the 54 'rights, freedoms and principles' the Union recognizes, and restates the Union's founding principles:

'The peoples of Europe, in creating an ever closer union among them, are resolved to share a peaceful future based on common values. Conscious of its spiritual and moral heritage, the Union is founded on the indivisible, universal values of human dignity, freedom, equality and solidarity; it is based on the principles of democracy and the rule of law. It places the individual at the heart of its activities, by establishing the citizenship of the Union and by creating an area of freedom, security and justice.' (*Charter of Fundamental Rights, Preamble*)

As Manners proposes, the EU is not only constructed on the abovementioned values, but has fully embraced them as defining part of its external identity and considers itself uniquely placed to spread these (universal) values globally and make the world a better place:

'In its relations with the wider world, the Union shall uphold and promote its values and interests and contribute to the protection of its citizens. It shall contribute to peace, security, the sustainable development of the Earth, solidarity and mutual respect among peoples, free and fair trade, eradication of poverty and the protection of human rights, in particular the rights of the child, as well as to the strict observance and the development of international law, including respect for the principles of the United Nations Charter.' (*Treaty of Lisbon, Article 2, section 5*)

'Does Europe not, now that it is finally unified, have a leading role to play in a new world order, that of a power able both to play a stabilizing role worldwide and to point the way

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<sup>20</sup> The Lisbon Treaty is not yet ratified at the time of writing. Ratification will depend on the outcome of the second Irish referendum on the Treaty, which is scheduled to take place in the autumn of 2009.

<sup>21</sup> Europa, Summaries of EU legislation, *Charter of Fundamental Rights*, [http://europa.eu/legislation\\_summaries/human\\_rights/fundamental\\_rights\\_within\\_european\\_union/133501\\_en.htm](http://europa.eu/legislation_summaries/human_rights/fundamental_rights_within_european_union/133501_en.htm), accessed 9 September 2009.

ahead for many countries and peoples? Europe as the continent of humane values, the Magna Carta, the Bill of Rights, the French Revolution and the fall of the Berlin Wall; the continent of liberty, solidarity and above all diversity, meaning respect for others' languages, cultures and traditions . . . Europe needs to shoulder its responsibilities in the governance of globalization.' (European Council, Laeken Declaration on the Future of Europe, December 2001, cited in Lucarelli 2007: 251)

## 1.4. Conclusion

This chapter has shown us that the EU's external environment has had profound impact on the shaping of its identity and its self-perception, as well as on other people's perceptions of the EU. The turbulent twentieth century saw the globalizing of the state system. The international system was exclusively made up of sovereign states, and international relations were characterized by a profound feeling of international rivalry and fragmentation. On the other hand, the second half of the twentieth century also showed another face of the emerging international order. The post-war period displayed a new commitment to international cooperation, and the appearance of multilateral organizations to facilitate this process. In addition, in the midst of the global state system, an influential non state actor developed: the European Community. The Community was set up for economic integration and stabilization within Western Europe. This inward-focused stance which characterized early European integration, resulted in a very slow development of the Community's external identity. Its external presence was coordinated only with regard to its economic external relations, European Political Cooperation was in practice not much more than political consultation, and an actual common foreign policy seemed far off. However, through the insurrection of the CFSP in the early 1990s, the EU officially became an international actor.

The nuclear charged post-War period led to realist theories of International Relations, focusing on international rivalries in an anarchic world, taking a state-centric approach and being highly skeptical about international cooperation. In this context the viability of the EC/EU as a (potential) international actor was called into question. Liberal and constructivist IR-thinkers were more benign to the possibilities of international cooperation and to the role that non state actors could play, yet were still based on traditional actors which the EU was, and is, not. The EU as 'unidentified international object' has instigated much more scholarly interest than most international actors have. Its difference has also resulted in a strong desire to pinpoint exactly what it is. The inability of traditional IR to account for the EU as international actor, combined with the Union's ideologically charged background of integrating a continent, provided for the background against which normative perceptions of the EU were constructed.

Interestingly, these new studies have reached the opposite result traditional IR scholars have. Whereas traditional International Relations theory (with the exception of liberalism) largely overlooks or discards the EU as an international actor because it focuses on the attributes of the EU as opposed to its performance, EU-studies, conversely, focus mainly on what the EU stands for and symbolizes (i.e. peace on the European continent) and for a great deal ignore what it actually does and what really drives its foreign policy. This trait of specialized EU studies may very well stem from it being developed by those interested in, but often also positively disposed to European integration, and its institutionalization through the EU. Keeping the recent war experience in mind, and the general (public) dislike of military power, one could imagine that the rise of a non-military power from the exact countries that had been central theatre of these wars, held huge appeal. Even more so, the rise of a 'civilian' international actor alongside, for instance, the inauguration of the UN, gave hope for a move towards a more civilian, cooperative and peaceful international system. The next chapter will

discuss how current perceptions of the EU have retained this ideological connotation, and how much ground this still has.

## II. The EU's international role under scrutiny – Scholarly debate

The debate on Civilian Power Europe, Normative Power Europe and the EU as a foreign actor *an sich*, has been extensive. The first section of this chapter will, from these and later concepts, derive the main elements of the EU as global normative power. The second paragraph in turn, will discuss the critical, ongoing debate on different aspects of this perception. For the sake of clarity I have subdivided this debate into two parts: the EU's means, which includes the development of military capacity under the ESDP and the debate on the ambiguous classification of 'civilian' and 'non-civilian' instruments; and its ends, the normative nature of which is on several levels questioned. Another dimension of this debate is the synergy between the character and the demands of the international system on the one hand, and the EU as international actor in general and as normative actor in particular on the other, which will be explored in the final paragraph.

### 2.1. Normative perceptions of the EU

The concept of the EU as 'civilian power' has remained dominant in the decades following its introduction. Due to the fact that the initial concept was not systematically worked out, scholars have sought to define civilian power at a later stage, or develop parts of it through new concepts. One important aspect of these civilian and normative concepts, has been the assumption that the EU is civilian on the merits of its particular actorness and resulting different mindset, rather than due to its inability to develop military means and a firmer political stance.

#### ***Initial debate and constructing the EU as normative actor***

Francois Duchêne introduced Civilian Power Europe to the world in a time that was admittedly slightly more 'civilian'. The 1970s are generally depicted as one of the calmer decades of the Cold War, being at the core of the Cold War détente, the early days of Brandt's *Ostpolitik* and the start of European Political Cooperation. An era, in which the rough edges of power politics appeared to have worn off, and a commitment to more accommodating ways of cooperation seemed to have prevailed. It was not long however, before reality hit home. The beginning of the eighties showcased an increasingly tense international system, with enmities between the U.S. and the Soviet Union awakening from their slumbering state. Hedley Bull concluded in 1982 that the relatively stable period of the seventies had falsely led people to the conclusion that military force no longer mattered. Duchêne's concept of Civilian Power Europe actually was a 'contradiction in terms', as it (i.e. the EC) could only be 'civilian', i.e. bereft of military power, because others, i.e. the U.S., were not. The prevailing importance of military power and the allegedly diverging interests between the U.S. and the EC in these years, led Bull to conclude that the Community could only become a viable international actor if it bestowed itself with a credible military component and could guarantee its own security (Stavridis 2001; Treacher 2004).

Throughout the 1990s, and in the midst of the mission to 'deepen, widen, and broaden' the European integration process, scholars came to defence of the EU as 'civilian power'. Hanss Maull (1990) was the first to

revive the concept, and his definition had as key features: the centrality of economic power to achieve national goals; the primacy of diplomatic co-operation to solve international problems; and the willingness to use legally-binding supranational institutions to achieve international progress (Manners 2002: 237).<sup>22</sup> In 1990s and into the twenty-first century the debate on the EU as international actor was vibrant, as the 'civilian power' concept was debated and new models of the EU's international role were constructed. These alternative conceptions have two traits in common: they all refer to the Union's distinctiveness as an international actor, and to its normative international presence (Sjursen 2006b: 236).

### **A post modern power...**

The European Union's supposed 'civilian' power has its origins in its distinctive actorness. The EU's institutional structure and decision-making norms and procedures, such as the requirement of unanimity and the need to reach compromise both within and across the various EU stakeholders, are so decisive that they are considered to explain many, if not most, of the Union's civilian aspects (Burckhardt 2004). According to Manners (2002: 252) we can even pronounce that the EU is 'not what it does or what it says, but what it is', a belief that is core to his 'normative power' theory. His conclusion, which is shared by many, is based on the assumption that the EU's particular constitution as a 'hybrid polity consisting of supranational and international forms of governance' translates into a distinctive international outlook (Manners 2008). The EU is said to showcase a post-modern version of (perforated) sovereignty; transcending pre-modern obsessions with national sovereignty and security and on a mission to civilize international relations (Maull 2005; Lucarelli 2007; M. Smith 2004). The EU's lack of concern for its own security, or at least with *providing for* its own security as shown through its lack of military power, has from the beginning (i.e. Duchêne) been considered a prime example of its uniqueness. The EU is called a post-modern state (Cooper 2003; M. Smith 2004) and a post-Westphalian actor (Lucarelli 2007), which is entirely in line with the EU's view of itself as a regional political system based on 'the rejection of the European balance-of-power principle and the hegemonic ambitions of individual states that had emerged following the peace of Westphalia in 1648' (Joschka Fischer cited in Linklater 2005: 368).

### **... and a normative power**

The EU's different approach to international relations has as much a prescriptive as it does a descriptive side to it. The EU presenting a non-traditional take on international relations has important implications for the way it approaches its own external relations. As already depicted by Duchêne, the relevance of the EU as a civilian power in the international system is very much dependent on its own ability to shape the world around it. In other words: both the EU's goal and interest is to civilize interstate relations in order to secure and further its own prospects as successful global actor. This element of the civilian power concept is where most of the new, normative concepts of the EU are based. As 'normative' power, its identity as a value-based community is said to provide it with a framework for external action (Sjursen 2006a: 169; Bretherton and Vogler 2006: 218;

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<sup>22</sup> Maull actually constructed this model to describe post-war Japan and Germany, but it was subsequently applied by other scholars (and later himself) to the EU.

Manners 2002). It leads by example and spreads the civilian and democratic standards of governance it itself is based on (Lucarelli 2007: 252; Chaban, Elgström and Holland 2006: 259; Manners 2002). By promoting human rights and the rule of law and supporting multilateralism, it attempts to transform political interaction within and between states and can therefore be described as a 'civilizational hexagon' (Mauil 2005: 785-6). According to Mark Leonard, the EU is a 'long-term power' which concerns itself with reshaping the world rather than winning 'short-term tussles'. Through the framework of traditional political structures, it works like an 'invisible hand' to transform the world around it and is therefore a 'transformative power' (Leonard 2005). In addition, the EU has come to regard itself as an 'ethical' international actor, putting 'the welfare of international society ahead of the relentless pursuit of [its] own national interests' – a perception taken over by a great portion of EU-scholars (Linklater 2005; Hyde-Price 2008).

By definition, a civilian and normative power exercises 'soft power' as opposed to 'hard power' in order to achieve its civilian, civilizing objectives, and the EC/EU has indeed traditionally shun away from the use or the threat of military means (the typical hard power).<sup>23</sup> Christopher Hill concluded in 1983 that the EC occupied a distinctive position in international affairs, emphasizing 'diplomatic rather than coercive instruments, the centrality of mediation in conflict resolution [and] the importance of long-term economic solutions to political problems' (cited in K. Smith 2000: 13). The way it conducts its external relations are in line with its internal 'culture of compromise and debate', i.e. integration, prevention, mediation, and persuasion (Nicolaidis 2004), and this is considered to work for the EU's benefit. According to Andrew Moravcsik, the Europeans 'wield effective power over peace and war as great as that of the United States, but they do so quietly, through civilian power, which does not lie in the deployment of battalions or bombers, but rather in the quiet promotion of democracy and development through trade, foreign aid and peacekeeping' (quoted in Orbie 2008: 13).

In the early days of the EU its greatest external relations instrument was its 'formidable economic power', in addition to diplomatic influence (mainly derived from its economic weight) (K. Smith 2000; Mauil 2005). The importance of economic power as an instrument came from its sheer economic size, as well as the fact that economic integration was the most developed part of the EC and economic instruments were thus largely in supranational hands. Up until today the Union's economic size is considered its strongest asset. At this moment, the EU accounts for some thirty per cent of global income and nineteen per cent of world trade (making it the largest exporter and the second largest importer globally), and it is the second monetary power.<sup>24</sup> Besides direct trade with the EU market, economic instruments include aid and financial assistance, but also the EU's extensive system of regulatory norms with which its trading partners must comply (Tocci and Manners 2008). One author claims that 'the single most powerful policy instrument for promoting peace and

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<sup>23</sup> Other scholars argue the EU's preference for soft power tools does not mean they are only used in 'soft' ways or deployed to achieve 'soft' goals, this will be discussed in the ensuing paragraph.

<sup>24</sup> European Commission, EU in the World, External Trade, Slideshow 'Our work at External Trade', [http://ec.europa.eu/trade/gentools/downloads\\_en.htm](http://ec.europa.eu/trade/gentools/downloads_en.htm), accessed 16 December 2008. Statistics of trade and income are for 2005.

security in the world today (...) is the ultimate in market access: admission to or association with the EU trading bloc' (Moravcsik 2003: 85).

Aside from economic instruments, its second largest source of normative power is its enlargement policy, through which all the EU's norms, values and regulations (the *acquis*) must be adopted. In practice this often entails extensive reforms, with the benefits gained from EU membership (i.e. access to its market, increased stability, aid and financial assistance) as the incentive. The prospect of EU membership is deemed to have contributed hugely to regional stability in Central and Eastern Europe (Maul 2005: 778), and is currently doing its 'transformative' work in the Balkans and Turkey. Due to 'swallowing the continent', the desire of many other countries to become part of the EU, and the necessity for other, further away countries to maintain good relations with the EU in order to gain access to its large single market and potentially receive financial aid or investments, the EU is considered the prime influence in the Eurasian region and in Europe even the regional hegemon (M. Smith 2007: 450).

Several other EU policies have contributed to enhancing the EU's normative image. The EU has for instance been considered a global frontrunner on climate change issues ever since the EU negotiated and promoted the Kyoto Protocol. The rest of the international community looks towards the EU for leadership regarding climate initiatives, particularly since the other great Western power, the U.S., is bleakly lacking in this field. Another such example of European normative influence is that on the promotion of the international rule of law, displayed in particular by its successful advocacy for the establishment of the International Criminal Court, and it being the largest donor of development assistance globally. Aside from specific policies, the EU is considered the prime example of regional cooperation, posing as an example and source of inspiration for other (troubled) regions, as well as being considered particularly suited to promote multilateral cooperation, seen its extensive experience with (international) negotiation (Telò 2006; Sjursen 2006a; Maul 2005; Leonard 2005).

### ***Civilian by choice or default?***

Of course the EU's different, according to most 'more civilian', take on the world, and matching external presence, has everything to do with the fact that it is different from any other actor in global politics: it is not a state, yet it is a global player (which for instance, international organizations are not). A question touching the core of the civilian power debate is of classic 'chicken-or-egg' nature: does the EU shy away from and lack military power because of its different view on the world, or has it adopted a different approach to international relations because of its inability to develop a military identity and resources. Is the EU civilian by choice, or by default?

Robert Kagan would be first to answer in favor of the latter:

'Europe's military weakness has produced a perfectly understandable aversion to the exercise of military power. Indeed, it has produced a powerful European interest in inhabiting a world where strength doesn't matter, where international law and international institutions predominate, where unilateral action by powerful nations is forbidden, where all nations regardless of their strength have equal rights and are equally protected by commonly agreed-

upon international rules of behavior.' 'This is no reproach. It is what weaker powers have wanted from time immemorial.' (Kagan 2002: 10-11)

Other commentators agree with his view that the choice to remain without military power was not one made out of attachment to civilian power, or aversion to more forceful forms of power, but due to several internal and external factors. An important external factor was the Europeans' military dependence on the U.S. and NATO and their fear that they would jeopardize this relationship if they were to 'go military' themselves (K. Smith 2000: 14). An additional factor may have been that the EU's civilian self-perception developed in a time where 'hard power', and mainly that of the U.S., was increasingly criticized. A major internal factor, which is part of the 'weakness' Kagan refers to, have been the internal disagreements on common foreign policy in general and military means and actions in particular, which have impeded the prospect of developing military resources on EU-level. Duchêne's depiction of Civilian Power Europe would have sprung from his realization that the EC would simply never rise to become a superpower like the U.S., i.e. develop proper nuclear power, and would thus make most of its disadvantaged situation by developing as a 'civilian' power (Stavridis 2001). Reasoning this way is entirely in line with realist thought, arguing that 'in the long run the capabilities of an actor are decisive for its relative position in International Relations' (Burckhardt 2004).

Other commentators do not agree that the EU's view on the international relations is predisposed by its own weakness. They recount Duchêne concluding that 'extravagant exposure to the horrors of war has (...) produced one of the most resolutely amilitary populations in the world', and that '*one of the main reasons for the limited military potential of Western Europe is not material at all. [It] is the spontaneous preference of an urbanised body of citizens, with rights, values and comforts to secure, for the 'democratic' and civil standards of the suburbs over those of the armed camp and the balance of power*' (Duchêne 1973: 19-20, emphasis mine). The EU swearing off military power, balance of power thinking and zero-sum logic has simply created a more enlightened foreign policy (Tocci 2008; Burckhardt 2004). Nicolaidis argues against Kagan's supposition in his own language, by posing that 'today's Europe is no longer Kantian by necessity (...) but by choice.' The Europeans have genuinely learnt from their violent past and taken on a novel approach to the world. Europe's choice to be 'powerless', as he puts it, is 'not utopian, not second best, but a deliberate choice, the most effective strategy it has found based on hard experience' (2004: 98).

## 2.2. The Union under debate

The previous section followed the elaboration of the civilian power concept since it was introduced in the 1970s. In particular the normative aspect of its international identity has received much attention, and has been elaborated through concepts of the EU as 'normative', 'transformative' or even 'ethical' power. These concepts of the EU as a normative actor however, have also received their share of criticism. Initial debate regarding the EU mainly revolved around the question whether the EU (EC) could be dubbed a foreign policy actor at all (Sjursen 2006b). Especially influential was Christopher Hill, who described the discrepancy between the expectations raised by the launch of the CFSP and the Union's capacity to meet these expectations, as the 'Capabilities-Expectations Gap' (Hill 1994)<sup>25</sup>. Although the CFSP has continued its hampered existence since Hill struck his balance in the beginning of the nineties, the Union has continued to increase its international presence, and the debate has largely moved on to the question of *what type of actor* the EU is.

Being a civilian, normative actor consists of several elements, which I have bundled in two broad categories: ends (civilizing purpose, spreading norms and values), and means (non-military, pre-dominantly economic tools) which also includes the way in which these means are used ('soft power') (K. Smith 2007: 65).<sup>26</sup> The main question under debate at this moment regards the matter of 'means', namely whether the development of the ESDP renders the EU's civilian power status obsolete. Other matters are debated as well: if civilian power is commensurable with military power, does this imply civilian ends are more important and justify any means? And if military power refutes civilian power, does this imply that the type of foreign policy instrument alone determines whether it is a case of hard or soft power, or is the way in which an instrument is utilized also a factor (I will refer to this aspect as 'method')? And concerning 'civilian ends', is the distinction between civilian and non-civilian so clear-cut? And how do you judge whether an end *is* civilian?

### **Civilian means**

An important part of the civilian power concept is a non- military character (symbolic for its different stance in the world) and predominance of civilian forms of power derived from economic, social, diplomatic and cultural instruments (Tocci 2008). In the past decade the EU has devoted much of its energy to developing precisely the military aspect of its competences and capabilities, which brings up the question: is military power compatible with civilian power, and consequently, can the EU still be considered one (K. Smith 2000; Sjursen 2006b)?

Duchêne's launch of Civilian Power Europe in the seventies offered a rather descriptive definition of civilian power. In the decades following, every sentence he wrote on the topic has been used and subjected to interpretation four times over by EU scholars attempting to back their argument with the 'original' civilian

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<sup>25</sup> Of this theory two different spellings go around, the second one being the 'Capability-Expectations Gap'. I will use the spelling as introduced in the original article.

<sup>26</sup> Besides means, the way means are used, and ends, Karen Smith distinguishes a fourth element, namely the process by which foreign policy is made, entailing for instance the democratic nature of the decision-making process. I will not go into this matter; for an elaboration see Karen Smith (2007) and especially Hazel Smith (2002).

power concept.<sup>27</sup> Since Duchêne never composed an ideal-type, contemporary scholars are in effect attempting to reconstruct an ‘ideal type’ civilian power to fit their argument. For the debate on military capabilities Duchêne’s Civilian Power Europe concept is used for endorsing both sides of the argument. On the one hand he wrote that ‘the European Community will only make the most of its opportunities if it remains true to its inner characteristics. These are primarily: civilian ends and means, and a built-in sense of collective action (...)’ (1973: 20): hence, the EU should *not* develop military capabilities.

On the other hand, Duchêne specifically spoke of an actor ‘long on economic power and *short on military force*’ and of *primarily* civilian ends and means, which indicates a *preference* for non-military power, but does not repudiate military power in itself. This nuanced difference has led to subsequent scholars concluding that military power *does* fit into the ‘ideal type civilian power’. Hanns Maull shares the latter interpretation and his definition of civilian power explicitly refers to ‘the concentration on nonmilitary, primarily economic, means to secure national goals, with *military power left as a residual instrument* serving essentially to safeguard other means of international interaction’ (1990: 92-93, emphasis mine). As his was the first concrete definition of a civilian international actor it has been used throughout the years as a point of reference, and the concept of military means as ‘residual instrument’ became, and has remained, most influential.

Maull argues that a civilian power regards the use and the merits of military power more skeptically than traditional great powers do, but its use in itself does not contradict its civilian nature. In cases of ‘individual and collective self-defence, or for purposes of collective security or humanitarian interventions if and when those are perceived as promoting the civilizing of international relations’, the use of military power is admissible. In short, the means are not the deciding factor; the ends are (Burckhardt 2004). Maull nuances that a civilian power does point to a ‘specific way in which military force will be applied—never alone and autonomously, but only collectively, only with international legitimacy, and only in the pursuit of ‘civilizing’ international relations’ (2005: 781). Other scholars agree with Maull in that ‘developing and strengthening the military instrument is not sufficient to validate or invalidate the notion of civilian power Europe’ (Whitman 2002: 19). The EU explicitly favors civilian forms of power over military ones, but the latter may be necessary to safeguard its civilian purposes. In addition, the tasks for which the military means will be mostly employed, lie in the area of humanitarian operations and peacekeeping missions, in effect locking the EU into a ‘civilian power military posture’ (Ibid.: 21).<sup>28</sup>

For some scholars, the EU’s military power is not merely compatible with its civilian international presence, but makes complete sense. The EU’s foreign policy needs to be complemented with a proper defence and security policy, and matching capabilities, in order to back up its civilian instruments (Burckhardt 2004).<sup>29</sup> As Davidson (2000) puts it: ‘the point about this military capability is not that it will necessarily be used, but only that it

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<sup>27</sup> Two sources are always quoted: François Duchêne (1973) ‘The European Community and the uncertainties of interdependence’, in: Max Kohnstamm and Wolfgang Hager (eds.), *A Nation Writ Large. Foreign-policy problems before the European Community* (London & Basingstoke: MacMillan) p.1-21; and F. Duchêne (1972) ‘Europe’s Role in World Peace’, in: R. Mayne (ed.), *Europe Tomorrow: Sixteen Europeans Look Ahead* (London: Fontana).

<sup>28</sup> The EU’s military forces were explicitly developed to perform the Petersburg tasks, which include peace-keeping and humanitarian assistance.

<sup>29</sup> As we will see in Chapter 3 below, this is also the EU’s official stance.

might be used; and this potential capability for using military force will itself lend new credibility to the “softer” and non-military aspects of the EU’s foreign policy’. A report from the Centre for European Reform (CER) agrees that ‘EU diplomacy will have greater credibility if it is underpinned by the potential to deploy force’ (Grant and Valasek 2007: 5-8). The most cited example of the obvious necessity of military means to back up diplomatic efforts are the Balkan wars, where the EU was unable to commit the warring parties to a truce – a failure by many ascribed to the absence of military means to support its diplomatic efforts (Burckhardt 2004; Treacher 2004; K. Smith 2000).

Stavridis (2001) agrees that the EU needs military power and is relieved that ‘the EU may finally be able to act as a global civilian power’. According to him the arguments against ‘civilian military power’ are the result of a pre-occupation with one part of Duchêne’s argument, namely the absence of military means. If the focus had been on the other essential element, which is often overlooked yet of pivotal importance, namely the promotion of civilian and democratic standards, it would have been evident that it is highly problematic to promote these principles ‘without ever having to use force’. In addition, resonating Duchêne’s claim, it is imperative that the EU actively spreads democratic principles in third countries, lest it ‘run the risk of being overtaken by traditional power politics’ (Stavridis 2001). In summary, ‘the possibility of drawing on military means would make the EU a ‘real’ Civilian Power Europe (..)’ (Burckhardt 2004).

Other scholars feel the above reasoning inhibits some fatal flaws. The EU’s civilian power rests on normative and ideological forms of power, not the (possible) recourse to military means. The EU’s strongest assets are its civilian policies, such as enlargement, association, trade, and simply ‘leading by example’. The virtues of soft power are most aptly put by Mark Leonard, who writes that the U.S. as traditional military power can ‘bribe, bully, or impose its will almost anywhere in the world, but when its back is turned, its potency wanes. In contrast, the strength of the EU is broad and deep: once sucked into its sphere, countries are changed forever’ (Leonard 2005). Manners (2006) and Karen Smith (2000; 2007) also argue the EU’s lack of military power forms its comparative advantage, and that European military power will undermine its civilizing influence. In areas where it now has the diplomatic and moral power of persuasion – for instance China, with regard to human rights or Russia concerning sustainable development – the EU may lose its diplomatic influence if it, for instance embarked on peace-keeping missions in areas of their respective concern (e.g. Tibet and Chechnya).

Ian Manners feels that as long as military means are not prioritized over non-military ones, the EU’s military capabilities within the ESDP do not necessarily undermine its role as a normative power, but nevertheless he concludes that ‘since the end of 2003 the EU has taken a sharp turn away from the normative path of sustainable peace towards a full spectrum of instruments for robust intervention’ (2006: 189). Adrian Hyde-Price agrees with the latter conclusion and dubs that as European military power is not for European territorial defence, the ESDP is but a framework to shape the EU’s external milieu by using military coercion to support its diplomacy, and thus constitutes nothing less than ‘an instrument for coalitional coercive diplomacy’ in a move towards ‘expeditionary warfare and power projection’ (2006: 230). Other commentators do not quite use the same firm language as does Hyde-Price, but in essence agree (Burckhardt 2004; K. Smith 2000; 2007). They

argue the whole concept of a 'civilian military operation' is, by definition, flawed, and stretches the civilian power definition beyond its limits. For example, there is a fine line between peace-keeping and peace-making, and if allowing for any military part in no matter how civilian a mission (i.e. with civilian goals) the question remains: where do civilian ends end and military ends begin? To avoid confusion the distinction between civilian and military should be sharply guarded, and even peace-keeping missions, which can on account of their goals easily be dubbed civilian, are an undesirable move towards militarizing the EU (K. Smith 2007).

### **Civilian methods – coercion versus persuasion**

The two sides of the discussion on military means make one point very plain: the matter of civilian or non-civilian foreign policy instruments is not so clear-cut as it may seem. The question of whether or not military power can be 'civilian' is equivalent to the question of whether or not non-military means can be 'non-civilian'. Although aid, economic relations and assistance, integration, 'leading by example' and diplomacy, are generally regarded as civilian instruments, a common critique is that these ostensibly 'civilian' means can be used in non-civilian ways. When a country is deprived of subsistence goods due to sanctions; when stronger countries exert diplomatic pressure on weaker countries; and when a country agrees to harsh conditions in exchange for aid: these (non-military) practices can all be considered, in one or degree or another, less than civilian in the sense that they do not rely on persuasion between equals, or on attraction to one you consider to be morally superior, but rather are examples of coercion or imposition albeit with non-violent means. Being portrayed as and depicting itself as the prime example of a civilian power, the EU is accused of using its proclaimed civilian instruments in a less than civil way. Prime examples are the use of economic and diplomatic pressures, including positive and negative conditionality in its relations with other (usually weaker) countries (K. Smith 2007: 68; Hyde-Price 2008: 31).

A 'civilian' instrument then is no guarantee of civilian power and the focus should be on *how* an actor uses its means as opposed to the means themselves (K. Smith 2007: 68; Tocci 2008). We have discussed in the first chapter which different power perceptions go around, and Joseph Nye's distinction between soft and hard power on first sight seems to offer a useful tool in distinguishing between civilian and non-civilian behavior. Nye's theory does not so much prescribe the type of instrument, but rather how the instrument is used. Hard power refers to exercising power based on coercion, rather than attraction and although the most common hard power instrument is military power, economic strategies (economic coercion through sanctions for instance) can also fall under this category.<sup>30</sup> Soft power then relies on the virtues of attraction and persuasion; swaying another actor in order to achieve your own goals. Civilian powers, and thus the EU, are assumed to rely mostly on soft power tools, and refrain from coercion and imposition (K. Smith 2007: 66).

Although this distinction may seem adequate; the dividing lines between hard and soft power, such as between coercion and persuasion, may be as blurry as those between civilian and non-civilian (K. Smith 2007). Hettne

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<sup>30</sup> Joseph Nye's definition indeed categorizes economic sanctions as a form of coercion and thus hard power. However, some scholars tend to depict all economic instruments as soft power tools, including economic sanctions, which confuses the discussion on soft and hard power.

and Söderbaum (2005) point out that the context in which a certain instrument is used also determines which type of power is actually applied. Although the EU is said to rely on persuasion rather than coercion, these authors claim there is a fine line between 'civilian power' and 'soft imperialism'. This distinction hinges on two elements: the relative power distribution between the two actors, and the overall importance of values and norms<sup>31</sup>. 'Civilian power' refers to a foreign policy based on equal dialogue and a foreign policy constructed on the same norms the EU promotes internally; 'soft imperialism' involves an asymmetrical relationship and the imposition of norms to promote the EU's self-interest rather than a genuine dialogue. The EU, they argue, often conducts its external relations (and especially interregional) under civilian pretext, but the relative power balance between the partners determines whether cooperation really is civilian or not: the more unequal the power balance, the less 'civilian' the cooperation, because the power asymmetry allows the EU to dictate conditions.

Others agree that in cases of large power differences between the actors involved, 'the voluntarism inherent in these theoretically 'soft' methods falls victim to the power-political context in which they are exerted, rendering the distinction between persuasion and coercion meaningless in practice' (Tocci 2008: 9; K. Smith 2007: 68). The EU concludes most of its agreements with countries economically and politically weaker, and thus often finds itself in a situation where it can easily sway an agreement in the direction most beneficial for the Union.<sup>32</sup> One example being the negotiations on the Euro-Mediterranean Partnership (EMP), in which the Mediterranean countries occupied a much weaker bargaining position than the EU, and the Agreements as a result reflected much more the latter preferences and interests than those of the former (Panebianco 2006). Aside from the corrupting influence of power imbalances, Tocci (2008) asserts that soft power towards an authoritarian regime can hardly be called normative; withdrawal of aid can in some instances be as coercive as sanctions; and that reliance on persuasion rather than coercion may also be the result of weakness, and thus is not normative *by intent* but by default. She concludes that '[t]he context in which these incentives or disincentives are applied is (...) crucial in determining the extent to which they can be viewed as normative or otherwise' (Ibid.: 10).

The interpretation of supposedly civilian tools is then highly volatile. Even positive forms of conditionality such as political engagement and granting market access which are generally considered soft forms of power, can be said to rely on the same coercive logic and thus present merely examples of 'hard power exerted and delivered with the velvet glove of diplomacy' (Tocci 2008: 10). According to Hyde-Price (2008: 31) the 'transformative' power the EU is alleged to wield is based on 'its economic clout, the fear of exclusion from its markets and the promise of future membership' which are for him all 'very tangible sources of hard power'. In short, tools that are by some dubbed typically civilian, are by others considered no more than hard power with a civilian coating.

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<sup>31</sup> The latter part will be discussed in the following section.

<sup>32</sup> Although the EU can hardly be blamed for looking after its own interests, it is farfetched to then still depict this conduct as being more civilian than that of others.

### ***Civilian ends – the problem of normativity***

The importance of, and difference in interpretation is not restricted to the abovementioned matters, but is also, and perhaps particularly, relevant with regard to the EU's proclaimed objectives. One of the main characteristics of a civilian power is that its different view of the world affects its goals, which are thus also more 'civilian' and even 'normative'. From Duchêne and Maull one can distill several civilian ends, such as international cooperation, solidarity, domestication of international relations (or strengthening the rule of law in international relations), responsibility for the global environment, and the diffusion of equality, justice and tolerance (K. Smith 2007: 66). Characteristic for civilian goals is that they are 'milieu goals' rather than 'possession goals'. The distinction between the two types, as first laid down by Arnold Wolfers in the early 1960s, is that possession goals further national interests, whereas milieu goals intend to shape the environment in which an actor operates. Milieu goals are in differing degrees also related to the actor's national interests, but are pursued consistently over a longer time and not just when they overlap with possession goals (Elgström and Smith 2006; Tocci 2008; K. Smith 2007). The EU's objectives of promoting regional cooperation and supporting multilateral institutions, promoting human rights and democracy, the fight against international crime and the international rule of law, and the promotion of sustainable development and the reduction of poverty, are all milieu goals and thus support its 'civilian' image (K. Smith 2003: 105).

### **Self-interest versus norms and values**

The above distinction is, again, one under debate: can you really distinguish between 'civilian' goals and those for self-interest? Sjurgen, for one, questions the underlying motives behind 'normative' policies and actions, and poses that EU self-interest is often down-played (2006b). Furthering multilateralism for instance, can be regarded 'both principled and [to] serve the realpolitik calculations of its member states' (Marsh and Mackenstein 2005). Far beyond *downplaying* its own interests, normative rhetoric may also be a cover-up for objectives that are actually based *mainly* on self-interest. The promotion of regional and multilateral cooperation may simply result from the EU's great power potential in this sphere of international politics; and the EU's aid and humanitarian assistance may be a way to assert and increase its international standing and at the same time spread its own norms and values in a very much imperial way. The same can be said for its conditionality clauses, which in addition help secure the EU's external borders. In other words, all of these 'milieu goals' could actually be targeted directly at changing the EU's environment in ways that allow the EU to increase its global standing. Although objectives are more likely to be a combination of self-interests and values, the predicament remains, that it is very hard to make up which is predominant.

Hyde-Price highlights two issues with presenting the EU as a global 'force for good'. He has distilled three main purposes of the EU's foreign policy: serving the common interests of the member states, shaping its milieu, and serving as a force for good. The first issue is that these goals often clash. This is made evident for instance by the Common Agricultural Policy (CAP), which has been under severe critique for decades for its harmful effects

to overseas (often developing) economies.<sup>33</sup> The member states' economic interests (i.e. 'serving common interests') in this case overwrite their principle of promoting free trade (i.e. 'serving as force for good'). Another example is the case of human rights violations in China, criticism about which is structurally tempered (although incidentally addressed, as we will see in Chapter 3) for the benefit of economic interests of EU member states (which are served amongst others by selling arms to the country, another interesting little twist) (Hyde-Price 2008: 33; K. Smith 2007). Clashing interests and values, and the subsequent prevalence of interests, underwrites the (neo)realist assumption, that the promotion of norms and values, by Hyde-Price dubbed 'second-order concerns', are conditional upon their compatibility with matters pertaining national ('primary') interests (Hyde-Price 2006).

### **Universal values**

The second issue Hyde-Price raises is directed at the core of the EU as normative power, or rather as 'force of good'. If assumed the EU pursues its own interests and does good at the same time, the assumption thus is that what is good for the EU is good for world (paraphrased from Hyde-Price 2008: 32). In this sense, 'normative' foreign policy can be equated to 'good' or 'ethical' foreign policy, which reflects a claim that one has values superior to those of others - often accompanied by the conclusion that they should thus be spread and adhered to at large. Those ascribing to such a claim, usually justify this by the notion of universal values (or 'human rights'). This notion is indeed core to the 'normative power Europe' concept, which, according to Manners, refers to the EU promoting 'a series of normative principles that are generally acknowledged, within the United Nations system, to be universally applicable' (2008: 46) – a view also pervasive in official EU documents and discourse. The EU advancing 'fundamental universal values', such as human rights and democratic principles, implies that it is not a matter of 'soft imperialism', but instead of 'soft diplomacy' (Manners 2002; Petiteville 2003).

Proponents of the principle of universal rights find themselves supported by the numerous international human rights treaties, predominantly under the scepter of the UN, and the development of international humanitarian law, in the second half of the nineties. The most notable of these developments remains the Universal Declaration of Human Rights in 1948. The Declaration was adopted by the United Nations General Assembly, then comprised of 52 states, and covered some thirty rights ranging from the right to political participation, to several rights to freedom from want and freedom from fear. In 1966 the Declaration was complemented by the International Covenant on Civil and Political Rights and the Covenant on Economic, Social and Cultural Rights, together comprising the International Bill of Rights. Besides the Bill of Rights, other treaties and declarations were adopted on rights ranging from the protection and punishment of genocide; the abolition of slavery; the status of refugees; apartheid; torture; to several labor related treaties drawn up under the International Labor Organization (Forsythe 2006).

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<sup>33</sup> The stories about the CAP's foreign effects are indeed disturbing. Hyde-Price (2008: 32) quotes the Australian Trade Minister Mark Vaile pointing out, that 'a typical cow in the EU receives a subsidy of \$2.20 a day—more than what 1.2 billion of the world's poorest people live on each day. Some experts have suggested that if the EU acted 'ethically' to bring about genuine reform of the CAP, more than 140 million people in the developing world could be lifted out of poverty.'

Despite these developments, the matter of universal values is by no means one on which general consensus exists (Tocci 2008; Lucarelli 2007).<sup>34</sup> Although admittedly widely endorsed, the Universal Declaration of Human Rights was signed at a time when the UN consisted of mostly Western democratic members for whom these rights greatly reflected their own domestic policies. With the addition of non-Western, and often non-democratic, countries to the UN, the issue of universal human rights soon became more contested and the process of moving forward with the concept of universal rights stalled. This lag had already been apparent from the long time – nearly thirty years – it took for the Universal Rights to be translated into treaties and brought into legal force, and even then with very limited enforcement mechanisms. In addition, it is often claimed that the movement towards universal human rights has taken place with ulterior motives, with countries feeling the (political) need to formally endorse treaties, yet often failing to comply with these treaties in practice (Forsythe 2006).<sup>35</sup>

Opponents of universal values claim norms and values are shaped and interpreted through historical, political and contextual influences, which means there are no values adhered to in all societies, or at least, not in the same hierarchical order.<sup>36</sup> In previous years the example of ‘Asian values’ has entered the debate (due mainly to the economic rise of the region), which are said to focus much more on collective rights in contrast to the more individualistic rights adhered to in the ‘West’ (the latter of which are now claimed ‘universal’) (Tocci and Manners 2008). The assumption that European/Western values are taken for universal values is by no means considered a light offence. As Tocci (2008: 5) puts it: ‘[p]rojecting or coercively imposing specific norms with a claim to their universality amounts to little more than an imperialistic export of one’s chosen form of political organisation.’ Hyde-Price (2008) agrees and regards the notion of universal values a form of ‘moralistic crusading’; a practice particularly controversial seen the Europeans’ long history of colonial domination (K. Smith 2007).

### **Differently normative?**

A consequence of the apparent variation in value-perceptions, is that it makes one wonder whether a claim to ‘furthering norms and values’ is something particular to the EU: cannot most (if not all) international actors in one degree or another be regarded a normative power, since they all strive to further their own norms?<sup>37</sup> In a recently published book Tocci et al. (2008) have researched the degree to which the EU, U.S., China, Russia and

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<sup>34</sup> For more on the history of human rights in international relations and the development and institutionalizing of the notion of ‘universal human rights’, see Forsythe (2006).

<sup>35</sup> This option is underwritten by a 2008 report of the Dutch Advisory Council on International Affairs, which concluded that although the concept of universal human rights is formally relatively uncontested, there appears to be a (worrying) gap between the formal adherence to these principles, and the actual practice of respecting them. See for the entire report: [http://www.aiv-advies.nl/ContentSuite/upload/aiv/doc/webversie\\_AIV\\_63eng%281%29.pdf](http://www.aiv-advies.nl/ContentSuite/upload/aiv/doc/webversie_AIV_63eng%281%29.pdf), last accessed 20 September 2009.

<sup>36</sup> This is in fact a crucial point, as many actors attach importance to the same norms and values. However the hierarchy of these different values in terms of priority differs so significantly that outcomes are entirely different and it seems as though values are wholly divergent.

<sup>37</sup> This actually refers to the ‘neutral’ interpretation of normative, namely that ‘normative’ conveys ‘a sense of standardization rather than a moral imperative. This interpretation associates norms with power, in the meaning that major international actors have the power to influence what is considered ‘normal’. This would imply that all major international actors have ‘normative’ foreign policies’ (Tocci 2008: 4).

India can be regarded normative foreign policy actors, on the basis of foreign policy case studies. The book reaches two interesting conclusions: firstly the EU is not always as normative as it claims to be; and secondly, ideas on what is considered 'normative' are highly diverging.<sup>38</sup> All countries researched in the book conducted what they felt were normatively justifiable foreign policy decisions, judged by their own ethical priorities. But where Russia and China place the protection of sovereignty above that of individual rights and freedoms, the EU is much more concerned with the latter and judges its foreign policy decisions accordingly. The same foreign policy decision then can be judged 'imperial' by one country, and 'normative' by the other (Tocci and Manners 2008), which is entirely in line with the discussion on allegedly 'universal' values.

One interesting example of how nuanced the difference in perceptions of norms and values is, is that of the European Union and United States. The U.S. has a long tradition of normative justification of its foreign policy, especially with regards to democracy and human rights (human freedom in particular), and is by many other international actors seen as a, or rather *the*, normative international actor (Sjursen 2006b; Nicolaidis 2004). But although the U.S.' and the EU's values are as convergent as those of two separate actors will ever be, the U.S. is from European perspective often not regarded a normative power, in the meaning that it presents a 'force for good'. The way in which it actively aims to spread its values around the world is of a more zealous nature than most Europeans are comfortable with, and in addition happens by the point of gun if deemed necessary.<sup>39</sup> Conceptually it has been argued that the reason the EU can indeed be regarded normative as opposed to the U.S. is that the EU's normative policies are regarded an extension of its own sphere of rights, as opposed to that of the U.S. which sees the world outside the 'West' as one where different laws are in effect (Bialasiewicz 2008: 77; Nicolaidis 2004; Tocci and Manners 2008). However, this reasoning is, following the argumentation of this paragraph, highly dependent on the authors' own interpretation of what 'normative' entails.

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<sup>38</sup> Michael Emerson drafted the 'Ten Commandments of the European Union' for which he has filtered out the main values as apparent from the European Constitution. He then compared these 'European values' to those of Russia, China and the U.S., and came to the conclusion the US shares six, Russia none, and China 'a few'. (Michael Emerson (2005) *What values for Europe? The ten commandments*. CEPS Policy Brief. Online at: [http://shop.ceps.eu/BookDetail.php?item\\_id=1203](http://shop.ceps.eu/BookDetail.php?item_id=1203), accessed 6 April 2009)

<sup>39</sup> Other issues with the U.S.' supposed normative foreign policy include its practice of the death penalty, which the EU vehemently and actively opposes, and the recent scandals relating to Abu Ghraib and Guantanamo Bay, and the Iraq invasion in general.

### **2.3. Reality hitting home – pressures of the international system**

In the first chapter we considered how developments in and characteristics of the international system have greatly influenced the shaping of the EU as international actor and outsiders' perceptions of it. The debate so far has ignored this element and has been of a mostly conceptual, theoretical nature and rather inward-looking. Both sides in the normative power debate make reference to the international system: supporters claim that the international system is moving into a direction more conducive to a civilian power, whereas opponents argue the increasing global securitization will render a non-military player powerless on the international scene. Another, more inherent link between the EU and the international system is that the EU as part of the system is judged by the requirements the system poses. This factor may even be more critical for the EU than for other actors, since it does not only have to prove it is an effective foreign policy actor, contested for instance by the Capabilities-Expectations Gap theory, but also that it lives up to its normative power status. Notwithstanding the EU's means, methods and ends, to be a civilian, normative force it must be recognized as one by other actors.

#### ***A post-modern international system***

The discussion on the EU's global influence is often linked to a broader discussion about the move towards a post-Westphalian international order (Sjursen 2006a: 170; Duchêne 1973; Nye 2004). According to Maull the current global order has two main characteristics: a proliferation of international relations actors and a trend of blurring boundaries due to globalization. Together, these developments have transformed the world to such a degree it is essentially 'postmodern' (Maull 2005: 798). As a result, today's world issues are increasingly transnational rather than national – think of environmental damage, security, and resource scarcities – and thus require a cross-boundary approach to address them. In light of these developments, the strict boundaries between national and international politics cannot be maintained and states are no longer hegemonic: the diffusion of power we are now experiencing means new forms of (global) governance must be developed, which include both states and non state actors (Maull 2005: 794; Sjursen 2006a: 175-6; Knodt and Princen 2003).

Since the EU is commonly regarded a post-modern, post-Westphalian actor, it only makes sense that its greatest scope lies in the realms of international politics similar to its constitution. The move of the international system towards one in which borders fade and concepts of actorness broaden, seems like a superb opportunity for the world's 'prime example of post-modern actor' (Maull 2005). According to Maull, the EU indeed has significant scope in the 'post-modern sphere of international relations' where its particular understanding of sovereignty is ahead of that of traditional actors. The EU is considered especially well-placed in furthering regional, international and multilateral cooperation, as it 'understands – better than any conventional power – the benefits of international co-operation, institutions and rules' (Grant and Valasek 2007: 33), and is the most successful example of international (regional) cooperation to date. The Union has in the past enjoyed great influence in multilateral cooperation, using its influence to (successfully) promote the Kyoto Protocol and the establishment of the International Criminal Court (Bretherton and Vogler 2006: 216-

218; Telò 2006: 4-5; Reid 2004: 193). In addition, it could also put to use its influence in multilateral organizations to lead the way in reforming global governance by improving representation of emerging and developing powers and thus the legitimacy of multilateral organizations (Wallace 2002; Grant 2008).

An important point to note is that exerting its 'civilian' influence for the benefit of international cooperation and fixing imbalances in multilateral cooperation, would not be out of sheer altruism, but out of self-enlightened interest. The EU is not only considered to have great scope to further the move towards a post-modern international system and to be of crucial (perhaps decisive) importance for the future of multilateral cooperation (Telò 2006: 59-60), its own future as a global actor is for a large part tied to how successful it is in this respect. Maull poses that

'if the EU works well internally and successfully harnesses its potential to influence international relations, this will stimulate cooperation from others and enhance the performance of international institutions (and vice versa); conversely, a lack of cooperation by others and further erosion of the institutional infrastructure of global order would probably have a negative impact on the performance and influence of the EU' (2005: 796).

### ***Power politics and state-centricity***

The latter part of Maull's prediction is of great importance. Although the world is becoming increasingly post-modern, 'pre-modern and modern forms of organized violence and anarchy are still sufficiently strong and pervasive to require attention and power in the traditional sense' (Maull 2005: 798). Worrying for the EU is that whereas in the 'post-modern, globalizing dimensions' of international relations 'its specific strengths matter most and (...) its weaknesses are of secondary importance'; in the *modern* realm of international relations, its weaknesses do matter, and its influence in this sphere is limited (Maull 2005: 787). To sustain itself as a civilian power, Maull argues, the EU also needs traditional power.

In Maull's conclusion resonates an issue which has been lingering in the EU debate ever since Hedley Bull; that of the relevance and viability of a non-military power in the international system (Stavridis 2001). Aside from globalization and increased diversity in international actors, the post-Cold War period has also been characterized by an increase in (national) violent conflict as well as a rise in cross-boundary terrorism and other forms of violence<sup>40</sup>. Even the most vehement of EU-supporters admit that the EU's civilian instruments could be rendered useless if the securitization of the international system continues (Wallace 2002; Telò 2006: 59, 207; Silvestri 2008: 10-11). According to Telò, surrounded by conflict it would reduce to becoming 'a ceremonial, cultural beacon', 'nullifying EU global political activity and turning into a large Switzerland' (2006: 59-60). Robert Cooper therefore advises that 'when dealing with more old-fashioned kinds of states outside the postmodern limits, Europeans need to revert to the rougher methods of an earlier era—force, pre-emptive attack, deception, whatever is necessary for those who still live in the nineteenth-century world of every state for itself. In the jungle one must use the laws of the jungle' (2003: 62).

An interesting side note to the above is that not only *traditional* political practices are a potential pitfall but also new developments may be. It is generally assumed that the international system is moving in the direction

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<sup>40</sup> Or at least, a rise in terrorism from others countries towards the western countries or western targets.

of one more diverse, less state-centric and characterized by plurality and diversity in all respects. However, these depictions are quite western-centric and in fact ignore the numerous authoritarian states - to one degree or another - which have come forward in the past decade due their economic growth. Studies show that the fast rise of actors as China and India is influencing (the nature of) the international system in ways that are usually reserved for the EU. A recent report on the influence of China on the international system concludes that 'just as Europe once exported its own state system of international relations to the rest of the world, so too are Asian countries now reshaping the international system.' Their influence causes conditions for international relations to change to the advantage of strong states, such as China, something the EU is not.<sup>41</sup> The congruency of the EU and the international system is essential, because, true to constructivist thought, an actor's external environment is crucial for shaping its identity. Increasing securitization and a renewed state-centric focus may push the Europeans towards complying with these external expectations and norms, and in fact the development of the ESDP for some commentators implies the EU already has.

### ***Power thinking in normative concepts***

Although EU-minded theories exhibit an overt aversion to power political thinking, state-centricity and pre-occupation with military power, interestingly enough many EU theories are themselves infused with these elements. On the one hand, it is mused that the EU's 'special' view on the world must be maintained. The development of military capacity 'sends of a message that military force is still useful and necessary' (K. Smith 2000: 27) and is as such undesirable. Going down the military road would reek of power politics (as intervention can only take place in countries considerably weaker) – an area where the EU as a forward-looking international actor is entirely out of place (Burckhardt 2004; Treacher 2004). According to Nicolaidis 'it is hard to see how the projection of credible military power would not entail the kind of collective exclusivist identity, power hierarchies, and unified centralized leadership eschewed until now by the European project. Europe is not and should never become a state writ large' (2004: 111-112). According to these scholars, developing military means jeopardizes the potential the EU has to make a real difference in the world, leading by example and transforming international relations as we know it (K. Smith 2000 and 2007; Burckhardt 2004; Treacher 2004).

The EU being regarded as a transformative force brings scholars to some contradictory conclusions. Proponents of military power for instance argue that the EU should develop military means, in order for it not to be 'overtaken by traditional power politics' (which is much like Duchêne's argument in the seventies) (Stavridis 2001). Similarly, Maull aims to 'civilize' international relations, with the use of military power (2005: 781). But does this not mean that the EU as a civilian power should resort to power politics, in order for it not be overtaken by it? I am struggling to see how this reasoning is supposed to 'transcend traditional concerns with balance of power thinking'. Also those arguing *against* military power resort to the same logic. Manners and others warn that the EU risks losing significant normative power if it involves itself with deploying military

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<sup>41</sup> Maaïke Okano-Heijmans & Frans-Paul van der Putten, 'China's rise and the changing rules of the game in the international order', CEPS Commentary, 6 July 2009. Online at: [http://shop.ceps.be/downfree.php?item\\_id=1870](http://shop.ceps.be/downfree.php?item_id=1870), accessed 15 September 2009.

means. Deploying military means may upset the country in question and in turn undermine the EU's diplomatic influence (a highly volatile type of influence). To meet the need for military action yet keep the EU military-free, several authors propose to maintain the division of labour among Europe's key institutional actors that was in place at the beginning of the nineties, when NATO and the WEU took care of the military part of Europe (Treacher 2004), or simply to stick to providing military support for missions under UN banner (Manners 2006). Such an arrangement would allow the EU to focus on what it is good at, namely the civilian parts of external relations such as economic cooperation, conflict prevention and post-crisis reconstruction (Treacher 2004).

That being said, these arguments are themselves not devoid of power political assumptions. Manners speaks of losing leverage over a third country by, for instance, conducting a peace-keeping mission which would off-set the Union's diplomatic influence. However, as far as objectives are concerned, for instance protecting human rights, there seems hardly any distinction between a peace-keeping mission in Chechnya and directly addressing Russia's internal human rights situation. As Manners does not refute the use of military power as such, the questionable part of his argument is that it is not so much the military instrument that proves to be the issue, but the fact that the EU upsets another actor by interfering with a sensitive national matter and thus loses influence. In my opinion Manners' reasoning against normative action to safeguard normative influence, makes me wonder whether he is not more concerned about losing influence *per se*, than he is about losing *normative* power. Similarly, outsourcing military power actually implies that the EU *does* recognize the importance of the use of military power, but in order to maintain its purity and preserve its civilian image delegates its military operations to another organization. This does not sound like an actor with a different view on the world; at the most like one who would *like* the world to be more civilian, yet sees itself forced to play along with the current rules of game (which still include force). It also does not denote that the EU is not militarily active; it merely implies that the EU does not conduct its military missions itself.

### ***The EU through the eyes of others***

The paragraph above highlights a crucial element of the EU as international actor, but one which is often overlooked. Despite the EU being a distinctive actor and thus occupying a special place in the international system, it is still part of the system and is thus judged by the same criteria as are other actors. Hill's Capabilities-Expectations Gap (CEG) already pointed out the importance of the perceptions of others and right now the implications of this Gap may have moved beyond its original scope. Not only is the EU (still) under pressure to prove its legitimacy and credibility as international actor, presenting itself as a normative force creates additional expectations to live up to. All things considered, the EU has a lot to prove.

In terms of capabilities, the biggest hurdle for the EU as an international actor is the complexity of EU foreign policy decision-making, the intergovernmental nature of the CFSP and the requirements of unanimity for any decisions regarding the EU's acting abroad (K. Smith 2003: 105). Seen as EU foreign policy is an intergovernmental affair, national leaders give direction to the Union's foreign policy – in effect tying the EU's foreign policy to *national* politics. In practice, this means that for each decision consensus has to be reached among twenty-seven countries, which has proved nigh impossible, and the problem of internal divisions and

lack in coherence has been significant. The EU has, among others, disagreed on major international issues such as the Iraq war (Reid 2004: 193), the Palestinian-Israeli conflict (Pijpers 2007), and Kosovo's declaration of independence, as well as internal matters such as the development and deployment of military forces (*Economist* 2003; Dinan 2005: 587), the Union's approach to climate change measures, and, more recently, how to tackle the financial and economic crisis. The inability to find allies within the EU has contributed to the already existing tendency to advance national interests outside the context of the Union, more often than not hampering the EU's interests along the way.<sup>42</sup> For scholars and those in the field alike, the Union's internal divisions are generally regarded as its greatest obstacle for conducting effective foreign policy (Chaban, Elgström and Holland 2006)<sup>43</sup>.

Hill's CEG-theory pointed out that the discrepancy between expectations about the EU's foreign policy and its actual performance created doubts about the EU as foreign policy actor. However, the EU's actorness is not the only aspect under scrutiny; its role perception is as well. Crucial for normative power are credibility and legitimacy, both of which must be earned on account of the EU's performance. Credibility is crucial for a civilian power, because, without it you will not be able to convert others to your own goals without using force. The prevalence of national interests over EU interest and the discrepancy between what it advocates and what it does, harms the EU's credibility as others countries feel the EU preaches one thing, but practices another and thus cannot be relied upon (Hettne and Söderbaum 2005: 551). The matter of legitimacy is also critical for the EU's proclaimed normative influence, as normative power is 'sustainable only if it is felt to be legitimate by those who practice and experience it' (Manners 2008: 46). Norms of the international system and its actors can only be influenced if the EU behaves like a role model for the norms and values it wishes to spread. As Nicolaidis (2004: 96) poses: 'legitimacy translates power into effectiveness. [T]he promise held up by the European difference (...) lies in the legitimacy of the narrative of projection that the European Union seeks to deploy, that is, the consistency between its internal and external praxis and discourse.'

Several surveys which have been conducted over the past years to find out how other actors perceive the EU, show that discord with respect to this consistency seems to be precisely the sticking point for the EU. Lucarelli (2007) in her article combined the results of several studies conducted on perceptions of the EU<sup>44</sup>. Her basic findings are that the EU is commonly perceived as a champion for multilateralism; a prime example of regional

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<sup>42</sup> A common example concerns the relationship between the EU and the individual member states with Russia. Whereas the EU has set itself the goal of reducing energy dependence of Russia for the Union as a whole, some countries have gone ahead and struck major bilateral energy deals with Russia to guarantee national gas supplies, in effect severely undercutting the EU's leverage (not to mention credibility) towards Russia. (*Economist* 2008; Leonard and Popescu 2007)

<sup>43</sup> Chaban, Elgström and Holland (2006) in their article present the results of several studies on outsiders' perceptions of the EU, among which those of a study on the perceptions of the EU in multilateral negotiations (through conducting interviews with state representatives). They conclude that the time and effort it takes the member states to coordinate internally limits time and flexibility for building coalitions and consulting with non-EU states, whose support it still needs to get a majority in multilateral organizations. This inward focus and unclear stance results in the loss of an opportunity to turn the Union's economic power into a leading role in multilateral negotiations.

<sup>44</sup> These studies include one on EU perceptions in the Asia-Pacific, both in the media and public perceptions, and one including interviews with state representatives in multilateral negotiations (the results of which are combined in Chaban, Elgström and Holland 2006); a research project from the Institute for Security Studies in Paris on global views on the EU; several articles; and, primarily, a survey conducted by the Forum on the Problems of Peace and War, Florence, on *The External Image of the European Union* which focused on perceptions of the EU in several core countries (Brazil, India, China, Japan, South Africa, Egypt, Australia and Canada).

integration; a model and potential leader in global environmental protection; and mainly as a trade giant. For this thesis, the most relevant conclusion she draws, is that overall, the EU is considered a major economic power, rather than a particularly civilian or normative actor. The surveys show that views of the EU as normative player are especially harmed by the overrepresentation of the EU in multilateral forums with the member states proving unwilling to give up their seats in favor of the underrepresented emerging and developing countries (*Economist* 2004; Kagan 2004; Grant 2008), in addition to the much contested Common Agricultural Policy, which has long been accused to contradict the free trade values the EU so ardently advocates (Lucarelli 2007: 266-267).

## 2.4. Conclusion

This chapter has sought to present an overview of the debates relating to the EU as a normative international actor. The debate is diffused, diverse and includes matters of such (potential) philosophical depth that it would not be possible to touch upon them all to their full extent. Yet perhaps, in the end it still boils down to a few focal issues.

We have discovered that the notion of the EU as a civilian power has several core elements to it. First of all it is based on the sheer difference, 'distinctiveness', of the EU as an international actor. It not being a state, and thus having such a different decision-making process, inevitably leads to a different way of thinking and conduct, and to it being regarded as a different actor by others, both in form and in disposition. A second critical element is the aspect that has mainly been elaborated on in new conceptions of the EU, and has everything to do with its proclaimed normative character. The Union is commonly regarded as an actor striving to civilize ('domesticate') international relations through its conduct with other actors, basing its external relations on its own norms and values, which are considered of a universal nature (Sjursen 2006b: 236). Examples are its adversity to the use of military power and its corresponding lack of military means, its overt promotion of its own values through its external relations (further discussed in the following chapter), and its frontrunner position on issues such as climate change and the international rule of law.

The first question of debate has been whether the recent development of military means, and the increasingly military-minded rhetoric, implies the 'end of Civilian Power Europe'. According to some it does indeed, such as Karen Smith who declares that 'civilian power EU is definitely dead' (2007: 73). Others however, prove to be more attached to the ideal of a civilian Europe. Petiteville asserts that 'promoting democratic and human rights values is not necessarily contradictory with the disposing of military potential to face, in the last resort, the crises of a frequently 'uncivil world', provided that the latter is not used as a tool for expansion, imperialism, or hegemony' (2003: 137-8). The development of military means is then not sufficient to preclude the EU's civilian power, but this discussion has brought to the fore that the categories of 'civilian' and 'non-civilian' means are rather fluid and highly dependent on individual interpretation.

An analysis of how the EU's mostly 'civilian' instruments are applied, leads to a fairly critical picture. One of the most critical voices comes from Hyde-Price, who asserts that judging how the EU uses its so-called 'soft power' instruments, the EU 'rather (...) serves as an instrument of collective hegemony, shaping its external milieu through using power in a variety of forms: political partnership or ostracism; economic carrots and sticks; the promise of membership or the threat of exclusion. The EU acts as a 'civilizing power' only in the sense that it is used by its most powerful member states to impose their common values and norms on the post-communist East' (2006: 227). Others tend to agree that the distinction between hard and soft power is highly dependent on interpretation and on circumstances, and that the way and context in which the EU uses its 'civilian' instruments is much less selfless than they are portrayed to be and not necessarily morally just.

Similar to this debate, the EU's normative goals were also called into question. Several assumptions lie at the core of the notion of the EU as normative power. Firstly, depicting the EU a normative power assumes a value-based external policy, where goals are not only based on self-interest but take into account others' well-being; but where does this leave the EU's strategic interests? As an aspiring international actor, 'great power' even, there are serious questions about the underlying motives behind the EU's 'normative' policies and actions, as well as about the down-playing of EU self-interest by both EU policy officials and many EU-scholars (Sjursen 2006b). According to Hyde-Price, although indeed contradicting its normative image, putting interests ahead of normative objectives makes complete sense, since even though liberal ideas certainly shape policy, they do not prevail when conflicting with vital national or common interests (2008). But if this is indeed also the case for the EU, then what makes it as a 'normative power' any different from any other international actor?

A second issue with the EU as normatively driven actor, concerns that of the normativity of the concept itself. Depicting the EU as a normative power has a connotation of a 'force of good', another popular depiction of the EU. However, when equating 'normative' with 'good' we are thus implying that European norms and values equal 'good'. This can indicate two things, which are in my opinion equally questionable. The first is that European values are superior and thus should be spread, which is commonly described as 'cultural imperialism'. A second implication could be that the Europeans' norms and values are 'good' because they are of a universal quality, which is how it is justified by the EU itself. Since the assumption of universal values is not collectively shared, this second insinuation is thus equally normative in the sense that it hinges on individual perceptions about the relative value of these principles.

A crucial point this chapter has sought to make, is that besides theoretical complications with the EU as a normative actor, there are also external factors that need to be considered. The character of the international system determines which types of power are influential, and which requirements must be fulfilled to become an international player of stature. Despite claims of an emerging post-modern international system in which the EU would be uniquely at place, the constitution of the international system generally appears to put pressure on the EU to move beyond civilian power, as without traditional, 'harder' power it will lack influence in crucial areas. The arguments of EU-scholars, both those in favor of and those against militarizing the EU, show that there is already a realization that international politics involves the use of, or threat of, military force. This same development is apparent within the EU, seeing as the volatile security situation in the 1990s followed by the WTC-attacks in 2001, greatly accelerated the development of the EU's military capacity .

The EU then being subject to the same pressures of the system as are other actors, it follows that in order to be powerful in this world it must also meet the same requirements. Hence, it is judged on performance and capabilities – in the EU's case both on how capable *and* how normative an actor it is. Taking these external factors into account and for the moment disregarding the debates on means and ends entirely, leaves us to conclude that the EU finds itself in a somewhat awkward position: while on one hand it ascribes itself a distinctive, more idealist role, on the other hand it is as participant in global politics part of an international system which is (power) political, rather than ideological. The difficulties of a nontraditional actor to function in

a system with age-old traditions and practices, and then also retain a character juxtaposed many of these ancient customs, will be illustrated in the following chapter by discussing how the EU conducts itself on the international stage.

### III. A normative power at work? – An overview and two case studies

The previous chapter gave an overview of some core issues in the debate about the EU's international role. On one hand we saw that the EU's self-perception was more or less echoed by the concepts designed for it by EU-scholars. On the other hand we have also seen that the more ambition as an international actor that the EU shows, the more it instigates debate on both its actorness and on its normative role perception. But leaving aside how the EU perceives itself and how the academic world defines the EU, as part of the international system its performance is what it is judged on. So how does the EU conduct itself on the global stage? How does its external policy relate to its normative image? This chapter will first present a short overview of the EU's tools for external relations and will then highlight two case studies. The first policy that will be treated has been the cause for much debate on the EU in the past years: the European Security and Defence Policy (ESDP). Following the EU's 'hard power' policy *pur sang*, this case study will be followed by one of the EU's principal 'normative' policies: its external human rights policy.

#### 3.1. EU foreign policy and external relations – an overview

As a result of its institutional make up, the EU's external policies are rather diffused (Maull 2005: 791). The EU has its Common Foreign and Security Policy, of which the ESDP is part. This official foreign policy resides in the hands of the member states, through the mechanisms of the second, intergovernmental pillar. Aside from official foreign policy, important areas of its external relations lie in the realms of the Community method, thus hinging on the interaction between the Commission, the Parliament and the Council. Its external representation is demonstrative of this mix of intergovernmentalism and supranationalism, since it is both conducted in context of the CFSP and through Community external relations.

##### ***The CFSP***

The Maastricht Treaty transformed the, rather inactive, European Political Cooperation into the Common Foreign and Security Policy. The CFSP's official aim is to 'strengthen European security (...), boost the new EU's international standing, and bind external economic and political policymaking more closely together' (Dinan 2005: 585). In addition, it intends to 'spread advantages of open market, economic growth and political system based on democracy and social responsibility' (European Commission 2007b: 3). Available foreign policy instruments are the adoption of 'common positions' to establish systematic cooperation, and 'joint actions' allowing member states to act on Council decisions. Although the Maastricht Treaty on paper may sound like a huge leap forward for the EU as a coherent international actor, the TEU in fact failed to get foreign policy out of the intergovernmental realm into the supranational realm: it simply established an intergovernmental pillar within the European Union, making decision-making conditional upon unanimity in the European Council. Even though devising this arrangement was probably the only reason foreign and security policy was included in the TEU at all, it did cause a lot of future bickering between the European Commission and the Council, and severely impaired the effectiveness of the policy.

While still in the process of drafting the TEU, internal divisions between the member states already became clear when the war in Yugoslavia broke out in 1991. Unable to reach consensus and thus to mediate in the early days of the conflict, the Community was left providing humanitarian assistance to its European neighbours. During the remainder of the wars in (former) Yugoslavia the CFSP's procedures and politics proved inadequate, and the policy was reformed in the Amsterdam treaty (1999). The Treaty relaxed decision-making instruments to make it easier to reach consensus, and also created the High Representative for the CFSP, a post taken up by the elusive Javier Solana (Dinan 2005: 583-592; Bretherton and Vogler 2006: 4-6). In spite of these reforms however, the ensuing war in Kosovo (1999) once again rendered the Union helpless (Dinan 2005: 586-591).

The aftermath of the 2001 attacks in New York was the first instance where the Union was able offer a swift and united response, quickly recognizing the implication of the attacks for global security. However, militarily, it was again sidelined. The EU's inadequacy to stop wars, or prevent them, on their own continent, and the obviously worsening global security-situation, encouraged political leaders to take European Union foreign policy one step further: developing its own military capacity (Boin and Rhinard 2008: 11; Dinan 2005: 298; European Council 2003: 1. The ESDP will be discussed in more detail in 3.2). More recent crises have shown that the EU is trying its hardest to come up with a united response, and the 2008 Russia-Georgia crisis was telling for these efforts, in that it showed both the EU's more united way of thinking (they got together immediately after Russia invaded Georgian soil), as well as the EU's internal disagreements (which led to a much diluted statement of condemnation) (*Economist* 2008).

### ***Community external relations***

The EU's intergovernmental foreign policy goes side by side other, often sector- or region-specific, tools of external relations which fall into the supranational pillar and are thus managed by the Commission.<sup>45</sup> Since the TEU, the Commission has increased its efforts to further develop its external relations tools, in an attempt to put to use its economic presence for political and security objectives (Marsh and Mackenstein 2005: 252). Main instruments include trade arrangements; development aid; humanitarian assistance; pre-accession support; and the European Neighbourhood Policy (ENP) (European Commission 2007b: 11). Developmental trade policies include European Partnership Agreements (EPAs), which aim to help 'build regional markets and strengthen and diversify economies'; and the Generalised System of Preferences (GSPs), trade arrangements that grant preferential access to 176 developing countries to the EU market.<sup>46</sup> Besides its trade arrangements, the EU combined with its member states, is by and far the world's largest development aid provider, accounting for fifty-six per cent of global development assistance, contributing to areas ranging from human rights and democratization; gender equality; HIV/AIDS; to environmental sustainability (European Commission

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<sup>45</sup> Decision-making in the first pillar is regarded 'in hands of' the Commission, because through the so-called 'codecision procedure' the Commission has the right of initiative, i.e. to submit proposals to the Council and the Parliament. After the entire approval procedure has been walked down, execution of the proposed policy (or what is left of it) is also done by the Commission. (Dinan 2005: 334-6)

<sup>46</sup> European Commission, External Trade, Trade Development, [http://ec.europa.eu/trade/issues/global/development/index\\_en.htm](http://ec.europa.eu/trade/issues/global/development/index_en.htm), accessed 13 December 2008.

2007b: 13). Apart from development aid, the EU also provides humanitarian assistance in crisis areas such as Afghanistan, Darfur and the Horn of Africa.<sup>47</sup>

A central part of the European Union's foreign policy concerns the countries surrounding it, its so-called 'near abroad'. After the Soviet Union collapsed, an array of underdeveloped European states appeared on the Union's doorstep. Aside from feeling responsible for helping their European neighbours, so many poor, newly independent countries, and new democracies at that, posed a potential security problem Brussels could simply not ignore; aiding their economic and democratic development and promoting stability and security around the Union's borders were clearly two sides of the same coin (Dinan 2005: 143; Browning and Joenniemi 2008: 520). Candidate and potential candidate countries for EU membership receive pre-accession assistance (IPA) to 'help them introduce the necessary political, economic and institutional reforms in line with EU standards'.<sup>48</sup> The great incentive the prospect of membership presents to aspiring member states to implement reforms, battle corruption and strengthen democracy, has caused many to dub the Union's enlargement process its most important, and most effective, foreign policy tool (Grant 2006).

Enlargement, however, is a politically sensitive topic among the current member states, and is a policy with a limited life-span: even disregarding current 'enlargement fatigue', the EU cannot indefinitely keep expanding. As an alternative for promoting reform in surrounding regions the EU has constructed an elaborate system of regional policies. The formerly Partnership and Cooperation Agreements, with Eastern European countries, and Association Agreements, with the Mediterranean countries, were combined and enhanced (or so it was intended) in the European Neighbourhood Policy (ENP) in 2004 (M. Smith 2007: 449; Browning and Joenniemi 2008: 520). The ENP has the explicit aim to create a stable zone surrounding its borders, hoping to prevent 'the emergence of new dividing lines between the enlarged EU and our neighbours, and instead strengthening the prosperity, stability and security of all concerned'.<sup>49</sup> The ENP works with bilateral 'action plans' which set out the reforms to be carried out by the neighbouring country, and stipulate what the EU offers in return in terms of trade, aid and political contacts (Grant 2006: 50-52). The European Union devotes a considerable share of its budget to promoting regional development and stability – a strategy that is supported by the fact that its 'near abroad' is already 'very global and very complicated' (Silvestri 2008: 10-11). The difficulty with the ENP is for the EU to provide enough incentive, without having membership as the 'carrot', to persuade its partners to carry out the often far-reaching reforms it demands (Grant 2006: 50-52; Gillespie 2008). As demonstrated by the lagging implementation of the agreed reforms, this in practice indeed proves to be difficult. And since the ENP lacks in enforcement procedures, as do many of the EU's agreements, not much is, or can be, done to enforce them.

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<sup>47</sup> European Commission, EU in the world, Humanitarian Assistance, [http://ec.europa.eu/world/what/humanitarian\\_aid/index\\_en.htm](http://ec.europa.eu/world/what/humanitarian_aid/index_en.htm), accessed 13 December 2008.

<sup>48</sup> European Commission, Enlargement, Financial Assistance, [http://ec.europa.eu/enlargement/how-does-it-work/financial-assistance/index\\_en.htm](http://ec.europa.eu/enlargement/how-does-it-work/financial-assistance/index_en.htm), accessed 10 January 2009. Current candidates are Croatia, Macedonia and Turkey; potential candidates are Albania, Bosnia and Herzegovina, Kosovo, Montenegro and Serbia.

<sup>49</sup> European Commission, European Neighbourhood Policy, [http://ec.europa.eu/world/enp/policy\\_en.htm](http://ec.europa.eu/world/enp/policy_en.htm), accessed 14 December 2008. The EU neighbours are Belarus, Ukraine and Moldova in the East; Armenia, Azerbaijan and Georgia in the Caucasus; and Egypt, Israel, Jordan, Lebanon, Libya, Morocco, Palestinian Territory, Syria and Tunisia in the South and South-East. With Russia the EU has a separate partnership agreement in order to accommodate large mutual interests.

### ***External representation***

The EU's external representation is most illustrative for the diffused character of the EU's outward conduct. General external relations, such as association agreements and financial support, are conducted by the responsible Commissioner. For the CFSP there is the High Representative who acts when the member states are in agreement on how to respond to external actions, and for daily tasks of the CFSP. Foreign visits are conducted by the EU troika, which (generally) includes the President of the General Affairs and External Relations Council, i.e. the foreign minister of the country holding EU Presidency; the Commissioner for External Relations; and the High Representative for the CFSP. Depending on whether specific areas of expertise are on the agenda, such as environment, trade or development, the relevant Commissioners can also travel with (Dinan 2005). In addition, as witnessed during the Russia-Georgia crisis in August 2008, the President of the European Council (then Nicolas Sarkozy) can choose to represent the Union when stakes are deemed very high.

The troika serves the same purpose as traditional diplomacy does, namely furthering the interests of the European Union by means of developing relations with other states, but the current system of external representation does not seem to support developing lasting relationships with third parties. One of the main problems is the rotating Council Presidency, due to which the EU's external representation is often done by state leaders of smaller or lesser developed member states. In addition to the EU being represented by inexperienced state leaders, changing the EU's external face twice a year is not very conducive for consistency as far as establishing long-term external relations are concerned. The Treaty of Lisbon would combine the posts of External Relations Commissioner and the High Representative for the CFSP to establish an EU foreign minister (although this term cannot be used), and would bring an end to the rotating Council presidency and instead, establish a set two-and-a-half year Council Presidency.

### 3.2. Case study: the EU as military power

The first deployment of European Union military forces took place in 2003, a mere four years after taking the final decision to develop the European Security and Defence Policy. Although the last hurdles were taken swiftly, paving the way for European military capabilities has been long, slow and subject to much, internal and external, debate.

#### *From WEU to ESDP*

The Western European Union (WEU) was set up in 1954 after the failure of the European Defence Community proposal (EDC). The plan for the EDC was made alongside that of the ECSC and in context of the Korean War, when European self-defence seemed necessary for protection against the Communist threat. French opposition against German rearmament proved too strong however, and the plans ended up in the so-called 'dustbin of history'. Shortly after, on British initiative, the Six, with the addition of the UK, set up the Western European Union (Dinan 2004; Bretherton and Vogler 2006: 192-194).<sup>50</sup> The WEU was unofficially linked to the European Community, but kept the military question outside the European integration project and inside the intergovernmental realm; in hindsight a token on the wall for future defence cooperation. The WEU's activities always remained limited, entailing low-key activities such as minesweeping actions in the Gulf and monitoring and police activities in former Yugoslavia (Howorth 2005).

Since the Second World War European (external) security had been outsourced to NATO (and thus in effect the U.S., who provides the bulk of NATO's assets) and, more limited, the WEU and even into the second half of the nineties, there was little enthusiasm for autonomous European defence. Dominant EU discourse presented the EU as civilian, political power, rather than a military actor (Larsen 2002; Howorth 2005; Treacher 2004). As a result, on the eve of the major overhaul of the Community, in 1991, security cooperation within the EC was rather out of tune with the rest of the Community's development, and commitment to any degree of military involvement was unevenly spread over the Community's members. The WEU was comprised of its seven founding members and Spain and Portugal. EC-members Denmark, Greece and Ireland were thus not member of the WEU, with Ireland not even a member of NATO (Laursen 1991). The Maastricht Treaty revealed a first, modest change in attitude, within the EU that is, by announcing that the CFSP would include the 'eventual framing of a common defence policy, which might in time lead to a common defence' (quoted in K. Smith 2000: 11), and including the WEU as the EU's military arm. The Amsterdam Treaty presented a big step forward in

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<sup>50</sup> The WEU in fact arose out of the Brussels Treaty Organization (consisting of Britain, France and the Benelux countries), with the addition of Italy and West-Germany. An important difference with to the EDC-plan, and one which probably helped sway the French, was that Britain would be part of it, whereas the UK had had no interest in joining the EDC (for the UK the difference between the EDC and the WEU was that the latter would be intergovernmental rather than supranational, a decisive difference for the British and most likely another reason for the French to go along with the WEU proposal). In addition, since the WEU was linked to the NATO, the NATO was now officially principal instrument of European defence (Bretherton and Vogler 2006: 192; Dinan 2004)

incorporating the Petersberg tasks<sup>51</sup> as security-objectives, but continued to rely on the WEU for execution, declaring the organization 'an integral part of the development of the Union' (Treacher 2004; K. Smith 2000).

The year of 1998 presented a turning point for the EU as a military actor. The first seed towards developing European military capabilities was planted in the famous meeting between Tony Blair and Jacques Chirac in St. Malo, December 1998. Before this particular meeting, plans for European defence had included large roles for both the WEU and the NATO and thus assumed EU access to the U.S.' military assets as stored in the NATO. The WEU however, was much too insignificant a body to carry the responsibility for overseeing EU military operations (not to mention the hazy division of labour between the EU and the WEU). Furthermore, such an arrangement would leave the EU empty-handed in case it would wish to operate without the U.S. (or without the U.S.' approval) – a consideration ironically made a mere year before Kosovo. In order to escape this position of military dependence, Blair uttered to Chirac in 1998, the EU may want to develop autonomous forces (Howorth 2005: 185).

Now, one of the major issues with regards to EU defence, had always been the difference of opinion concerning the Atlantic relationship, which affected opinion on both the necessity and desirability of developing autonomous European capabilities (*Economist* 2003). Atlanticist countries have traditionally been inclined to shy away from European forces for fear of creating a rival to NATO and thus disturbing the U.S.' position in Europe. In contrast, France, who from 1969 to 2009 was engaged in a particularly frosty relationship with the Alliance, but also the European Union institutions, were more positively disposed towards developing EU military capabilities, so as to lessen American influence in Europe (for France) and increase the Europeans' independence (for the EU) (Dinan 2005: 120-1).<sup>52</sup> By the time the St. Malo meeting took place in the end of 1998, a process had already been put into motion to construct a framework for cooperation between the EU and NATO, so as to formalize the cooperation between the two and, more importantly, reiterate that any prospective EU military capability would be *complementary* to the NATO's role, and not competing against it.<sup>53</sup>

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<sup>51</sup> The Petersberg tasks were described in the Petersberg Declaration and adopted by the Western European Union (WEU) in 1992, to address post-Cold War security challenges. They include humanitarian and rescue tasks; peace-keeping; and crisis management, including peace-making. (Dinan 2005: 595-596)

<sup>52</sup> The American position regarding independent European military capability was ambivalent. On the one hand the Americans felt that Europe should contribute much more to providing security on their own continent and contribute to creating global stability, a stance quickly gathering speed after the end of the Cold War. On the other hand, they were not enthused by the idea of independent EU defence capacity, claiming that NATO should remain the pre-eminent security organization in Europe. (*Economist* 2003)

<sup>53</sup> The framework through which EU-NATO cooperation would be formalized was called the Berlin Plus arrangements, and would eventually go into effect in 2003. One complication for negotiating the arrangements, was the position of the six non-EU NATO-members, Turkey, Norway, Iceland, Czech Republic, Hungary and Poland (the latter three of course became EU-members in 2004). Turkey especially was concerned about that it would not have a role in the ESDP since it was no EU member, and blocked the Berlin process by threatening to veto the transfer from NATO assets to the EU. An interesting point to make is that, despite the age-old concerns about the ESDP as potential rival for the NATO's position in Europe, since the inauguration of the ESDP it has become increasingly clear that the activities of the ESDP and the NATO have very little overlap. The NATO has been described as a typical 'one trick pony', only able to conduct military missions. This greatly contrasts the EU which has a whole range of instruments for its security strategy. As a result, it is argued that most missions conducted by the EU so far would not even have qualified as NATO-missions; in that respect the two really can be seen as complementary. (Bretherton and Vogler 2006: 201-204; Howorth 2005: 185-6; European Council, 'EU-NATO: the framework for permanent relations and Berlin Plus', a European Council Background document,

After the St. Malo meeting, the process towards European defence accelerated; particularly gaining momentum after the war in Kosovo (Dinan 2005: 598). The Presidency Conclusions of the Cologne European Council in June 1999 stated that the Union should have the ability to take on the full range of the Petersberg tasks and that '[t]o this end, the Union must have the capacity for autonomous action, backed up by credible military forces, the means to decide to use them, and readiness to do so, in order to respond to international crises without prejudice to action by NATO'<sup>54</sup> During the following Council meeting, decisions were made regarding the execution of these aims, and sharp targets were set for the development of the Union's defence capacity in the Helsinki Headline Goal: already by 2003 the Union was to be able to deploy 50,000-60,000 troops within 60 days for up to one year (European Council 1999b). The first Council of 2000 continued progress on the development of the civilian aspects of crisis management, including police operations, deployment of experts on civil administration, and civil protection intervention.<sup>55</sup> In 2001 at the Laeken European Council, it was declared that the EU 'should be able to carry out the whole range of Petersberg tasks by 2003'. The Treaty of Nice in 2003 formally announced the creation of the European Security and Defence Policy.

### ***Reasons behind the development of the ESDP***

Explanations for the move towards a military EU include both internal and external factors. The dominant assumption is that the necessity for developing military means arose when the Cold War came to an end. European security had traditionally been provided by the American-dominated NATO, but with the Iron Curtain lifted, American military presence in Europe was no longer formally justified. At the same time, the economic and political state of the countries previously on the other side of that same curtain, warranted the EU's concerns about instability in its neighbouring countries, and thus the EU's own external security (Howorth 2005). Hyde-Price (2006: 228) adds that the advent of a unipolar world abolished the global stability that the Cold War stalemate had offered. With the elimination of the Soviet Union the U.S. lost its main restraint to behave like the global hegemon it was, and could now retract from Europe at will (Wallace 2001: 19). General consensus in these days was that the NATO's days were counted, as the threat against which it was established was gone. The development of European military capability was thus necessary to warrant the continent's security.<sup>56</sup>

Opposing the view that the changed international environment predicated a move towards European military means, a minority view poses the opposite. Treacher for one, propounds that 'the end of the Cold War (...) had removed any necessity for the EU member states to forge any combined military construct' (2004: 52). The end

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<http://www.consilium.europa.eu/uedocs/cmsUpload/03-11-11%20Berlin%20Plus%20press%20note%20BL.pdf>, accessed 12 August 2009.

<sup>54</sup> This statement was actually first issued in the joint declaration after the St. Malo meeting between Blair and Chirac, and was subsequently taken on by the rest of the European Council at the Cologne meeting.

<sup>55</sup> Council of the European Union, EU Council Secretariat, 'European Security and Defence Policy: the civilian aspects of crisis management - Factsheet May 2007', [http://www.consilium.europa.eu/cms3\\_fo/showPage.asp?id=1346&lang=EN&mode=g](http://www.consilium.europa.eu/cms3_fo/showPage.asp?id=1346&lang=EN&mode=g), accessed 13 December 2008.

<sup>56</sup> Hyde-Price (2006) adds that the *opportunity* for the EU to act on the need to provide for its own security was offered by it being the regional hegemon. Not having to bother about relative gains or power maximization (i.e. building up mass armies) enabled it to instead focus on strategic concerns such as security.

of the Cold War heralded an era in which power had a different meaning, and this new definition of security was not based on military power but on non-military aspects of security, such as democratization and liberalization of the market; instruments which the EU already possessed. In addition, if the need (or aspiration) for military actions would arise, there was a 'clear division of labour among the continent's key institutional actors' and the WEU and the NATO would be perfectly capable of taking on the burden of defending the European area.<sup>57</sup> In summary, whereas the international system was moving towards one in which the role of military power was marginalized, the EU developed into the opposite direction (Treacher 2004; K. Smith 2000: 11).

The second set of explanations focuses on internal factors. Howorth (2005) argues that although the political part was continuously postponed and thus severely lagging behind the rest of the EU's development, the European project was undoubtedly a political project as much as an economic endeavor. In the 1990s, it became increasingly clear that the political aspect desperately needed finishing. Other commentators agree that there was obviously a policy-gap with regards to the EU's international role, which was not fully met by the CFSP. With all the progress in the eighties and especially with the Maastricht Treaty, it seemed only a matter of time before there would be an eventual development of a defence policy to back up its new foreign policy (K. Smith 2000; Treacher 2004; Bretherton and Vogler 2006: 189). An additional internal factor was the driving force of the European Commission which, first under the assertive leadership of Delors, had been calling for the subsuming of the WEU from the days of the Union's creation (Dinan 2005: 120-1).

The EU's rapidly expanding competencies, the volatile post-Cold War international balance, and the uncertain future of American safety guarantees, together lead to an increasingly military-minded discourse in the first half of the 1990s. The final push, which is by most taken to be the prime reason, towards developing military capacity however, was the deteriorating security situation in that decade. The 1990s had already witnessed a series of violent crises in the Middle East and Africa, globally increasing the urge for preventive peace building. And the security threats were not only in far-off areas. The violent conflicts in the Balkans for which the EU was too poorly equipped to handle, both strategically and in the way of resources, were the final straw and formed the direct incentive for developing own military capacity (Boin and Rhinard 2008: 11; Dinan 2005: 298; European Council 2003: 1; Treacher 2004: 55; Bretherton and Vogler 2006: 195; Manners 2006).

### ***The ESS and the inauguration of the ESDP***

Developing a defence policy does not only entail setting targets for building up military assets and capacity, but also developing a military identity and strategy. The European Security Strategy (ESS) was drawn up in 2003, parallel to the inauguration of the ESDP, and offers great insight into the nature of the EU as a military actor. The Strategy poses that the EU due to its size (both in population, geography and economy) is 'inevitably a global player', and therefore should be prepared to 'share in the responsibility for global security and in building a better world' (European Council 2003: 1). The point of departure of the ESS is the recognition that many of today's issues – hunger and malnutrition; the AIDS pandemic; state failure and violence – cannot be

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<sup>57</sup> For Manners (2006) the UN would also have been suited to provide European security.

resolved in the often unstable environment in which most of these (human) disasters take place. Security and underdevelopment are not only mutually reinforcing, but also, 'security is a precondition of development' (Ibid.: 2).

The ESS mentions three 'strategic objectives'. Firstly, the EU should directly address major (international) threats to European security (terrorism, proliferation of WMD, organized crime, state failure, and regional conflicts); secondly, it should build security in its neighborhood; and thirdly, it should promote international order through and be founded on multilateral cooperation. The first objective requires a change in outlook compared to traditional defence, in that 'the first line of defence will often be abroad'. It will be a case of promoting democracy, contributing to anti-proliferation initiatives, and intervening in regional conflicts; all so as to *prevent* conflicts, or threats even, rather than *solve* them. The EU's approach towards reaching these objectives, the ESS emphasizes, is by no means purely military, but rather requires a mixture of instruments, ranging from judicial, intelligence, and political, in conjunction with military.

The second objective, promoting a ring of stability around the EU borders, rests for the most part on non-military instruments. The ESS stresses the importance of conflict resolution/mediation, e.g. in the Israel-Palestine conflict, and conflict prevention, through, for instance promoting integration, cooperation and broad engagement. The third objective is entirely non-military, and emphasizes the crucial change in character of international security in an age of globalization. Globalization of security and prosperity requires a greater emphasis on 'a stronger international society, well functioning international institutions, and a rule-based international order', which can, and should, be achieved by improving multilateral cooperation, especially through the UN (European Council 2003: 9). Aside from promoting and improving multilateral cooperation, the promotion of regional cooperation, good governance (with as highest goal attainable the establishment of 'well-governed democratic states'), human rights, supporting social and political reform, and establishing the rule of law, are all crucial for strengthening international order.

Although these 'strategic objectives' sound rather low-key in terms of putting those newly acquired military means to use, the 'policy implications' the ESS connects to its 'strategic objectives', present a somewhat different picture. The Strategy poses that if the EU wants to meet its potential as foreign policy actor, it needs to 'be more active, more coherent and more capable' (Ibid.: 11). This implies developing 'a strategic culture that fosters early, rapid, and when necessary, robust intervention' (Ibid.). This assertive depiction of the EU's security approach has been scrutinized ever since the ESS was made public and has been food for critique on the EU's seemingly militarizing attitude. Concretely, for the EU, becoming 'more active, more coherent and more capable', requires transforming European militaries into flexible, mobile units; increasing civilian crisis and post-crisis resources; and improving diplomacy – all of which would pave the way for embarkation on a broader spectrum of missions. Another area where there is room for improvement regards the necessity of bringing the Union's array of external relations tools in line with one another, as well as improving coordination with the member states' foreign activities (Ibid.).

In January 2003 the first (civilian) ESDP mission kicked off, followed by the first-ever military mission in March of 2003 in Macedonia. Since 2003 some twenty missions have taken place, of which over half are ongoing. The missions have a wide geographic range, ranging from Indonesia to the Democratic Republic of the Congo (DRC) to Kosovo, but are still centralized: five missions were conducted in the DRC, three in Macedonia, and two in Bosnia, Palestina and Georgia (i.e 14 out of 22 missions took place in five countries). Matching the emphasis given to civilian areas of crisis management in the Security Strategy, only six missions were of military stature, three had mixed military and civilian components, and the remaining thirteen were of civilian nature. The military missions have incorporated ensuring safety and compliance with peace agreements (Bosnia, Macedonia); peace-keeping or stabilization (Congo, Tchad); support to ongoing missions of other international organizations (Congo (UN), Sudan (AU)), security sector reform (Congo, Guinea Bissau), and the recent anti-piracy mission in Somalian waters, the first maritime mission under EU-banner. The civilian missions have focused on police assistance and reform (Bosnia, Macedonia, Afghanistan, Palestinian Territories); strengthening the rule of law (Kosovo, Georgia, Iraq); (civilian) monitoring after peace agreements or during transition (Georgia, Indonesia (Aceh), Congo); and border assistance (Palestinian Territories). These civilian missions thus for a large part entail the transfer of EU expertise of particular areas – security sector, policy sector, judicial system – to improve and, usually, reform those sectors in the countries on the receiving end.<sup>58</sup>

During its short life so far, several issues have already become apparent with regard to the ESDP's viability. First of the all there is the issue of military resources. As noted above, the targets the Council had set for the EU's military capabilities were considerable. But in spite of the optimistic statements at the beginning of this century about meeting these goals, the reality of European military capabilities at the level required for the intended tasks, soon necessitated an adjustment. Recognizing the difficulty of assembling huge numbers of military, the Headline Goal 2010 and the Civilian Headline Goal 2010, drafted in 2004, shifted the focus from large quantity to small, high-quality units, which maximize the EU's comparative advantage in the areas of expertise transfer, in both civilian and military sections (Howorth 2005; Bretherton and Vogler 2006: 189-214).

These new insights regarding the EU's military abilities, both its restrictions and its strong points, may also help shape the EU's fledgling military identity and thus address the second stumbling block with the ESDP: internal disagreements on when to put to use the ESDP's instruments. As witnessed during the war in Iraq, the problem of incoherence is quite significant in the case of the ESDP. The difficulty in getting leaders to agree on conducting military missions is a direct sign of the sensitivity attached to the topic of war in many European countries. Historically one of the member states holding back the development of European military means has been Germany, where, after the trauma of two world wars, political leaders have struggled with coming to grips with Germany as peaceful, yet military power.<sup>59</sup> And this does not just go for Germany. Military identities

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<sup>58</sup> Council of the European Union, ESDP, EU Operations, <http://www.consilium.europa.eu/showPage.aspx?id=268&lang=EN>, accessed 12 August 2009.

<sup>59</sup> Germany gradually let go of its reluctance to military action in the new millennium, however it has remained been very reluctant to deploy its troops abroad (Dinan 2005: 600). In the military missions it has contributed to, such as Afghanistan, the Germans have tended to opt for safer, more civilian aspects of these missions, so as to reduce the risk of having to engage in armed combat. The Germans are under pressure from its NATO-allies to increase their contribution to the offensive part of the Afghanistan mission, but the domestic sensitivity of German military involvement is real. The recent

are highly divergent among the member states, due to various reasons (ranging from trauma to neutrality). This shows through military expenditure, with some countries spending significant money on defence (such as the UK and France) and others only marginally (such as Ireland and Austria); as well as through the diversity in contributions to military missions (under for instance NATO or UN banner). However, not only actual military output differs, military thinking does as well. Constructing a common military identity then presents a real challenge for the Union, with so many different opinions on what military role (how large, what nature) the EU should assume. Despite the existence of an official strategy, the implementation and interpretation of this strategy is an entirely different story (European Commission 2007b: 12; M. Smith 2007; *Economist* 2004).

### ***Civilian military power?***

What then can we conclude about the EU's new role of a military actor? According to the EU, its 'new military capabilities reinforce the EU's traditional tools of external relations, including technical and financial assistance, support for institution-building and good governance in developing countries, humanitarian aid and diplomatic instruments like political dialogue and mediation. In this way, the EU can be ready to respond to specific situations as they arise — with the right mix of instruments' (European Commission 2007b: 11). Indeed, we have been able to conclude that nearly all ESDP missions, also the military ones, have taken place in context of a broader EU engagement in the countries concerned, which matches its stated objective of the ESDP as complementary instrument of its foreign policy.

The seemingly civilian nature of the Union's security and defence missions is in line with the attitude towards military power which the EU has historically displayed. Larsen (2002) points out that the EU has always played down the opportunities it has had to use military power, also since it had the possibility to draw on the WEU under the TEU. In addition, when EU discourse increasingly involved the EU as a military power during the 1990s, it was always discussed in the context of how it, together with civilian means, could be a useful instrument in 'allowing the Union to assume responsibility, rather than means to assert Union identity as such' (Larsen 2002: 291). Others agree that even in the increasingly securitized world since 9/11 and with the EU being gradually more active in security-related areas, the EU emphasizes and displays a civilian approach to crisis and conflict management. Even though the ESS refers to 'preventive engagement' and military operations are being conducted, the EU's strategic culture predicts that it is much more likely to remain a low-key military actor, for whom 'the use of the military and of force will neither be a central feature of (...) external relations

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NATO-bombardment under German leadership which is alleged to have killed civilians (the matter is still under investigation) is exactly the kind of incident the Germans have always wanted to avoid, and will most likely increase domestic opposition to deploying German troops abroad. (Konstantin von Hammerstein and Alexander Szandar, 'NATO turns screws on Germany. The coming Afghanistan showdown', Spiegel Online, 2 November 2008, <http://www.spiegel.de/international/germany/0,1518,534524,00.html>; Tomas Valasek, 'Germany owes Afghanistan an explanation', the Guardian Comments, 9 September 2009, <http://www.guardian.co.uk/commentisfree/2009/sep/09/afghanistan-civilian-casualties-nato>; Hardy Graupner, 'US calls on Germany for riskier Afghanistan missions', Deutsche Welle, 20 June 2008, <http://www.dw-world.de/dw/article/0,,2243473,00.html>. All accessed 18 September 2009)

nor a means to exert power on other actors' (Tardy 2007: 550). According to Tardy and others scholars, 'it is in this sense that it remains a soft or civilian power (...)' (Tardy 2007: 550; see also Davidson 2000; Larsen 2002).<sup>60</sup>

This prediction is supported by the internal disagreements on the use of the ESDP's instruments, although from an entirely different perspective. Divisions on the use and further development of the ESDP's instruments would prevent the EU from making any sort of significant developments beyond those it already has, even if some states (or the Commission) would aspire to. These internal disagreements suggest two things. First of all they point to the large difference in military attitudes among the member states, which has been discussed above. Although the member states holding back the use of ESDP are usually the ones reluctant to deploy military means, the historical development of the ESDP has shown that also countries that are not averse to the use of force, have been reluctant to develop *European* military capabilities. This second group is not only explained by the Atlanticist- Europeanist divide, but also by the general reluctance of member states to secede any portion of their defence policy to a body which they do not have full control over. Hence the second issue internal divisions point out: the unwillingness of the EU member states to transfer their authority regarding security and defence matter to the European level (in spite of the procedural requirement for unanimity and possibility of vetoing any decision).

Leaving the EU's military (in)capabilities aside, what have we been able to conclude about the compatibility of the EU's civilian image and its new military role? The EU's relatively 'civilian' military record as we have outlined above, should not detract from the fact at hand: there are European military resources and military missions are being conducted. As ostensible 'civilian actor', the EU has developed its military capabilities to address external security requirements. The EU's approach may be different from other countries, and especially the 'great powers', be it through principles or out of capacity restraints, the fact remains that for the development and the use of the ESDP, values are secondary objectives. Although not being able to draw a firm conclusion on whether military capabilities as such are commensurable with normative power, the obvious overriding objectives of security and other strategic lies uneasily with the notion of the EU as a normative actor. For me, I wonder whether the EU's relatively soft military track record is not due to its inabilities more than its principles; a contemplation supported by the difference between the firm of objectives of the ESS, and actual actions under the ESDP. Not being able to draw a firm conclusion on the ESDP, although on paper it seemed a clear-cut case (a 'civilian, military power' seemed an obvious contradiction in terms), what will its human rights record, seemingly living proof of the EU's 'normative' image, show?

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<sup>60</sup> Tardy, as do other commentators such as Aggestam (2006), assumes that the on occasion strong wording of the ESS is a result of the EU wanting to counter accusations of it shying away from power and thus being presented as weak. Also due to the coincidence in timing, the ESS is often regarded as a direct response to the U.S. National Security Strategy which came out just a few months earlier. Tardy also points out a peculiar detail about the ESS, which does not only fail to specify *when* the EU can and will resort to force, a central element for the average security strategy; it does not once mention the term 'use of force' (2007: 552). This gap in the strategy is a reflection of the lack of strategic culture in the EU, resulting from the member states' divisions on the utility of force. An interesting side note to make in this context, is that in this sense the EU's civilian military posture is to be seen separate from the military attitude of its member states. Whereas the EU has consciously adopted a role perception of an organization adverse to the use of violence, which could be easily explained by the EU's historical heritage of as European peace project, some of its member states have much more militarized attitudes (yet others are even uncomfortable with the current military posture of the ESDP).

### 3.3. Case study: the EU as international promoter of human rights

'Liberty, democracy, respect for human rights and fundamental freedoms, and the rule of law, are founding principles of the European Union and an indispensable prerequisite for the Union's legitimacy'. (European Commission 2007a: 5)

Apart from being fundamental objectives for the EU as institution, these values are also important principles for the EU's external relations.<sup>61</sup> The promotion of human rights in particular is according to the Council 'one of the most highly-developed facets of the European Union's external relations' (European Council 2008: 4). True to European Union fashion, its human rights policy is not so much a 'monolithic policy' but rather a 'broad framework within which a variety of operational and policy-making dynamics might prevail' (Youngs 2004: 415-6). The following paragraph will outline the different ways through which the EU's external human rights policy is conducted, and how its human rights record supports its normative image.

#### ***From internal principles to external policy***

Human rights have been an important element of the Community since its early days, yet the development of an external human rights policy is a more recent phenomenon. Already in the 1980s the EC started to propagate the importance it attached to human rights and democracy, but it was only after Maastricht the values it sought to spread were turned into treaty-based commitments (Lucarelli 2006; Marsh and Mackenstein 2005: 252). The Treaty on European Union declares one of the objectives of the Common Foreign and Security Policy the development and consolidation of 'democracy and the rule of law, and respect for human rights and fundamental freedoms'. Other articles state that also the Union's development policy and economic, financial and technical co-operation with third countries, shall contribute to the objective of developing and consolidating democracy, the rule of law and human rights (European Commission 2007a: 6). In the past few years, human rights as part of its external policy have received increasingly more attention and it has become a trait through which the EU likes to set itself apart from other international actors.

The underlying objectives for converting the Union's internal principles into its external policy goals are largely security-related. According to the Commission:

'Human security, democracy and prosperity can only be achieved in societies where fundamental human rights are respected. Humanity will not enjoy security without development; it will not enjoy development without security; and it will not enjoy either without respect for human rights.' (European Commission 2007a: 3) Hence, '[w]ithout human rights, there can be no lasting peace or security and no sustainable development'. (European Council 2008: 7)

Moreover: '[i]t is important for us to remember that human rights are universal and cannot depend on the internal affairs of any State, in Europe or elsewhere. All civil, political, economic, social and cultural rights are indivisible, interdependent and mutually reinforcing and the unique place which the European Union holds in the world leads it to commit itself particularly strongly to the protection and promotion of human rights.' (European Council 2008: 6).

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<sup>61</sup> Europa, Summaries of EU legislation, Promoting human rights and democratisation in third countries, [http://europa.eu/legislation\\_summaries/human\\_rights/human\\_rights\\_in\\_third\\_countries/r10101\\_en.htm](http://europa.eu/legislation_summaries/human_rights/human_rights_in_third_countries/r10101_en.htm), accessed 19 September 2009.

This explains the importance that the EU assigns to furthering human rights, but which factors have played a part to it gaining importance *when* it did? Contributing dynamics have been the (perceived) structural change of the international system, and the persistent promotion of human rights by some, in particularly the Nordic, member states, and that of the European Parliament and Commission. Sedelmeier (2006) argues however, that the process of Eastern enlargement was the main force shaping the EU's role as an external promoter of human rights and democracy. When the central and eastern European countries looked towards the west hoping to join the EU, the Union drew up the requirements these countries had to fulfill in order to be eligible for membership, later known as the Copenhagen Criteria.<sup>62</sup> The inclusion of human rights in its accession criteria in turn evoked discussion on whether these values should not also be included in the Union's own legal base. Sedelmeier therefore draws the conclusion that '[b]y defining and spelling out the criteria for membership, the EU explicitly articulated the fundamental characteristics that it ascribed to itself' (2006: 121). Whereas before, the promotion of human rights and democracy was generally pursued as a separate goal, in the context of eastern enlargement adherence to these principles became an increasingly explicit and central condition for aid, trade and membership.

### ***External human rights policy***

The EU's human rights policy is not coordinated through one particular programme, but rather is diffused through several policies and arrangements. Human rights promotion is three-fold: through specific (financing) programmes; through conditionality; and through political dialogue.<sup>63</sup> All three approaches serve of the Union's mission to mainstream human rights concerns into all EU policies and programmes (European Commission 2007a: 3).

### **Financing programmes**

In 2000 the Commission revamped its external relations policy with regards to democracy and human rights. The new EuropeAid programme has six instruments at its disposal for development assistance; one of which, the European Instrument for Democracy and Human Rights (EIDHR). Under EIDHR aids are granted mainly to civil society organizations, contributing to the promotion and protection of human rights in non-EU countries (European Council 2008). The programme has five-fold objectives: 'enhancing respect for human rights and fundamental freedoms where they are most at risk'; strengthening the role of civil society; support to EU Guidelines (these will be discussed below); supporting the international framework of human rights protection; and conducting EU election observation missions. Supported programmes include funding to organizations such as the International Helsinki Federation for Human Rights for anti-death penalty campaigns; funding for

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<sup>62</sup> The Copenhagen criteria are: stability of institutions guaranteeing democracy, the rule of law, human rights and respect for and protection of minorities; the existence of a functioning market economy as well as the capacity to cope with competitive pressures and market forces within the Union; the ability to take on the obligations of membership, including support for the aims of political, economic and monetary union. (European Commission 2007a: 7) The Amsterdam Treaty added to the TEU (Article 7), that a member state's rights could be suspended if it breaches these principles in a 'serious and persistent' way. (cited in Sedelmeier 2006)

<sup>63</sup> The EU's human rights policy is not officially constituted of three parts, this categorization is my own. The EU speaks alternatively of a two- (European Commission 2007a) or three-fold approach (European Council 2008); different scholars speak of two, three, to four categories under which human rights efforts could be classified.

local civil society organizations to create awareness of the importance of education for children; and support to several independent press associations (European Commission 2006). Aside from thematic instruments such as EIDHR, democracy and human rights are also supported through geographical instruments such as the European Development Fund (for ACP-countries); the Development Co-operation Instrument (Latin America, Asia and South Africa); and the ENP.<sup>64</sup>

### **Conditionality**

A major part of the EU's human rights policy is exercised through increased conditionality, ranging from accepting the entire *acquis* to accepting human rights clauses (Marsh and Mackenstein 2005: 252). One of the most general forms of conditionality is mainstreaming, which generally takes the shape of human rights clauses which are to be incorporated into all agreements with third countries. Such clauses stipulate that 'respect for human rights and democratic principles underpins the internal and external policies of the parties. In the event that those principles are breached, the EU may take certain measures (...)' (European Commission 2007a: 6). These measures may include the freezing of assets or imposing travel limitations to main members of the violating regime (European Council 2008). By mainstreaming human rights into all its policies, the EU wishes to 'ensure that the issue of human rights, democracy and the rule of law will be included in all future meetings and discussions with third countries and at all levels (...)'.<sup>65</sup>

Apart from mainstreaming through human rights clauses, specific agreements are sometimes complemented with a political dimension, which then includes provisions for human rights and democratization. This practice started with the Lomé Agreement (IV) with the ACP countries. A special trade and aid relationship between the EU and the African, Caribbean and Pacific (ACP) states has existed since the 1975 Lomé Agreements. The Lomé agreement (now Cotonou) is an indicative agreement in the respect that it shows the change in objectives since the drawing up of previous agreements, with the goals becoming more and more politicized. The 1989 Agreement (Lomé IV) already included provisions on democracy, human rights and the rule law; the 1996 Agreement (Lomé VI) included provisions on procedures against states violating these principles and introduced the political dialogue; and the 2000 Cotonou Agreement (which revised the existing agreements) further expanded the list of values which were to be adhered to (Petiteville 2003).

Another example of human rights being incorporated into general cooperation agreements are the action plans within the framework of ENP. These action plans set out an agenda for political and economic reforms, the political part including amongst other human rights. In context of these reforms, human rights subcommittees are established with countries where human rights violations are considered structural and persistent (which has for instance been done with Jordan, Morocco, Tunisia, Lebanon) (European Council 2008). Another, newer aspect of mainstreaming has already been treated above in the ESDP-section, pointing to the integration of human rights measures into military and police training in context of for instance security sector reform

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<sup>64</sup> European Commission, External cooperation programmes, Human rights and democracy, [http://ec.europa.eu/europeaid/what/human-rights/index\\_en.htm](http://ec.europa.eu/europeaid/what/human-rights/index_en.htm), accessed 20 September 2009.

<sup>65</sup> European Council, European Union guidelines on Human Rights Dialogues (2001), [http://www.consilium.europa.eu/uedocs/cmsUpload/14469EN\\_HR.pdf](http://www.consilium.europa.eu/uedocs/cmsUpload/14469EN_HR.pdf), accessed 19 September 2009.

(Youngs 2004). Besides mainstreaming human rights into the CFSP, and the ESDP specifically, one of the main tasks of the Personal Representative for Human Rights, first appointed by Javier Solana in 2004, is lobbying for human rights in multilateral fora, such as the UN General Assembly, the UN Human Rights Council, the Council of Europe and the Organization for Security and Cooperation in Europe (OSCE) (European Council 2008).

### **Political dialogue**

A less developed part of the EU's human rights promotion is through political dialogue, or, as others like to call it, 'ethical foreign policy' (Barbé and Johansson 2008; Sedelmeier 2006; Manners 2008).<sup>66</sup> For promoting human rights through political dialogue the European Council has been developing several tools, all of which are still in their infant-stages and thus have not yet reached their full potential (Sedelmeier 2006). The European Council can apply traditional diplomatic tools such as issuing *démarches* and common declarations to express their concern about human rights violations. The Council has also drawn up seven human rights Guidelines, regarding the death penalty; torture; human rights dialogues; children and armed conflict; human rights defenders; rights of the child; violence against women and girls; and, recently, compliance with international humanitarian law. These Guidelines serve to offer a framework for action and response with regard to these themes, and, theoretically, could as such serve as a basis for interventions in third countries (European Council 2008; Sedelmeier 2006).

Also part of diplomatic efforts are human rights dialogues and consultations. The EU has so far established some thirty human rights dialogues, consultations and troika consultations with third countries, ranging from the African Union, Bangladesh, all EU-candidate countries, India, Egypt, Moldova, New Zealand, Turkmenistan and the U.S. As the diversity of this list already indicates, these talks differ in character, with human rights dialogues being conducted with countries of greatest concern to the EU, such as Iran, Turkmenistan and the African Union, and troika consultations with countries it has a few areas of dispute, usually the death penalty (which is the case with the U.S., New Zealand, and Japan). With most countries these consultations take place in context of broader cooperation agreements, yet with Iran and China specific human rights dialogues are set up (European Council 2008).

### ***Human rights promotion in practice***

The EU obviously puts significant emphasis on the protection and promotion of human rights, both rhetorically and policy-wise, yet what is its track record with regards to actual human rights protection?

The EU has a few favourite human rights areas, in which it is particularly active, such as the abolition of the death penalty; children's rights; and promoting the international rule of law. The Commission has been campaigning for the abolition of the death penalty since the end of the 1990s and with considerable result. Besides drafting a Guideline on it, it consistently campaigns for outlawing the death penalty in its relations with all countries still performing the death penalty – the United States, China, Iran – by issuing *démarches* or public statements, or addressing it in bilateral contact. In addition, it presses for international condemnation or

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<sup>66</sup> See Hyde-Price (2008) for a very critical treatment of the concept of 'ethical Europe'.

denouncement within multilateral fora, such as the United Nations General Assembly and at the United Nations Commission on Human Rights, with the ultimate aim to prohibit the death penalty by international law.<sup>67</sup> Finally, the EU has made civil society projects regarding the abolition of the death penalty a priority within the EIDHR framework (European Council 2008: 51-54; Lerch and Schweltnus 2006; Manners 2002).

Even though the EU's overt and generally successful promotion of the abovementioned rights, assuming the role of a global normative power does not imply picking and choosing, but furthering and adhering to all human rights and at all times, and it is here that the EU's record waivers. In some cases the EU's human rights objectives conflict with other, more strategic interests, in which case human rights usually come out worst off; in other cases the EU's 'fundamental rights' are subdued to pressures resulting from the member states' domestic considerations. One important area where the EU's human rights record falters is asylum policy. Asylum and refugee policy is a highly sensitive issue in the majority of the European states, as it is directly linked with a movement worrying to many countries, and especially the older member states, namely that of migratory waves from developing countries and the EU's eastern neighbours towards the EU (Sterkx 2008). Concerns about, current and future, immigrants are high in many member states, and reside prominently on domestic policy agendas.

Because there is free movement within the EU, the EU's outer boundaries are the member state's outer boundaries and worries about asylum seekers translate to EU-level. The prevailing worry of continued or even increased migration, and the large influence of the member states on EU asylum and migration policy, means that asylum policy (which is closely linked to the refugee problem, a clear case of human rights), is overshadowed by the overriding objective of curbing (illegal) immigration. These domestic fears have led to practices that are extremely harmful to the EU's human rights reputation, such as overloaded boats with migrants being sent back to their country of origin in the middle of the sea, minority asylum applicants being kept in juvenile detention centers due to a lack of space, and overcrowded facilities keeping asylum seekers deprived of some of their basic requirements, earning itself the label of 'Fortress Europe' (Oosting 2001; Sterkx 2008).<sup>68</sup>

Another problem area is where human rights defence is made dependent on the compatibility with current strategic, EU or national, interests. Sedelmeier (2006) points out the difference between the EU's response to Russia's actions in Chechnya in 1995, which was very critical, and that in 1999-2000, when the Union appeared to have turned a blind eye. Lerch and Schweltnus (2006) argue the same for the EU's minority protection. Concerns regarding the practice of minority protection focus on the inconsistency with which they are protected, with discrepancies between internal and external promotion, and also differentiation among EU applicants (where minority protection is most commonly addressed). According to Lerch and Schweltnus differentiation is done largely on the basis of security motives, with minority protection being addressed when

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<sup>67</sup> In 2007 the General Assembly adopted the Resolution on a Moratorium on the Use of Death Penalty – an initiative highly supported by and lobbied for by the EU, and a landmark achievement for the ultimate goal of abolishing the death penalty. Within the Human Rights Commission the EU has every year successfully sponsored a resolution on the death penalty.

<sup>68</sup> Although these instances of human rights violations were actually committed by the member states and not the EU as such, these practices have severely damaged the EU's reputation as being regarded representation of its member states.

the treatment of a particular minority affects the stability in the country involved, indicating a pragmatic concern with the Union's security, rather than genuine promotion of the minority's rights.

Besides these, there are numerous other examples of inconsistencies in the EU's human rights policy, both internal and external. A few more examples are: the selective use of human rights conditionality, with conditionality being imposed in cases where abuses threaten to cause instability, not necessarily where they are gravest; the condemnation of human rights violations when targeting western targets or values, such as in the case of Turkey where the detention of western-style political figures was protested at, yet not that of Islamics; and the connection between applying good governance conditionality and European firms' commercial interests (for instance where corruption is harming EU businesses) (Youngs 2004). Commentators also point out that effective instruments to enforce implementation of reform or conditionality are lacking, which seriously limits the effects that human rights policy really has in terms of reform or actual human rights protection (Barbé and Johansson 2008; Panebianco 2006; Lerch and Schweltnus 2006). These inconsistencies may very well be an indication of a lack of political will from the EU to really back up its human rights policy, and as such, cast doubt on the suitability of the role the EU has taken on (Sedelmeier 2006).

The track record of the EU is thus mixed. The Union puts a lot of emphasis on human rights and the external promotion of them, predominantly with reference to the universalism of the rights it promotes, and has several policies aimed directly at furthering human rights in third countries as well as mainstreaming human rights in most of its external relations. In addition, it fights for the global outlawing of practices such as the death penalty and torture. However, the promotion of human rights does not take place in a consistent enough fashion to allow for a conclusion that the EU is a role model international defender of human rights. There are numerous cases in which it neglects to promote human rights due to political or economical considerations, of which we have only treated a few, and there are also cases in which it has conducted or condoned practices which contravene the human rights it is supposed to protect. In addition to its poor track record, Youngs (2004) raises the question of whether or not the EU's pursuit of human rights is possibly a cover up for other interests, especially security related, which is underwritten by the EU's own rationalization of its external human rights policy. On first sight being the normative policy *pur sang*, the EU's external human rights policy seems to illustrate many of the difficulties of being a normative international actor, that were raised in the previous chapter.

### 3.4. Analysis

The aim of this chapter was to shed some light on the practical difficulties of the EU as normative power, by examining EU policy and practice, and two case studies in particular. Firstly, it is obvious that the EU has a vast array of external relations tools, especially in the area of trade arrangements, aid or other types of financial assistance, and regional policies. The terms and conditions of its external policies appear to indicate that the EU promotes its values of human rights, democracy abroad, within, so it seems, a somewhat more value-based framework than do most countries. In addition, the EU actively pursues several 'milieu objectives', such as the abolition of the death penalty, the promotion of the international rule of law, and has taken on a leading role with regards to environmental protection.

From the case studies on the ESDP and human rights we have been able to conclude that the EU mainstreams its own norms and values in more or less all of its policies. Military missions include the promotion of democracy; trade agreements include a human rights clause; and with countries it is especially concerned about the Union holds human rights dialogues or consultations. At the same time, both the ESDP and the EU's human rights policy have as primary objective the EU's security. Although furthering strategic interests such as security is nothing out of the ordinary for an international actor and is in itself not contradictory to being a 'normative power', strategic interests overriding values (not only the promotion of them, but even the protection and adherence to them) is. Alternative motives behind normatively justified policies lead to cases where soft power is actually hard power, illustrative for the issues highlighted in the previous chapter. One point that has been especially notable in both the ESDP and the human rights case study is the importance of the relative power balance between the EU and the third party.

Human rights dialogues and conditionality can be imposed only (the word already implies it) due to a lack of equality: why would a country have an interest in engaging in a dialogue on human rights (knowing that the points of discussion are its violations of the rights that the EU likes to see respected), if the dialogue did not either serve the country's strategic interests (in which case there would be no genuine dialogue on human rights but rather the use of dialogue as an instrument serving other purposes), or out of sheer necessity? The same goes for conditionality: why would a country agree to EU conditionality to the point of far-reaching reforms, such as in the case of the ENP? Barbé and Johansson (2008) conclude for instance, that the ENP's objectives and realizations are not always in line with the aims of the receiving countries, and in certain cases not even for their benefit. However, on paper, countries still voluntarily agree to them: but is this not simply because of what the EU has to offer in terms of trade, aid or other, usually financial, benefits, is too big to pass over? As Tocci and others have already pointed out, the context in which the EU's human rights policies are applied, implies that they are often cases of hard power rather than soft power. The predominant concerns with other interests, not only security, but for instance economic considerations as well, thus lead to inconsistencies and ambiguity with regards to its external practice and its role conception as normative actor.

These inconsistencies may also be partly intrinsic to the notion of an international normative power. As discussed in the previous chapter, the EU's normative role perception is based for a great deal on the

assumption of universal values. Although this chapter has further emphasized the EU's belief in and reliance of the notion of universal rights, its own human rights record seems to contradict this principle. The cases of inconsistencies that were discussed were not only due to overriding strategic interests, but also due to the ambiguous nature of the EU's 'fundamental values'. Take for instance the 'right to life'; article two of the Charter of Fundamental Rights. The right to live in some aspects the EU has figured out: it is for instance clearly against the death penalty, which is forbidden in all member states and the outlawing of which is pursued on the international scene. So far so good. However, other aspects of this principle are left open for discussion: understandably, since the member states would never agree on some of the issues falling under this article. To make my point I need only mention two of these issues: euthanasia and abortion. Seen as there is already major, and fundamental, disagreement on the interpretation of fundamental rights within the EU, what does this mean for the applicability of the EU's norms to third parties?<sup>69</sup> And taken the many different interpretations within the EU, which do we seek to export? The ESDP for instance, overtly promotes democracy through its civilian missions, but which form of democracy are we promoting then? Are we promoting the British version? The Dutch? The Czech? And does the EU's internal experience not already point out that values are very hard to transfer? Something illustrated by the meager results of the ENP.

The importance of relative power positions; the cases of inconsistencies; and the un-clarity about which values the EU exactly wishes to further, lead to a rather problematic situation with regards to the EU's external role conception. The difficulty with the normative image that the EU has taken on (and was appointed to it, in all fairness), is that its external policy has two main aims. The EU on the one hand responds to developments in the international system in order to be as capable an international actor as can be, witness the development of the ESDP. Yet its ambitions in this respect are restrained by its diffused constitutional arrangements, which is at the root of the lack of coherence and consistency it portrays. This lack of consistency is also apparent in the second part of the EU's international role: that of a normative actor. The EU desiring to be as capable and coherent as any other actor, while at the same time maintaining its 'special' image, is to the detriment of both its performance (i.e. effectiveness) as an international actor and its reputation as a normative actor, and leads to a half-hearted international posture as an actor who does not quite perform as competently as it could, yet also fails to live up to its normative role perception. Although these two objectives – strategic interests and living up to its normative image – are not irreconcilable perse, the EU's inability to order the two hierarchically leads to inconsistent and incoherent performance in both respects, and could possibly lead to an overall loss of credibility on the international stage.

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<sup>69</sup> Youngs (2004) ascribes the ambiguous nature of the EU's values to the fact that the principles of human rights and democracy, as developed through the accession criteria, were adopted as 'collective identity', rather than 'shared identity'. These values being 'collective' leaves open the existence of parallel values, which can contradict the 'collective' ones. And since these other values are mostly domestic values developed through the history and culture of country in question, these are likely to prevail over the 'collective' EU values which were adopted 'from above'. Greater convergence on values within any short time frame therefore, according to Youngs, seems unlikely.

## Concluding analysis

At the onset of this thesis I wondered, or actually questioned, whether or not the EU is indeed the normative force it is portrayed to be in both EU discourse as well as EU studies. In order to investigate the many questions such depictions have raised I took a three-fold approach. I first looked into the development of the international system and the European Union, and into how the EU is positioned in the study of International Relations, to grasp the context in which the normative perceptions of the EU and its normative self-perception were developed. In this section we have come to find that the EU presented such a novel actor in international relations, and such a novel concept in IR, that 'the idea that the EU presents a different kind of player in world politics takes centre stage in the debate on its international role' (Lucarelli 2007: 250). Attempts to place a significance behind its distinctiveness, have generally led to the EU being dubbed a 'novel and uniquely benign entity in international politics', a harbinger of the so-called Kantian peace (Hyde-Price 2006: 217-8). Manners extracts the most direct association between the EU's nature and being entirely 'different to pre-existing political forms' (2002: 241):

'The concept of normative power is an attempt to suggest that not only is the EU constructed on a normative basis, but importantly that this predisposes it to act in a normative way in world politics. It is built on the crucial, and usually overlooked observation 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.' (Manners 2002: 252)

Aside from the more recent 'normative power' concept, Duchêne's 'civilian power' model from the 1970s has retained its relevance as 'main conceptual anchor' for the debate on the sources of EU influence in the world (Nicolaidis and Howse, in Burckhardt 2004). Civilian power rests, in short, on 'the consistency and (...) synergies between the European Union's being, its political essence, and its doing, its external actions' (Nicolaidis 2004), i.e. a preference for non-military, non-coercive instruments of foreign policy with the aim of 'civilizing' international relations. The EU's civilian, or civilizing, power is said to derive from its enlargement policy; being regarded a frontrunner on global cooperation on climate change issues, global advocate for multilateralism and regional cooperation, and international promoter of the international rule of law and human rights; and its historical background as bringing peace to the European continent (Telò 2006; Sjursen 2006a; Maull 2005).

### The debate

The second aspect of my research question has focused on the debate concerning the EU as civilian or normative power. Manners and Duchêne would not be the last to conclude that the EU's 'civilian' character is a direct consequence of its different constitution and its particular history; however, other factors have most likely also played a part. The EU's civilian self-perception was developed in a time where 'hard power', and mainly that of the U.S., was increasingly under scrutiny. Also, the EU simply did not have the military instruments that traditionally form the basis of hard power, nor was it likely to develop any. Could it be that the prevailing world opinion and the EU's own inabilities combined, shaped its self-perception? Or does the EU's civilian identity have more value than this suggestion gives merit to? The EU is after all, not just a common market but also, and according to some *above all*, a community of values – as evident from EU discourse. The

European continent with its recent history riddled with violence, could understandably be inclined towards more 'civil' ways of conducting international relations. Yet on the other hand, its history may also have resulted in an inclination to define itself as averse to the use of violence, while at the same time using more or less the same *force* as other countries do, but then without the military tools or in absence of 'hard rhetoric'.

The lack of military means having been core of the 'civilian power' concept, the development of the ESDP has instigated fierce debate about the continued relevance of this role perception. The debate on a military EU consists of two sides. The majority of scholars feel military power is compatible with civilian power, as long as two conditions are fulfilled: firstly, military means can only be used as last resort (or else as 'residual instrument'); secondly, it must be used in support of civilian values (Orbie 2008: 14). A minority view poses that the EU as a civilian power in the presence of military capability is a 'contradiction in terms' (Bretherton and Vogler 2006: 42), and that 'clinging to the notion of civilian power EU not only stretches the term 'civilian' past its breaking point, but also tends to induce excessively rosy-eyed views of the EU as an international actor' (K. Smith 2007: 63).

Now, an interesting point about the debate whether the EU at this moment presents a civilian power, is that one group thinks the other focuses too much on means as opposed to ends, while the other feels the opposite (K. Smith 2007: 77). For those advocating in favor of military means, the EU's ends are decisive, and means are simply tools to achieve them. Those advocating the converse, find the EU's real potential as a different force in this world is detracted from by developing military means. A complicating factor in this discussion is that instruments as such are not so straight-forward in signifying the type of power an actor makes use of. Just like military means can according to some be considered 'civilian' depending on their goals and in which situation they are applied, so too can 'civilian' instruments be applied in a coercive or imposing way.<sup>70</sup> In case of the EU, its preference for non-military power does not alter the fact that the often significant power disparities between it and its partners, make its relations with other countries not as 'soft' as they are portrayed to be.

An additional matter which is raised, is that not only can circumstances determine whether an instrument is applied in a soft way, but so can the EU's intentions. Presenting the EU as normative power implies the furthering of norms and values through its external relations, while keeping in mind the well-being of the international system and of other actors. However, the EU is also an international actor, and an aspiring great power at that, so where do its interests come into play? The EU like any international actor pursues its self-interest, and its intentions are thus not purely ethical but often a mixture of interests and values. Youngs asserts that although it is not a question of calling into doubt the EU's genuine commitment to normative values, 'it is argued that the way in which certain norms have been conceived and incorporated into external policy reveals a certain security-predicated rationalism' (2004: 421).

However, others find that this does not necessarily topple the normative power argument; even if the EU pursues common interests, it seeks to pursue those by furthering values that it stands for. For instance, to

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<sup>70</sup> Conversely, Hyde-Price argues that the EU's military means are *not* civilian because they are not intended for defence and thus represent 'an instrument for coalitional coercive diplomacy'. (Hyde-price 2006: 230)

guarantee its own security (strategic self-interest) it strives to spread the values of democracy. Thus, even if a policy is triggered by strategic considerations, 'the norms diffused may very well be considered valid and legitimate even though the motives of the EU for diffusing such norms are self-regarding' (Eriksen 2006, cited in Sjørnsen 2006b: 239).<sup>71</sup> This being said, the case studies, constituting the third part of this thesis, have shown us that the pursuit of strategic interests often overrides the values it claims to respect, in case the two are not harmonious. According to Lerch and Schwelnuß what follows, is that the EU is thus not necessarily 'normative by nature', but that 'its normative power depends heavily on the interaction between its policy goals, means and justifications, and therefore varies between different issue areas' (2006: 318).

### **Normativity of the debate**

One crucial point that this study aims to make, is to emphasize the many normative, interpretative, and thus subjective elements that the debate on the EU as 'civilian' or 'normative' power contains. First of all, depictions of the EU as normative power assume that it conducts international relations from a value-based perspective, aiming to spread its own norms and values through its external relations. Spreading these values can be done based on either interest-driven goals, or ideational, or a combination, for this argument that really does not matter. The point is that values are highly personal. The debate on the universality of the human rights in the second chapter, took an interesting turn in the third, when it appeared that in fact, even within the EU fundamental differences of opinion exist with regards to the interpretation of the Union's own 'fundamental values'. From this results, that the proclaimed 'European values' are rather indistinct (since they have to encompass all different interpretations of the member states): so what exactly is it promoting? Furthermore, given that even the member states are divided, how can we proclaim the EU's values universal?

The second normative part of the debate refers to the conceptions of 'civilian' and 'normative' power themselves presenting a normative reading of the EU's international presence. The fundamental point of the debate on 'civilian' and 'normative' power Europe, is that it is a different actor in the international system, in that it does not fit any of the commonplace categories of international actors. Some scholars, and I with them, question whether the EU should be treated as a different actor in foreign policy analysis, or whether it should be treated within the same theoretical framework as other actors. Arguing for the latter, it has been pointed out that the new concepts that have been devised over the years offer a rather sympathetic account of the EU, as scholars constructing them tend to be positively disposed towards what the EU does and what it stands for, and regard being a normative or civilian actor as a 'good thing'. Much of the depictions of the EU as normative

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<sup>71</sup> This reasoning could also annul the critique that an EU as normative type of actor implies it spreading its own values in an imperialist way: the issue is not which norms the EU wishes to spread, and thus whether they are or are not universal as the EU claims, but that it wishes to spread the values on which it itself is founded. From a theoretical point of view presenting the EU as normative power in this sense, does not necessarily imply a normative opinion on the values and principles in question. However, the EU claiming it is spreading its principles and thus making the world better, is very much a normative claim.

actor are based on assumptions which are personal rather than universal (although this is exactly how they are put forward), which implies the debate may inherit a 'problematic lack of objectivity' (Hyde-Price 2006).<sup>72</sup>

All in all, these concepts of the EU are thus criticized for being more normative than descriptive, in that they overlook 'the many examples of interest-driven behaviour, inconsistencies and double standards, internal incoherence between the proclaimed norms (...) and the internal normative setting (...), and the use of both soft and hard power' (Lucarelli 2007: 253). As a result, 'the idea of a 'distinctive international actor' has been (...) frequently overstretched [so] as to convey the image of an international actor whose interests are derived almost exclusively from its values and norms' (Ibid.), which, as we have seen, is not the case.

The normativity of these perceptions of the EU is perhaps inherent to the debate on the international character of the EU. A debate on identity (which this in essence is), is in fact a compilation of very conceptual matters and revolves for a great deal around perceptions: perceptions on the world and how we would like it to be (witness the positive connotation assigned to a 'post-Westphalian' international system); perceptions on power (see for instance the difference between Karen Smith and Robert Kagan, whose power perceptions are entirely incompatible); perceptions on the feasibility and desirability of spreading your own norms and values around the world (which according to some is a sign of cultural imperialism dating from the days of colonialism, but according to others, the mere spreading of values which apply to all); and perceptions on the universality of these values (on which many are juxtaposed the view of Westerners, whose values are declared 'universal'). The importance of perceptions was apparent throughout the academic debate, such as by the discussion on whether or not military means can be 'civilian'; with the problems encountered when distinguishing between soft and hard power, which showed such distinction is highly volatile and interpretative; and with the difficulty faced in separating self-interests from normative objectives.

### **Conclusion: Different *and* better?**

This thesis so far has reduced the many questions I had regarding depictions of the EU's international role to one main question: given that the EU is not a regular international actor – does this merit its normative stamp? The EU does justify for its actions and its existence on a normative basis, and it indeed contributes greatly towards efforts concerning the protection of global common goods and the development of the underprivileged, but let's face it: it is not a second United Nations. The EU, like any other international actor, has strategic interests and matching objectives and its main foreign policy objective is to become a capable, influential international player. There is nothing wrong with this ambition, yet in pursuit of achieving this it finds itself in situations where its interests and norms clash, in which case the former prevail and values show to be secondary. Witnessing the many cases of inconsistencies, incoherence, the volatility and ambiguity of the concept, and the ever present pressures from the international system to be a more decisive global player; being a normative international actor is not as easy as it seems.

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<sup>72</sup> On the other hand, one could also suppose that the scholars not wanting to treat the EU as a distinctive actor are often *unfavorably* disposed towards the EU, in which case these two approaches simply represent the split in perceptions of the EU as international actor.

There may however, be a way out of this conundrum. Normative power perceptions appear to have been created by looking at the EU, which as a peace-making project does have a certain appeal, through a rather alluring glass, *and* by the absence of a satisfying alternative. This latter gap has resulted in a tendency of EU analyses to revolve around only two options: the EU is either a distinctive, more normative actor; or a traditional actor, albeit a hampered one. What seems to be absent is a third option: a distinctive actor, *sui generis* even, in the way of 'differently constituted', yet otherwise a fairly average global player, particularly in terms of its goals and objectives. Undeniably, not a very satisfying option, nor a very exciting one, but acknowledging the EU as a self-interested international actor (which does not foreclose any of the efforts it makes towards its normative goals) would get rid of self-imposed constraints to live up to its normative image, and may as a result very well be to the advantage of the EU's international performance. And since its performance in turn affects its global influence, discarding its normative label may actually increase the Union's scope to pursue its *normative objectives*.

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